

HOUSE BILL No. 2363

By General Government Budget Committee

2-13

1 AN ACT concerning judges; relating to district magistrate judges;
2 elimination or reassignment of positions upon vacancy; amending
3 K.S.A. 5-417, 16a-6-116, 17-1775, 17-7307, 17-76,129, 20-301, 20-
4 327, 20-331, 20-333, 20-336, 20-348, 20-354, 20-2908, 22-2602, 22-
5 2603, 22-2604, 22-2605, 22-2606, 22-2607, 22-2608, 22-2609, 22-
6 2610, 22-2611, 22-2612, 22-2613, 22-2614, 22-2616, 22-2617, 43-162,
7 43-163, 43-164, 47-421, 50-110, 50-638, 55-1617, 56-1a510, 59-2126,
8 59-2138, 59-2207, 59-2403, 60-601, 60-602, 60-603, 60-604, 60-605,
9 60-606, 60-607, 60-608, 60-609, 60-611, 60-613, 60-614, 61-2708, 61-
10 3402, 61-3403, 61-3404, 61-3405, 61-3406, 61-3407, 61-3409, 66-
11 118e, 75-6907, 77-609 and 77-624 and K.S.A. 2014 Supp. 8-259, 8-
12 1020, 17-76,121, 20-329, 22-2615, 22-2619, 22-2902, 22-3428, 22-
13 3428a, 23-2210, 26-501, 38-2204, 38-2305, 40-218, 43-107, 43-158,
14 59-2136, 59-2203, 59-2971, 59-29b71, 60-242, 60-612, 60-4103, 74-
15 711 and 75-7510 and repealing the existing sections; also repealing
16 K.S.A. 20-301b, 20-338, 20-3107, 20-3108, 20-3109 and 20-3110 and
17 K.S.A. 2014 Supp. 43-112a and 43-112b.
18

19 *Be it enacted by the Legislature of the State of Kansas:*

20 Section 1. K.S.A. 5-417 is hereby amended to read as follows: 5-417.
21 An initial application shall be made to the *district court* ~~of~~ for the county
22 in which the agreement provides the arbitration hearing shall be held or, if
23 the hearing has been held, in the county in which it was held. Otherwise
24 the application shall be made in the ~~county~~ *judicial district* where the
25 adverse party resides or has a place of business or, if ~~said~~ *such* party has no
26 residence or place of business in this state, to the court of any ~~county~~
27 *judicial district*. All subsequent applications shall be made to the court
28 hearing the initial application unless the court otherwise directs.

29 Sec. 2. K.S.A. 2014 Supp. 8-259 is hereby amended to read as
30 follows: 8-259. (a) Except in the case of mandatory revocation under
31 K.S.A. 8-254 or 8-286, and amendments thereto, mandatory suspension
32 for an alcohol or drug-related conviction under ~~subsection (b)~~ of K.S.A. 8-
33 1014(b), and amendments thereto, mandatory suspension under K.S.A. 8-
34 262, and amendments thereto, or mandatory disqualification of the
35 privilege to drive a commercial motor vehicle under ~~subsection (a)(1)(A),~~
36 (a)(1)(B), (a)(1)(C), (a)(2)(A), (a)(3)(A) or (a)(3)(B) of K.S.A. 8-2,142(a)

1 (1)(A), (a)(1)(B), (a)(1)(C), (a)(2)(A), (a)(3)(A) or (a)(3)(B), and
2 amendments thereto, the cancellation, suspension, revocation,
3 disqualification or denial of a person's driving privileges by the division is
4 subject to review. Such review shall be in accordance with the Kansas
5 judicial review act. In the case of review of an order of suspension under
6 K.S.A. 8-1001 et seq., and amendments thereto, or of an order of
7 disqualification under ~~subsection (a)(1)(D)~~ of K.S.A. 8-2,142(a)(1)(D),
8 and amendments thereto, the petition for review shall be filed within 14
9 days after the effective date of the order and venue of the action for review
10 is the ~~county~~ *judicial district* where the administrative proceeding was
11 held or the ~~county~~ *judicial district* where the person was arrested. In all
12 other cases, the time for filing the petition is as provided by K.S.A. 77-
13 613, and amendments thereto, and venue is the ~~county~~ *judicial district*
14 where the licensee resides. The action for review shall be by trial de novo
15 to the court. The court shall take testimony, examine the facts of the case
16 and determine whether the petitioner is entitled to driving privileges or
17 whether the petitioner's driving privileges are subject to suspension,
18 cancellation or revocation under the provisions of this act. Unless the
19 petitioner's driving privileges have been extended pursuant to ~~subsection~~
20 ~~(e)~~ of K.S.A. 8-1020(o), and amendments thereto, the court on review may
21 grant a stay or other temporary remedy pursuant to K.S.A. 77-616, and
22 amendments thereto, after considering the petitioner's traffic violations
23 record and liability insurance coverage. If a stay is granted, it shall be
24 considered equivalent to any license surrendered. If a stay is not granted,
25 trial shall be set upon 21 days' notice to the legal services bureau of the
26 department of revenue. No stay shall be issued if a person's driving
27 privileges are canceled pursuant to K.S.A. 8-250, and amendments thereto.

28 (b) The clerk of any court to which an appeal has been taken under
29 this section, within 14 days after the final disposition of such appeal, shall
30 forward a notification of the final disposition to the division.

31 Sec. 3. K.S.A. 2014 Supp. 8-1020 is hereby amended to read as
32 follows: 8-1020. (a) Any licensee served with an officer's certification and
33 notice of suspension pursuant to K.S.A. 8-1002, and amendments thereto,
34 may request an administrative hearing. Such request may be made either
35 by:

36 (1) Mailing a written request which is postmarked 14 days after
37 service of notice; or

38 (2) transmitting a written request by electronic facsimile which is
39 received by the division within 14 days after service of notice.

40 (b) If the licensee makes a timely request for an administrative
41 hearing and makes a timely payment of the required hearing fee, any
42 temporary license issued pursuant to K.S.A. 8-1002, and amendments
43 thereto, shall remain in effect until the 30th day after the effective date of

1 the decision made by the division.

2 (c) If the licensee fails to make a timely request for an administrative
3 hearing together with the required hearing fee, the licensee's driving
4 privileges shall be suspended or suspended and then restricted in
5 accordance with the notice of suspension served pursuant to K.S.A. 8-
6 1002, and amendments thereto.

7 (d) (1) Upon receipt of a timely request for a hearing together with
8 the required hearing fee, the division shall forthwith set the matter for
9 hearing before a representative of the director and provide notice of the
10 extension of temporary driving privileges. The hearing shall be held by
11 telephone conference call unless the hearing request includes a request that
12 the hearing be held in person before a representative of the director. The
13 officer's certification and notice of suspension shall inform the licensee of
14 the availability of a hearing before a representative of the director. Except
15 for a hearing conducted by telephone conference call, the hearing shall be
16 conducted in the county where the arrest occurred or a county adjacent
17 thereto.

18 (2) The division shall charge a fee of \$50 for a hearing, to be paid
19 within the time period for making a timely request for a hearing, whether
20 held by telephone or in person, to be applied by the division for
21 administrative costs to conduct the hearing. The division shall remit all
22 hearing fees to the state treasurer in accordance with the provisions of
23 K.S.A. 75-4215, and amendments thereto. Upon receipt of each such
24 remittance, the state treasurer shall deposit the entire amount in the state
25 treasury to the credit of the division of vehicles operating fund. The
26 hearing fee established in this section shall be the only fee collected or
27 moneys in the nature of a fee collected for such hearing. Such fee shall
28 only be established by an act of the legislature and no other authority is
29 established by law or otherwise to collect a fee.

30 (e) Except as provided in subsection (f), prehearing discovery shall be
31 limited to the following documents, which shall be provided to the
32 licensee or the licensee's attorney no later than seven days prior to the date
33 of hearing:

34 (1) The officer's certification and notice of suspension;

35 (2) in the case of a breath or blood test failure, copies of documents
36 indicating the result of any evidentiary breath or blood test administered at
37 the request of a law enforcement officer;

38 (3) in the case of a breath test failure, a copy of the affidavit showing
39 certification of the officer and the instrument; and

40 (4) in the case of a breath test failure, a copy of the Kansas
41 department of health and environment testing protocol checklist.

42 (f) At or prior to the time the notice of hearing is sent, the division
43 shall issue an order allowing the licensee or the licensee's attorney to

1 review any video or audio tape record made of the events upon which the
2 administrative action is based. Such review shall take place at a reasonable
3 time designated by the law enforcement agency and shall be made at the
4 location where the video or audio tape is kept. The licensee may obtain a
5 copy of any such video or audio tape upon request and upon payment of a
6 reasonable fee to the law enforcement agency, not to exceed \$25 per tape.

7 (g) Witnesses at the hearing shall be limited to the licensee, to any
8 law enforcement officer who signed the certification form and to one other
9 witness who was present at the time of the issuance of the certification and
10 called by the licensee. The presence of the certifying officer or officers
11 shall not be required, unless requested by the licensee at the time of
12 making the request for the hearing. The examination of a law enforcement
13 officer shall be restricted to the factual circumstances relied upon in the
14 officer's certification.

15 (h) (1) If the officer certifies that the person refused the test, the scope
16 of the hearing shall be limited to whether:

17 (A) A law enforcement officer had reasonable grounds to believe the
18 person was operating or attempting to operate a vehicle while under the
19 influence of alcohol or drugs, or both, or had been driving a commercial
20 motor vehicle, as defined in K.S.A. 8-2,128, and amendments thereto,
21 while having alcohol or other drugs in such person's system or was under
22 the age of 21 years and was operating or attempting to operate a vehicle
23 while having alcohol or other drugs in such person's system;

24 (B) the person was in custody or arrested or was involved in a vehicle
25 accident or collision resulting in property damage, personal injury or
26 death;

27 (C) a law enforcement officer had presented the person with the oral
28 and written notice required by K.S.A. 8-1001, and amendments thereto;
29 and

30 (D) the person refused to submit to and complete a test as requested
31 by a law enforcement officer.

32 (2) If the officer certifies that the person failed a breath test, the scope
33 of the hearing shall be limited to whether:

34 (A) A law enforcement officer had reasonable grounds to believe the
35 person was operating a vehicle while under the influence of alcohol or
36 drugs, or both, or had been driving a commercial motor vehicle, as defined
37 in K.S.A. 8-2,128, and amendments thereto, while having alcohol or other
38 drugs in such person's system or was under the age of 21 years and was
39 operating or attempting to operate a vehicle while having alcohol or other
40 drugs in such person's system;

41 (B) the person was in custody or arrested or was involved in a vehicle
42 accident or collision resulting in property damage, personal injury or
43 death;

1 (C) a law enforcement officer had presented the person with the oral
2 and written notice required by K.S.A. 8-1001, and amendments thereto;

3 (D) the testing equipment used was certified by the Kansas
4 department of health and environment;

5 (E) the person who operated the testing equipment was certified by
6 the Kansas department of health and environment;

7 (F) the testing procedures used substantially complied with the
8 procedures set out by the Kansas department of health and environment;

9 (G) the test result determined that the person had an alcohol
10 concentration of .08 or greater in such person's breath; and

11 (H) the person was operating or attempting to operate a vehicle.

12 (3) If the officer certifies that the person failed a blood test, the scope
13 of the hearing shall be limited to whether:

14 (A) A law enforcement officer had reasonable grounds to believe the
15 person was operating a vehicle while under the influence of alcohol or
16 drugs, or both, or had been driving a commercial motor vehicle, as defined
17 in K.S.A. 8-2,128, and amendments thereto, while having alcohol or other
18 drugs in such person's system or was under the age of 21 years and was
19 operating or attempting to operate a vehicle while having alcohol or other
20 drugs in such person's system;

21 (B) the person was in custody or arrested or was involved in a vehicle
22 accident or collision resulting in property damage, personal injury or
23 death;

24 (C) a law enforcement officer had presented the person with the oral
25 and written notice required by K.S.A. 8-1001, and amendments thereto;

26 (D) the testing equipment used was reliable;

27 (E) the person who operated the testing equipment was qualified;

28 (F) the testing procedures used were reliable;

29 (G) the test result determined that the person had an alcohol
30 concentration of .08 or greater in such person's blood; and

31 (H) the person was operating or attempting to operate a vehicle.

32 (i) At a hearing pursuant to this section, or upon court review of an
33 order entered at such a hearing, an affidavit of the custodian of records at
34 the Kansas department of health and environment stating that the breath
35 testing device was certified and the operator of such device was certified
36 on the date of the test shall be admissible into evidence in the same
37 manner and with the same force and effect as if the certifying officer or
38 employee of the Kansas department of health and environment had
39 testified in person. A certified operator of a breath testing device shall be
40 competent to testify regarding the proper procedures to be used in
41 conducting the test.

42 (j) At a hearing pursuant to this section, or upon court review of an
43 order entered at such a hearing, in which the report of blood test results

1 have been prepared by the Kansas bureau of investigation or other forensic
2 laboratory of a state or local law enforcement agency are to be introduced
3 as evidence, the report, or a copy of the report, of the findings of the
4 forensic examiner shall be admissible into evidence in the same manner
5 and with the same force and effect as if the forensic examiner who
6 performed such examination, analysis, comparison or identification and
7 prepared the report thereon had testified in person.

8 (k) At the hearing, the licensee has the burden of proof by a
9 preponderance of the evidence to show that the facts set out in the officer's
10 certification are false or insufficient and that the order suspending or
11 suspending and restricting the licensee's driving privileges should be
12 dismissed.

13 (l) Evidence at the hearing shall be limited to the following:

- 14 (1) The documents set out in subsection (e);
- 15 (2) the testimony of the licensee;
- 16 (3) the testimony of any certifying officer;
- 17 (4) the testimony of any witness present at the time of the issuance of
18 the certification and called by the licensee;
- 19 (5) any affidavits submitted from other witnesses;
- 20 (6) any documents submitted by the licensee to show the existence of
21 a medical condition, as described in K.S.A. 8-1001, and amendments
22 thereto; and
- 23 (7) any video or audio tape record of the events upon which the
24 administrative action is based.

25 (m) After the hearing, the representative of the director shall enter an
26 order affirming the order of suspension or suspension and restriction of
27 driving privileges or for good cause appearing therefor, dismiss the
28 administrative action. If the representative of the director enters an order
29 affirming the order of suspension or suspension and restriction of driving
30 privileges, the suspension or suspension and restriction shall begin on the
31 30th day after the effective date of the order of suspension or suspension
32 and restriction. If the person whose privileges are suspended is a
33 nonresident licensee, the license of the person shall be forwarded to the
34 appropriate licensing authority in the person's state of residence if the
35 result at the hearing is adverse to such person or if no timely request for a
36 hearing is received.

37 (n) The representative of the director may issue an order at the close
38 of the hearing or may take the matter under advisement and issue a hearing
39 order at a later date. If the order is made at the close of the hearing, the
40 licensee or the licensee's attorney shall be served with a copy of the order
41 by the representative of the director. If the matter is taken under
42 advisement or if the hearing was by telephone conference call, the licensee
43 and any attorney who appeared at the administrative hearing upon behalf

1 of the licensee each shall be served with a copy of the hearing order by
2 mail. Any law enforcement officer who appeared at the hearing also may
3 be mailed a copy of the hearing order. The effective date of the hearing
4 order shall be the date upon which the hearing order is served, whether
5 served in person or by mail.

6 (o) The licensee may file a petition for review of the hearing order
7 pursuant to K.S.A. 8-259, and amendments thereto. Upon filing a petition
8 for review, the licensee shall serve the secretary of revenue with a copy of
9 the petition and summons. Upon receipt of a copy of the petition for
10 review by the secretary, the temporary license issued pursuant to
11 subsection (b) shall be extended until the decision on the petition for
12 review is final.

13 (p) Such review shall be in accordance with this section and the
14 Kansas judicial review act. To the extent that this section and any other
15 provision of law conflicts, this section shall prevail. The petition for
16 review shall be filed within 14 days after the effective date of the order.
17 Venue of the action for review is the ~~county~~ *judicial district* where the
18 person was arrested or the accident occurred, or, if the hearing was not
19 conducted by telephone conference call, the ~~county~~ *judicial district* where
20 the administrative proceeding was held. The action for review shall be by
21 trial de novo to the court and the evidentiary restrictions of subsection (l)
22 shall not apply to the trial de novo. The court shall take testimony,
23 examine the facts of the case and determine whether the petitioner is
24 entitled to driving privileges or whether the petitioner's driving privileges
25 are subject to suspension or suspension and restriction under the
26 provisions of this act. If the court finds that the grounds for action by the
27 agency have been met, the court shall affirm the agency action.

28 (q) Upon review, the licensee shall have the burden to show that the
29 decision of the agency should be set aside.

30 (r) Notwithstanding the requirement to issue a temporary license in
31 K.S.A. 8-1002, and amendments thereto, and the requirements to extend
32 the temporary license in this section, any such temporary driving
33 privileges are subject to restriction, suspension, revocation or cancellation
34 as provided in K.S.A. 8-1014, and amendments thereto, or for other cause.

35 (s) Upon motion by a party, or on the court's own motion, the court
36 may enter an order restricting the driving privileges allowed by the
37 temporary license provided for in K.S.A. 8-1002, and amendments thereto,
38 and in this section. The temporary license also shall be subject to
39 restriction, suspension, revocation or cancellation, as set out in K.S.A. 8-
40 1014, and amendments thereto, or for other cause.

41 (t) The facts found by the hearing officer or by the district court upon
42 a petition for review shall be independent of the determination of the same
43 or similar facts in the adjudication of any criminal charges arising out of

1 the same occurrence. The disposition of those criminal charges shall not
2 affect the suspension or suspension and restriction to be imposed under
3 this section.

4 (u) All notices affirming or canceling a suspension under this section,
5 all notices of a hearing held under this section and all issuances of
6 temporary driving privileges pursuant to this section shall be sent by first-
7 class mail and a United States post office certificate of mailing shall be
8 obtained therefor. All notices so mailed shall be deemed received three
9 days after mailing, except that this provision shall not apply to any
10 licensee where such application would result in a manifest injustice.

11 (v) The provisions of K.S.A. 60-206, and amendments thereto,
12 regarding the computation of time shall be applicable in determining the
13 time for requesting an administrative hearing as set out in subsection (a)
14 and to the time for filing a petition for review pursuant to subsection (o)
15 and K.S.A. 8-259, and amendments thereto.

16 Sec. 4. K.S.A. 16a-6-116 is hereby amended to read as follows: 16a-
17 6-116. The administrator may bring actions or proceedings in a court in a
18 ~~county~~ *judicial district* in which an act on which the action or proceeding
19 is based occurred or in a ~~county~~ *judicial district* in which respondent
20 resides or transacts business.

21 Sec. 5. K.S.A. 17-1775 is hereby amended to read as follows: 17-
22 1775. (a) Every action pursuant to this act shall be brought in the district
23 court of any ~~county~~ *judicial district* in which there occurred an act or
24 practice declared to be a violation of this act, or in which the defendant
25 resides or has such defendant's principal place of business. If the defendant
26 is a nonresident and has no principal place of business within this state,
27 then the nonresident defendant can be sued either in the district court of
28 Shawnee county or in the district court of any ~~county~~ *judicial district* in
29 which there occurred an act or practice declared to be a violation of this
30 act.

31 (b) This section shall be part of and supplemental to the charitable
32 organizations and solicitations act.

33 Sec. 6. K.S.A. 17-7307 is hereby amended to read as follows: 17-
34 7307. (a) A foreign corporation which is required to comply with the
35 provisions of K.S.A. 17-7301 and 17-7302, *and amendments thereto*, and
36 which has done business in this state without authority shall not maintain
37 any action or special proceeding in this state, unless and until such
38 corporation has been authorized to do business in this state and has paid to
39 the state all taxes, fees and penalties which would have been due for the
40 years or parts thereof during which it did business in this state without
41 authority. This prohibition shall not apply to any successor in interest of
42 any such foreign corporation.

43 (b) The failure of a foreign corporation to obtain authority to do

1 business in this state shall not impair the validity of any contract or act of
2 the foreign corporation or the right of any other party to the contract to
3 maintain any action or special proceeding thereon, and shall not prevent
4 the foreign corporation from defending any action or special proceeding in
5 this state.

6 (c) Any person having a cause of action against any foreign
7 corporation, whether or not such corporation is qualified to do business in
8 this state, which cause of action arose in Kansas out of such corporation
9 doing business in Kansas, or arose while such corporation was doing
10 business in Kansas, may file suit against the corporation in the proper
11 court of a ~~county~~ *judicial district* in which there is proper venue. Service
12 of process in any action shall be made in the manner prescribed by K.S.A.
13 60-304, *and amendments thereto*.

14 Sec. 7. K.S.A. 2014 Supp. 17-76,121 is hereby amended to read as
15 follows: 17-76,121. Before doing business in the state of Kansas, a foreign
16 limited liability company shall register with the secretary of state. In order
17 to register, a foreign limited liability company shall submit to the secretary
18 of state, together with payment of the fee required by this act, an original
19 copy executed by a member or manager, together with a duplicate copy, of
20 an application for registration as a foreign limited liability company,
21 setting forth:

22 (a) The name of the foreign limited liability company;

23 (b) the state or other jurisdiction or country where organized, the date
24 of its organization and a statement issued by an appropriate authority in
25 that jurisdiction or by a third-party agent authorized by the secretary of
26 state that the foreign limited liability company exists in good standing
27 under the laws of the jurisdiction of its organization;

28 (c) the nature of the business or purposes to be conducted or
29 promoted in the state of Kansas;

30 (d) the address of the registered office and the name and address of
31 the resident agent for service of process required to be maintained by this
32 act;

33 (e) an irrevocable written consent of the foreign limited liability
34 company that actions may be commenced against it in the proper court of
35 any ~~county~~ *judicial district* where there is proper venue by the service of
36 process on the secretary of state as provided for in K.S.A. 60-304, and
37 amendments thereto, and stipulating and agreeing that such service shall
38 be taken and held, in all courts, to be as valid and binding as if due service
39 had been made upon a member of the foreign limited liability company, if
40 such foreign limited liability company is member-managed, or upon a
41 manager of the foreign limited liability company, if such foreign limited
42 liability company is manager-managed;

43 (f) the name and business, residence or mailing address of each of the

1 members or, if managed by managers, the name and business, residence or
2 mailing address of each of the managers; and

3 (g) the date on which the foreign limited liability company first did,
4 or intends to do, business in the state of Kansas.

5 Sec. 8. K.S.A. 17-76,129 is hereby amended to read as follows: 17-
6 76,129. Service of process in any action against any foreign limited
7 liability company, whether or not that limited liability company is
8 qualified to do business in this state, shall be made in the manner
9 prescribed by K.S.A. 60-304, and amendments thereto. Any person who
10 has a cause of action against any foreign limited liability company,
11 whether or not the limited liability company is qualified to do business in
12 this state may file suit against the limited liability company in the district
13 court of a ~~county~~ *judicial district* in which there is proper venue if the
14 cause of action arose in Kansas out of the limited liability company's doing
15 business in Kansas or while the limited liability company was doing
16 business in Kansas.

17 Sec. 9. K.S.A. 20-301 is hereby amended to read as follows: 20-301.
18 There shall be in each ~~county~~ *judicial district* a district court, which shall
19 be a court of record, and shall have ~~general original jurisdiction of all~~
20 ~~matters, both civil and criminal, unless otherwise provided by law,~~
21 ~~jurisdiction as determined by the supreme court or otherwise prescribed~~
22 ~~by law~~ and also shall have such appellate jurisdiction as prescribed by law.

23 Sec. 10. K.S.A. 20-327 is hereby amended to read as follows: 20-327.
24 All judges of district courts elected under the provisions of this act shall be
25 elected for terms of four years and until their successors are elected and
26 qualified *unless otherwise provided pursuant to K.S.A. 20-354, and*
27 *amendments thereto.*

28 Sec. 11. K.S.A. 2014 Supp. 20-329 is hereby amended to read as
29 follows: 20-329. In every judicial district, the district court judges in such
30 judicial district shall elect a district judge as chief judge who shall have
31 general control over the assignment of cases within the district, subject to
32 supervision by the supreme court. The procedure for such election shall be
33 determined by the district court judges and adopted by district court rule.
34 Within guidelines established by statute, rule of the supreme court or the
35 district court, the chief judge of each district court shall be responsible for
36 and have general supervisory authority over the clerical and administrative
37 functions of such court. The district judge designated as chief judge by the
38 supreme court on July 1, 2014, shall be allowed to serve as chief judge
39 through January 1, 2016. *The chief judge shall assign cases filed in the*
40 *district courts to any county within the judicial district. Venue shall be*
41 *proper in any county within the judicial district, as assigned by the chief*
42 *judge.*

43 Sec. 12. K.S.A. 20-331 is hereby amended to read as follows: 20-331.

1 ~~(a) Except as provided in subsection (b);~~ Any person who has the
2 qualifications prescribed for a district judge by K.S.A. 20-334, *and*
3 *amendments thereto*, shall be eligible for nomination, election or
4 appointment to the office of judge of the district court in any judicial
5 district. If such person is not a resident of the judicial district at the time of
6 nomination, election or appointment, such person shall establish residency
7 in the judicial district before taking the oath of office and shall maintain
8 residency while holding office.

9 ~~(b) No person shall be eligible for nomination, election or~~
10 ~~appointment to the office of judge of the district court in any county of any~~
11 ~~judicial district for which there has been established residence~~
12 ~~requirements for the holding of such office if such person is not a resident~~
13 ~~of the county at the time of nomination, election or appointment.~~

14 Sec. 13. K.S.A. 20-333 is hereby amended to read as follows: 20-333.
15 Whenever ~~under the provisions of this act~~ provision is made for the
16 abolishment of the office of district judge *or magistrate judge* in any
17 judicial district, and the district judge *or magistrate judge* holding any
18 such office shall die, resign or retire during the four ~~(4)~~ years next
19 preceding the date fixed for the abolishment of such office, such office
20 shall be and is hereby abolished at the time of such death, resignation or
21 retirement.

22 Sec. 14. K.S.A. 20-336 is hereby amended to read as follows: 20-336.
23 In any judicial district which has not approved the proposition of
24 nonpartisan selection of district court judges, election laws applicable to
25 the election of ~~county officers~~ *district judges* shall govern every election of
26 district magistrate judges. Each district magistrate judge shall be elected
27 by the electors of the ~~county~~ *judicial district* where the judge's position is
28 located.

29 Sec. 15. K.S.A. 20-348 is hereby amended to read as follows: 20-348.
30 Except for expenses required by law to be paid by the state, the board of
31 county commissioners of each county have an obligation to adequately
32 fund the operation of the district court in the county and shall be
33 responsible for all expenses incurred for the operation of the district court
34 in the county. *Counties from which district magistrate judge positions*
35 *have been eliminated pursuant to K.S.A. 20-333 or 20-354, and*
36 *amendments thereto, shall remain responsible for all expenses incurred as*
37 *that county's share of the operations of the district court within the*
38 *judicial district, as determined by the chief judge of the judicial district.*

39 Sec. 16. K.S.A. 20-354 is hereby amended to read as follows: 20-354.
40 ~~(a) If, upon the death, resignation, retirement or removal of a district~~
41 ~~magistrate judge of a county in which there are two or more district~~
42 ~~magistrate judge positions or in which there also is at least one district~~
43 ~~judge position, the supreme court determines that the continuation of the~~

1 ~~vacant~~ a district magistrate judge position is unnecessary, due to the ability
2 of the remaining judges of the ~~district court in the county~~ judicial district
3 to assume the entire judicial workload of the ~~county~~ judicial district, the
4 supreme court shall certify the elimination *or reassignment* of the district
5 magistrate judge position to the secretary of state. Where the position to be
6 eliminated is in a judicial district in which the proposition of nonpartisan
7 selection of district court judges has been approved, such certification also
8 shall be made to the chairperson of the district judicial nominating
9 commission of the judicial district. *The terms of office of district*
10 *magistrate judges determined to be unnecessary or reassigned for district*
11 *magistrate judges holding office in January of the year following the*
12 *determination, shall expire on the last day of the term for which the*
13 *district magistrate judge is currently holding office. The supreme court*
14 *shall designate any district magistrate positions to be abolished no later*
15 *than one year prior to the end of the term for which the current district*
16 *magistrate judge is serving.*

17 (b) (1) *Within the limits of appropriations therefor, in any county*
18 *where a district magistrate judge position is eliminated or from which a*
19 *district magistrate judge position is reassigned, the county commission*
20 *may elect to retain the position and pay the salary of the current district*
21 *magistrate judge.*

22 (2) *Any such salary or compensation shall be deposited in the state*
23 *treasury in accordance with the provisions of K.S.A. 75-4215, and*
24 *amendments thereto, and shall be credited to the district magistrate judge*
25 *compensation fund. Any associated employer contributions and payments*
26 *with respect to such salary or compensation that are made payable under*
27 *law shall be paid by the county or counties providing such salary or*
28 *compensation, in addition to such salary or compensation, in the same*
29 *manner and under the same conditions and requirements as compensation*
30 *payable pursuant to K.S.A. 75-3120k(b), and amendments*

31 *thereto. All such associated employer contributions and payments shall*
32 *be remitted for deposit in the state treasury and shall be credited to the*
33 *district magistrate compensation fund at the same time and in the same*
34 *manner as such salary or compensation.*

35 (3) *There is hereby established in the state treasury the district*
36 *magistrate judge compensation fund.*

37 (4) *All moneys credited to the district magistrate judge compensation*
38 *fund shall be paid to, or on behalf of, the district magistrate judge or*
39 *district magistrate judges for whom such moneys were remitted by the*
40 *county or counties subject to the same conditions or restrictions imposed*
41 *or prescribed by law as the salary or other compensation payable under*
42 *K.S.A. 75-3120k(b), and amendments thereto, to such district magistrate*
43 *judge or district magistrate judges, including any applicable withholding*

1 *or other taxes, associated retirement or other employer contributions and*
 2 *authorized payroll deductions.*

3 (5) *All expenditures from the district magistrate judge compensation*
 4 *fund shall be made in accordance with appropriation acts and upon*
 5 *warrants of the director of accounts and reports issued pursuant to*
 6 *payrolls approved by the chief justice of the Kansas supreme court or by a*
 7 *person or persons designated by the chief justice.*

8 (6) *Any salary or other compensation under this section shall be*
 9 *considered to be compensation provided by law for services as a district*
 10 *magistrate judge for all purposes under law.*

11 (c) *Any person filling the district magistrate judge position retained*
 12 *pursuant to subsection (b) shall have the same power and authority as a*
 13 *district magistrate judge position established by the supreme court for all*
 14 *purposes under law.*

15 Sec. 17. K.S.A. 20-2908 is hereby amended to read as follows: 20-
 16 2908. Following the approval of nonpartisan selection of judges of the
 17 district court in a judicial district as provided in K.S.A. 20-2901, and
 18 amendments thereto, there shall not be an election or reelection of a judge
 19 of the district court at any succeeding general election, but any judge of
 20 the district court in the judicial district whose term of office expires on the
 21 second Monday in January next following any such succeeding general
 22 election shall be eligible for retention in office as provided in this section.
 23 No later than 12:00 noon on the Monday preceding the first Tuesday of
 24 August preceding the expiration of the judge's term of office, the judge
 25 may file in the office of the secretary of state a declaration of candidacy
 26 for retention in office. Such declaration shall be prescribed by the secretary
 27 of state. If a declaration is not so filed, the position held by the judge shall
 28 be vacant upon the expiration of the judge's term of office. If a declaration
 29 is filed, the judge's name shall be submitted at the next general election to
 30 the electors of the judicial district, if the judge is a district judge; ~~or to the~~
 31 ~~electors of the county, if the judge is a district magistrate judge.~~ The name
 32 shall be submitted on a separate judicial ballot, without party designation,
 33 reading substantially as follows:

34 "Shall _____
 35 (Here insert name of judge.)

36 _____
 37 (Here insert the title of the court.)

38 be retained in office?"

39 If a majority of those voting on the question vote against retaining the
 40 person in office, the position or office which the person holds shall be
 41 vacant upon the expiration of the person's term of office; otherwise, unless
 42 removed for cause, the person shall remain in office for the regular term of
 43 four years from the second Monday in January following the election. At

1 the expiration of each term, unless by law the person is compelled to retire,
2 the person shall be eligible for retention in office by election in the manner
3 prescribed in this section.

4 Wherever a majority of those voting on the question of retaining any
5 judge in office vote against retention, the secretary of state, following the
6 final canvass of votes on the question, shall certify the results to the chief
7 justice of the supreme court. Any judge who has not been retained in office
8 pursuant to this section shall not be eligible for nomination or appointment
9 to the office of judge of the district court in the judicial district prior to the
10 expiration of four years after the expiration of the judge's term of office.

11 Election laws applicable to the general elections of other state officers
12 shall apply to elections upon the question of retention of judges of the
13 district court pursuant to this section, to the extent that they are consistent
14 with the provisions of this act.

15 Sec. 18. K.S.A. 22-2602 is hereby amended to read as follows: 22-
16 2602. Except as otherwise provided by law, the prosecution shall be in the
17 ~~county~~ *judicial district* where the crime was committed.

18 Sec. 19. K.S.A. 22-2603 is hereby amended to read as follows: 22-
19 2603. Where two or more acts are requisite to the commission of any
20 crime and such acts occur in different counties the prosecution may be in
21 any ~~county~~ *judicial district* in which any of such acts occur.

22 Sec. 20. K.S.A. 22-2604 is hereby amended to read as follows: 22-
23 2604. Where a crime is committed on or so near the boundary of two or
24 more counties that it cannot be readily determined in which county the
25 crime was committed, the prosecution may be in any ~~of~~ *judicial district*
26 *containing any* such counties.

27 Sec. 21. K.S.A. 22-2605 is hereby amended to read as follows: 22-
28 2605. Where any part of a river, water course, body of water or reservoir
29 constitutes the boundary line between two ~~(2)~~ or more counties, the venue
30 is in any ~~of such counties~~ *judicial district* for prosecution of crimes
31 committed over the whole extent of such part of the river, water course,
32 body of water or reservoir, or any island therein.

33 Sec. 22. K.S.A. 22-2606 is hereby amended to read as follows: 22-
34 2606. The venue of prosecutions for crimes committed on any river, body
35 of water or reservoir constituting the boundary line of this state is in any
36 ~~county~~ *judicial district* on the same river, body of water or reservoir.

37 Sec. 23. K.S.A. 22-2607 is hereby amended to read as follows: 22-
38 2607. (1) A person who intentionally aids, abets, advises, counsels or
39 procures another to commit a crime may be prosecuted in any ~~county~~
40 *judicial district* where any of such acts were performed or in the ~~county~~
41 *judicial district* where the principal crime was committed.

42 (2) A person who knowingly harbors, conceals or aids another person
43 who has committed or has been charged with a crime with intent that such

1 other person shall avoid or escape from arrest, trial, conviction or
2 punishment for such crime, may be prosecuted in any ~~county~~ *judicial*
3 *district* where any of such acts were performed or in the ~~county~~ *judicial*
4 *district* where the principal crime was committed.

5 Sec. 24. K.S.A. 22-2608 is hereby amended to read as follows: 22-
6 2608. If a crime is committed in, on or against any vehicle or means of
7 conveyance passing through or above this state, and it cannot readily be
8 determined in which county the crime was committed, the prosecution
9 may be in any ~~county~~ *judicial district* in this state through or above which
10 such vehicle or means of conveyance has passed or in which such travel
11 commenced or terminated.

12 Sec. 25. K.S.A. 22-2609 is hereby amended to read as follows: 22-
13 2609. When property taken in one county by theft or robbery has been
14 brought into another county, the venue is in ~~either~~ *any county within the*
15 *judicial district*.

16 Sec. 26. K.S.A. 22-2610 is hereby amended to read as follows: 22-
17 2610. When property taken in another state by theft or robbery shall have
18 been brought into this state, the venue is in any ~~county~~ *judicial district* into
19 or through which such property shall have been brought.

20 Sec. 27. K.S.A. 22-2611 is hereby amended to read as follows: 22-
21 2611. If the cause of death is inflicted in one county and the death ensues
22 in another county, the prosecution may be in ~~either~~ *any* of such counties
23 *within the judicial district*. Death shall be presumed to have occurred in
24 the county where the body of the victim is found.

25 Sec. 28. K.S.A. 22-2612 is hereby amended to read as follows: 22-
26 2612. If a crime commenced outside this state is consummated within this
27 state, or if a person outside this state commits or consummates a crime by
28 an agent or means within this state, the prosecution shall be in the ~~county~~
29 *judicial district* where the crime was consummated.

30 Sec. 29. K.S.A. 22-2613 is hereby amended to read as follows: 22-
31 2613. A person charged with the crime of bigamy may be prosecuted in the
32 ~~county~~ *judicial district* where the bigamous marriage ceremony was
33 performed or in any ~~county~~ *judicial district* in which bigamous
34 cohabitation has occurred pursuant to such bigamous marriage.

35 Sec. 30. K.S.A. 22-2614 is hereby amended to read as follows: 22-
36 2614. A person charged with the crime of kidnapping may be prosecuted in
37 any ~~county~~ *judicial district* in which the victim has been transported or
38 confined during the course of the crime.

39 Sec. 31. K.S.A. 2014 Supp. 22-2615 is hereby amended to read as
40 follows: 22-2615. A person who has been released from custody upon an
41 appearance bond given in one ~~county~~ *judicial district* for appearance in
42 another ~~county~~ *judicial district*, and who fails to appear, as provided in
43 K.S.A. 2014 Supp. 21-5915, and amendments thereto, may be prosecuted

1 for such failure to appear either in the ~~county~~ *judicial district* where the
2 appearance bond was given or the ~~county~~ *judicial district* where the
3 defendant was bound to appear.

4 Sec. 32. K.S.A. 22-2616 is hereby amended to read as follows: 22-
5 2616. (1) In any prosecution, the court upon motion of the defendant shall
6 order that the case be transferred ~~as to him~~ to another ~~county~~ or district if
7 the court is satisfied that there exists in the ~~county~~ *judicial district* where
8 the prosecution is pending so great a prejudice against the defendant that
9 ~~he the defendant~~ cannot obtain a fair and impartial trial ~~in that county~~.

10 (2) When a case is ordered transferred to another ~~county~~ or district
11 the court shall certify the order of transfer to the departmental justice who
12 shall designate another ~~county~~ or district to which the proceeding shall be
13 transferred.

14 (3) When a transfer is ordered the clerk of the court where the case is
15 pending shall transmit to the clerk of the court to which the case is
16 transferred all papers in the case or duplicates thereof and any appearance
17 bond taken, and the prosecution shall continue in the court to which the
18 transfer is ordered.

19 (4) When any case is transferred to another ~~county~~ *judicial district*
20 under this section the responsibility for prosecution of the case shall
21 remain with the original prosecuting attorney, or ~~his~~ successor.

22 (5) When any case is transferred to another ~~county~~ *judicial district*
23 under this section all taxable costs in such case shall be taxed to the county
24 in which the case originated and such county shall be liable for the
25 payment thereof.

26 ~~The provisions of this section shall apply only to the prosecution of~~
27 ~~trials and shall not be applicable to preliminary proceedings.~~

28 Sec. 33. K.S.A. 22-2617 is hereby amended to read as follows: 22-
29 2617. When a change of venue has been granted and the new place of trial
30 has been designated, the clerk of the court of the ~~county~~ *judicial district*
31 where the case originated shall give notice in writing to the defendant and
32 all persons under bond to appear in the case of the time, date and place for
33 appearance in the county to which the case has been transferred. If the
34 defendant is in custody, the court may order ~~him~~ *the defendant* confined in
35 ~~the any county in the judicial district~~ to which the cause is transferred.

36 Sec. 34. K.S.A. 2014 Supp. 22-2619 is hereby amended to read as
37 follows: 22-2619. (a) "Crime committed with an electronic device" means
38 the commission of any crime that involves or is facilitated by the use of
39 any electronic device. All violations of the following are crimes committed
40 with an electronic device: Criminal use of a financial card, as defined in
41 K.S.A. 2014 Supp. 21-5828, and amendments thereto; unlawful acts
42 concerning computers, as defined in K.S.A. 2014 Supp. 21-5839, and
43 amendments thereto; identity theft and identity fraud, as defined in K.S.A.

1 2014 Supp. 21-6107, and amendments thereto; and electronic solicitation,
2 as defined in K.S.A. 2014 Supp. 21-5509, and amendments thereto.

3 (b) In addition to the venue provided for under any other provision of
4 law, a prosecution for any crime committed with an electronic device may
5 be brought in the ~~county~~ *judicial district* in which:

- 6 (1) Any requisite act to the commission of the crime occurred;
7 (2) the victim resides;
8 (3) the victim was present at the time of the crime; or
9 (4) property affected by the crime was obtained or was attempted to
10 be obtained.

11 (c) This section shall be a part of and supplemental to the Kansas
12 code for criminal procedure.

13 Sec. 35. K.S.A. 2014 Supp. 22-2902 is hereby amended to read as
14 follows: 22-2902. (1) The state and every person charged with a felony
15 shall have a right to a preliminary examination before a magistrate, unless
16 such charge has been issued as a result of an indictment by a grand jury.

17 (2) The preliminary examination shall be held before a magistrate of
18 a ~~county~~ *judicial district* in which venue for the prosecution lies within 14
19 days after the arrest or personal appearance of the defendant. Continuances
20 may be granted only for good cause shown.

21 (3) The defendant shall not enter a plea at the preliminary
22 examination. The defendant shall be personally present and except for
23 witnesses who are children less than 13 years of age, the witnesses shall be
24 examined in the defendant's presence. The defendant's voluntary absence
25 after the preliminary examination has been begun in the defendant's
26 presence shall not prevent the continuation of the examination. Except for
27 witnesses who are children less than 13 years of age, the defendant shall
28 have the right to cross-examine witnesses against the defendant and
29 introduce evidence in the defendant's own behalf. If from the evidence it
30 appears that a felony has been committed and there is probable cause to
31 believe that a felony has been committed by the defendant, the magistrate
32 shall order the defendant bound over to the district judge having
33 jurisdiction to try the case; otherwise, the magistrate shall discharge the
34 defendant. When the victim of the felony is a child less than 13 years of
35 age, the finding of probable cause as provided in this subsection may be
36 based upon hearsay evidence in whole or in part presented at the
37 preliminary examination by means of statements made by a child less than
38 13 years of age on a videotape recording or by other means.

39 (4) If the defendant and the state waive preliminary examination, the
40 magistrate shall order the defendant bound over to the district judge having
41 jurisdiction to try the case.

42 (5) Any judge of the district court may conduct a preliminary
43 examination, and a district judge may preside at the trial of any defendant

1 even though such judge presided at the preliminary examination of such
2 defendant.

3 (6) The complaint or information, as filed by the prosecuting attorney
4 pursuant to K.S.A. 22-2905, and amendments thereto, shall serve as the
5 formal charging document at trial. When a defendant and prosecuting
6 attorney reach agreement on a plea of guilty or nolo contendere, the
7 defendant and the prosecuting attorney shall notify the district court of
8 such agreement and arrange for a time to plead, pursuant to K.S.A. 22-
9 3210, and amendments thereto.

10 (7) The judge of the district court, when conducting the preliminary
11 examination, shall have the discretion to conduct arraignment, subject to
12 assignment pursuant to K.S.A. 20-329, and amendments thereto, at the
13 conclusion of the preliminary examination.

14 Sec. 36. K.S.A. 2014 Supp. 22-3428 is hereby amended to read as
15 follows: 22-3428. (1) (a) When a defendant is acquitted and the jury
16 answers in the affirmative to the special question asked pursuant to K.S.A.
17 22-3221, and amendments thereto, the defendant shall be committed to the
18 state security hospital for safekeeping and treatment and the county or
19 district attorney shall provide victim notification. A finding of not guilty
20 and the jury answering in the affirmative to the special question asked
21 pursuant to K.S.A. 22-3221, and amendments thereto, shall be prima facie
22 evidence that the acquitted defendant is presently likely to cause harm to
23 self or others.

24 (b) Within 90 days of the defendant's admission, the chief medical
25 officer of the state security hospital shall send to the court a written
26 evaluation report. Upon receipt of the report, the court shall set a hearing
27 to determine whether or not the defendant is currently a mentally ill
28 person. The hearing shall be held within 30 days after the receipt by the
29 court of the chief medical officer's report.

30 (c) The court shall give notice of the hearing to the chief medical
31 officer of the state security hospital, the district or county attorney, the
32 defendant and the defendant's attorney. The county or district attorney
33 shall provide victim notification. The court shall inform the defendant that
34 such defendant is entitled to counsel and that counsel will be appointed to
35 represent the defendant if the defendant is not financially able to employ
36 an attorney as provided in K.S.A. 22-4503 et seq., and amendments
37 thereto. The defendant shall remain at the state security hospital pending
38 the hearing.

39 (d) At the hearing, the defendant shall have the right to present
40 evidence and cross-examine witnesses. At the conclusion of the hearing, if
41 the court finds by clear and convincing evidence that the defendant is not
42 currently a mentally ill person, the court shall dismiss the criminal
43 proceeding and discharge the defendant, otherwise the court may commit

1 the defendant to the state security hospital for treatment or may place the
2 defendant on conditional release pursuant to subsection (4). The county or
3 district attorney shall provide victim notification regarding the outcome of
4 the hearing.

5 (2) Subject to the provisions of subsection (3):

6 (a) Whenever it appears to the chief medical officer of the state
7 security hospital that a person committed under subsection (1)(d) is not
8 likely to cause harm to other persons in a less restrictive hospital
9 environment, the officer may transfer the person to any state hospital,
10 subject to the provisions of subsection (3). At any time subsequent thereto
11 during which such person is still committed to a state hospital, if the chief
12 medical officer of that hospital finds that the person may be likely to cause
13 harm or has caused harm, to others, such officer may transfer the person
14 back to the state security hospital.

15 (b) Any person committed under subsection (1)(d) may be granted
16 conditional release or discharge as an involuntary patient.

17 (3) Before transfer of a person from the state security hospital
18 pursuant to subsection (2)(a) or conditional release or discharge of a
19 person pursuant to subsection (2)(b), the chief medical officer of the state
20 security hospital or the state hospital where the patient is under
21 commitment shall give notice to the district court of the ~~county~~ *judicial*
22 *district* from which the person was committed that transfer of the patient is
23 proposed or that the patient is ready for proposed conditional release or
24 discharge. Such notice shall include, but not be limited to: (a)
25 Identification of the patient; (b) the course of treatment; (c) a current
26 assessment of the defendant's mental illness; (d) recommendations for
27 future treatment, if any; and (e) recommendations regarding conditional
28 release or discharge, if any. Upon receiving notice, the district court shall
29 order that a hearing be held on the proposed transfer, conditional release or
30 discharge. The court shall give notice of the hearing to the state hospital or
31 state security hospital where the patient is under commitment, to the
32 district or county attorney of the ~~county~~ *judicial district* from which the
33 person was originally ordered committed. The county or district attorney
34 shall provide victim notification regarding the hearing. The court shall
35 order the involuntary patient to undergo a mental evaluation by a person
36 designated by the court. A copy of all orders of the court shall be sent to
37 the involuntary patient and the patient's attorney. The report of the court
38 ordered mental evaluation shall be given to the district or county attorney,
39 the involuntary patient and the patient's attorney at least seven days prior
40 to the hearing. The hearing shall be held within 30 days after the receipt by
41 the court of the chief medical officer's notice. The involuntary patient shall
42 remain in the state hospital or state security hospital where the patient is
43 under commitment until the hearing on the proposed transfer, conditional

1 release or discharge is to be held. At the hearing, the court shall receive all
2 relevant evidence, including the written findings and recommendations of
3 the chief medical officer of the state security hospital or the state hospital
4 where the patient is under commitment, and shall determine whether the
5 patient shall be transferred to a less restrictive hospital environment or
6 whether the patient shall be conditionally released or discharged. The
7 patient shall have the right to present evidence at such hearing and to
8 cross-examine any witnesses called by the district or county attorney. At
9 the conclusion of the hearing, if the court finds by clear and convincing
10 evidence that the patient will not be likely to cause harm to self or others if
11 transferred to a less restrictive hospital environment, the court shall order
12 the patient transferred. If the court finds by clear and convincing evidence
13 that the patient is not currently a mentally ill person, the court shall order
14 the patient discharged or conditionally released; otherwise, the court shall
15 order the patient to remain in the state security hospital or state hospital
16 where the patient is under commitment. If the court orders the conditional
17 release of the patient in accordance with subsection (4), the court may
18 order as an additional condition to the release that the patient continue to
19 take prescribed medication and report as directed to a person licensed to
20 practice medicine and surgery to determine whether or not the patient is
21 taking the medication or that the patient continue to receive periodic
22 psychiatric or psychological treatment. The county or district attorney shall
23 notify any victims of the outcome of the hearing.

24 (4) In order to ensure the safety and welfare of a patient who is to be
25 conditionally released and the citizenry of the state, the court may allow
26 the patient to remain in custody at a facility under the supervision of the
27 secretary for aging and disability services for a period of time not to
28 exceed 45 days in order to permit sufficient time for the secretary to
29 prepare recommendations to the court for a suitable reentry program for
30 the patient and allow adequate time for the county or district attorney to
31 provide victim notification. The reentry program shall be specifically
32 designed to facilitate the return of the patient to the community as a
33 functioning, self-supporting citizen, and may include appropriate
34 supportive provisions for assistance in establishing residency, securing
35 gainful employment, undergoing needed vocational rehabilitation,
36 receiving marital and family counseling, and such other outpatient services
37 that appear beneficial. If a patient who is to be conditionally released will
38 be residing in a county other than the county where the district court that
39 ordered the conditional release is located, the court shall transfer venue of
40 the case to the district court of the ~~other county~~ *judicial district* and send a
41 copy of all of the court's records of the proceedings to the other court. In
42 all cases of conditional release the court shall: (a) Order that the patient be
43 placed under the temporary supervision of district court probation and

1 parole services, community treatment facility or any appropriate private
2 agency; and (b) require as a condition precedent to the release that the
3 patient agree in writing to waive extradition in the event a warrant is
4 issued pursuant to K.S.A. 22-3428b, and amendments thereto.

5 (5) At any time during the conditional release period, a conditionally
6 released patient, through the patient's attorney, or the county or district
7 attorney of the county in which the district court having venue is located
8 may file a motion for modification of the conditions of release, and the
9 court shall hold an evidentiary hearing on the motion within 14 days of its
10 filing. The court shall give notice of the time for the hearing to the patient
11 and the county or district attorney. If the court finds from the evidence at
12 the hearing that the conditional provisions of release should be modified or
13 vacated, it shall so order. If at any time during the transitional period the
14 designated medical officer or supervisory personnel or the treatment
15 facility informs the court that the patient is not satisfactorily complying
16 with the provisions of the conditional release, the court, after a hearing for
17 which notice has been given to the county or district attorney and the
18 patient, may make orders: (a) For additional conditions of release designed
19 to effect the ends of the reentry program; (b) requiring the county or
20 district attorney to file a petition to determine whether the patient is a
21 mentally ill person as provided in K.S.A. 59-2957, and amendments
22 thereto; or (c) requiring that the patient be committed to the state security
23 hospital or any state hospital. In cases where a petition is ordered to be
24 filed, the court shall proceed to hear and determine the petition pursuant to
25 the care and treatment act for mentally ill persons and that act shall apply
26 to all subsequent proceedings. If a patient is committed to any state
27 hospital pursuant to this act the county or district attorney shall provide
28 victim notification. The costs of all proceedings, the mental evaluation and
29 the reentry program authorized by this section shall be paid by the county
30 from which the person was committed.

31 (6) In any case in which the defense that the defendant lacked the
32 required mental state pursuant to K.S.A. 22-3220, and amendments
33 thereto, is relied on, the court shall instruct the jury on the substance of
34 this section.

35 (7) As used in this section and K.S.A. 22-3428a, and amendments
36 thereto:

37 (a) "Likely to cause harm to self or others" means that the person is
38 likely, in the reasonably foreseeable future, to cause substantial physical
39 injury or physical abuse to self or others or substantial damage to another's
40 property, or evidenced by behavior causing, attempting or threatening such
41 injury, abuse or neglect.

42 (b) "Mentally ill person" means any person who:

43 (A) Is suffering from a severe mental disorder to the extent that such

1 person is in need of treatment; and

2 (B) is likely to cause harm to self or others.

3 (c) "Treatment facility" means any mental health center or clinic,
4 psychiatric unit of a medical care facility, psychologist, physician or other
5 institution or individual authorized or licensed by law to provide either
6 inpatient or outpatient treatment to any patient.

7 Sec. 37. K.S.A. 2014 Supp. 22-3428a is hereby amended to read as
8 follows: 22-3428a. (1) Any person found not guilty, pursuant to K.S.A.
9 22-3220 and 22-3221, and amendments thereto, who remains in the state
10 security hospital or a state hospital for over one year pursuant to a
11 commitment under K.S.A. 22-3428, and amendments thereto, shall be
12 entitled annually to request a hearing to determine whether or not the
13 person continues to be a mentally ill person. The request shall be made in
14 writing to the district court of the ~~county~~ *judicial district* where the person
15 is hospitalized and shall be signed by the committed person or the person's
16 counsel. When the request is filed, the court shall give notice of the request
17 to: (a) The county or district attorney of the ~~county~~ *judicial district* in
18 which the person was originally ordered committed; and (b) the chief
19 medical officer of the state security hospital or state hospital where the
20 person is committed. The chief medical officer receiving the notice, or the
21 officer's designee, shall conduct a mental examination of the person and
22 shall send to the district court of the county where the person is
23 hospitalized and to the county or district attorney of the ~~county~~ *judicial*
24 *district* in which the person was originally ordered committed a report of
25 the examination within 21 days from the date when notice from the court
26 was received. Within 14 days after receiving the report of the examination,
27 the county or district attorney receiving it may file a motion with the
28 district court that gave the notice, requesting the court to change the venue
29 of the hearing to the district court of the ~~county~~ *judicial district* in which
30 the person was originally committed, or the court that gave the notice on
31 its own motion may change the venue of the hearing to the district court of
32 the ~~county~~ *judicial district* in which the person was originally committed.
33 Upon receipt of that motion and the report of the mental examination or
34 upon the court's own motion, the court shall transfer the hearing to the
35 district court specified in the motion and send a copy of the court's records
36 of the proceedings to that court.

37 (2) After the time in which a change of venue may be requested has
38 elapsed, the court having venue shall set a date for the hearing, giving
39 notice thereof to the county or district attorney of the ~~county~~ *judicial*
40 *district*, the committed person and the person's counsel. The county or
41 district attorney shall provide victim notification. If there is no counsel of
42 record, the court shall appoint a counsel for the committed person. The
43 committed person shall have the right to procure, at the person's own

1 expense, a mental examination by a physician or licensed psychologist of
2 the person's own choosing. If a committed person is financially unable to
3 procure such an examination, the aid to indigent defendants provisions of
4 article 45 of chapter 22 of the Kansas Statutes Annotated, and amendments
5 thereto, shall be applicable to that person. A committed person requesting a
6 mental examination pursuant to K.S.A. 22-4508, and amendments thereto,
7 may request a physician or licensed psychologist of the person's own
8 choosing and the court shall request the physician or licensed psychologist
9 to provide an estimate of the cost of the examination. If the physician or
10 licensed psychologist agrees to accept compensation in an amount in
11 accordance with the compensation standards set by the board of
12 supervisors of panels to aid indigent defendants, the judge shall appoint
13 the requested physician or licensed psychologist; otherwise, the court shall
14 designate a physician or licensed psychologist to conduct the examination.
15 Copies of each mental examination of the committed person shall be filed
16 with the court at least seven days prior to the hearing and shall be supplied
17 to the county or district attorney receiving notice pursuant to this section
18 and the committed person's counsel.

19 (3) At the hearing the committed person shall have the right to
20 present evidence and cross-examine the witnesses. The court shall receive
21 all relevant evidence, including the written findings and recommendations
22 of the chief medical officer of the state security hospital or state hospital
23 where the person is under commitment, and shall determine whether the
24 committed person continues to be a mentally ill person. At the hearing the
25 court may make any order that a court is empowered to make pursuant to
26 ~~subsections (3), (4) and (5) of K.S.A. 22-3428(3), (4) and (5),~~ and
27 amendments thereto. If the court finds by clear and convincing evidence
28 the committed person is not a mentally ill person, the court shall order the
29 person discharged; otherwise, the person shall remain committed or be
30 conditionally released. The county or district attorney shall provide victim
31 notification regarding the outcome of the hearing.

32 (4) Costs of a hearing held pursuant to this section shall be assessed
33 against and paid by the county in which the person was originally ordered
34 committed.

35 Sec. 38. K.S.A. 2014 Supp. 23-2210 is hereby amended to read as
36 follows: 23-2210. (a) The district court has jurisdiction of an action
37 brought under the Kansas parentage act. The action may be joined with an
38 action for divorce, annulment, separate maintenance, support or adoption.

39 (b) If any determination is sought in any action under the Kansas
40 parentage act for custody, residency or parenting time, the initial pleading
41 seeking that determination shall include that information required by
42 K.S.A. 2014 Supp. 23-37,209, and amendments thereto.

43 (c) The action may be brought in the ~~county~~ *judicial district* in which

1 the child, the mother or the presumed or alleged father resides or is found.
2 If a parent or an alleged or presumed parent is deceased, an action may be
3 brought in the ~~county~~ *judicial district* in which proceedings for probate of
4 the estate of the parent or alleged or presumed parent have been or could
5 be commenced.

6 (d) Any order issued pursuant to the revised Kansas code for care of
7 children or the revised Kansas juvenile justice code, shall take precedence
8 over any order under article 22 of chapter 23 of the Kansas Statutes
9 Annotated, and amendments thereto (determination of parentage), until
10 jurisdiction under the revised Kansas code for care of children or the
11 revised Kansas juvenile justice code is terminated.

12 (e) If a court of competent jurisdiction within this state has entered an
13 order pursuant to the revised Kansas code for care of children regarding
14 custody of a child or children who are involved in a proceeding filed
15 pursuant to this section, and such court has determined pursuant to
16 ~~subsection (i)(2)~~ of K.S.A. 38-2264(i)(2), and amendments thereto, that
17 the orders in that case shall become the custody orders in the parentage
18 case, such court shall file a certified copy of the orders with the civil case
19 number in the caption and then close the case under the revised Kansas
20 code for care of children. Such orders shall be binding on the parties,
21 unless modified based on a material change in circumstances, even if such
22 courts have different venues.

23 Sec. 39. K.S.A. 2014 Supp. 26-501 is hereby amended to read as
24 follows: 26-501. (a) The procedure for exercising eminent domain, as set
25 forth in K.S.A. 26-501 through 26-518 and K.S.A. 2014 Supp. 26-501a
26 and 26-501b, and amendments thereto, shall be followed in all eminent
27 domain proceedings.

28 (b) The proceedings shall be brought by filing a verified petition in
29 the district court of the ~~county~~ *judicial district* in which the real estate is
30 situated, except if it be an entire tract situated in two or more counties, the
31 proceedings may be brought in any county in which any tract or parts
32 thereof is situated.

33 (c) For the purposes of the eminent domain procedure act, unless the
34 context clearly indicates a different meaning, the following terms shall
35 have the following respective meanings:

36 (1) "Municipality" means city, county or unified government.

37 (2) "Taking" means the use by any authorized entity of the power of
38 eminent domain to acquire any interest in private real property.

39 Sec. 40. K.S.A. 2014 Supp. 38-2204 is hereby amended to read as
40 follows: 38-2204. (a) Venue of any case involving a child in need of care
41 shall be in the ~~county~~ *judicial district* of the child's residence or in the
42 ~~county~~ *judicial district* where the child is found.

43 (b) Upon application of any party or interested party and after notice

1 to all other parties and interested parties, the court in which the petition
2 was originally filed alleging that a child is a child in need of care may
3 order the proceedings transferred to the court of the ~~county~~ *judicial district*
4 where: (1) The child is physically present; (2) the parent or parents reside;
5 or (3) other proceedings are pending in this state concerning custody of the
6 child. The judge of the court in which the case is pending shall consult
7 with the judge of the proposed receiving court prior to transfer of the case.
8 If the judges do not agree that the case should be transferred or if a hearing
9 is requested, a hearing shall be held on the desirability of the transfer, with
10 notice to parties or interested parties, the secretary and the proposed
11 receiving court. If the judge of the transferring court orders the case
12 transferred, the order of transfer shall include findings stating why the case
13 is being transferred and, if available, the names and addresses of all
14 interested parties to whom the receiving court should provide notice of any
15 further proceedings. The receiving court shall accept the case. Upon a
16 judge ordering a transfer of venue, the clerk shall transmit the contents of
17 the official file and a complete copy of the social file to the court to which
18 venue is transferred, and, upon receipt of the record, the receiving court
19 shall assume jurisdiction as if the proceedings were originally filed in that
20 court. The transferring judge, if an adjudicatory hearing has been held,
21 shall also transmit recommendations as to disposition. The court may
22 return the case to the court where it originated if the child is not present in
23 the receiving ~~county~~ *judicial district* or, the receiving ~~county~~ *judicial*
24 *district* is not the residence of the child's parent or parents.

25 Sec. 41. K.S.A. 2014 Supp. 38-2305 is hereby amended to read as
26 follows: 38-2305. (a) Venue for proceedings in any case involving a
27 juvenile shall be in any ~~county~~ *judicial district* where any act of the
28 alleged offense was committed.

29 (b) Except as provided in subsection (c), venue for sentencing
30 proceedings shall be in the ~~county~~ *judicial district* of the juvenile
31 offender's residence or, if the juvenile offender is not a resident of this
32 state, in the ~~county~~ *judicial district* where the adjudication occurred. When
33 the sentencing hearing is to be held in a ~~county~~ *judicial district* other than
34 where the adjudication occurred, upon adjudication, the judge shall contact
35 the sentencing court and advise the judge of the transfer. The adjudicating
36 court shall send immediately to the sentencing court a facsimile or
37 electronic copy of the complaint, the adjudication journal entry or judge's
38 minutes, if available, and any recommendations in regard to sentencing.
39 The adjudicating court shall also send to the sentencing court a complete
40 copy of the official and social files in the case by mail or electronic means
41 within seven days of the adjudication.

42 (c) If the juvenile offender is adjudicated in a ~~county~~ *judicial district*
43 other than the ~~county~~ *judicial district* of the juvenile offender's residence,

1 the sentencing hearing may be held in the ~~county~~ *judicial district* in which
2 the adjudication was made or, if there are not any ongoing proceedings
3 under the Kansas code for care of children, in the county of the residence
4 of the custodial parent, parents, guardian or conservator if the adjudicating
5 judge, upon motion, finds that it is in the interest of justice. If there are
6 ongoing proceedings under the revised Kansas code for care of children,
7 then the sentencing hearing shall be held in the ~~county~~ *judicial district* in
8 which the proceedings under the revised Kansas code for care of children
9 are being held.

10 Sec. 42. K.S.A. 2014 Supp. 40-218 is hereby amended to read as
11 follows: 40-218. Every insurance company, or fraternal benefit society, on
12 applying for authority to transact business in this state, and as a condition
13 precedent to obtaining such authority, shall file in the insurance
14 department its written consent, irrevocable, that any action or garnishment
15 proceeding may be commenced against such company or fraternal benefit
16 society in the proper court of any ~~county~~ *judicial district* in this state in
17 which the cause of action shall arise or in which the plaintiff may reside by
18 the service of process on the commissioner of insurance of this state, and
19 stipulating and agreeing that such service shall be taken and held in all
20 courts to be as valid and binding as if due service had been made upon the
21 president or chief officer of such corporation. Such consent shall be
22 executed by the president and secretary of the company and shall be
23 accompanied by a duly certified copy of the order or resolution of the
24 board of directors, trustees or managers authorizing the president and
25 secretary to execute the same. The summons or order of garnishment,
26 accompanied by a fee of \$25, shall be directed to the commissioner of
27 insurance, and shall require the defendant or garnishee to answer or
28 otherwise respond by a certain day, not less than 40 days from the date the
29 summons or order of garnishment is served on the commissioner.

30 Service on the commissioner of insurance of any process, notice or
31 demand against an insurance company or fraternal benefit society shall be
32 made by delivering to and leaving with the commissioner or the
33 commissioner's designee, the original of the process and two copies of the
34 process and the petition, notice of demand, or the clerk of the court may
35 send the original process and two copies of both the process and petition,
36 notice or demand directly to the commissioner by certified mail, return
37 receipt requested. In the event that any process, notice or demand is served
38 on the commissioner, the commissioner shall immediately cause a copy
39 thereof to be forwarded by certified mail, return receipt requested to the
40 insurance company or fraternal benefit society address to its general agent
41 if such agent resides in this state or to the secretary of the insurance
42 company or fraternal benefit society sued at its registered or principal
43 office in any state in which it is domesticated. The commissioner of

1 insurance shall make return of the summons to the court from whence it
2 issued, showing the date of its receipt, the date of forwarding such copies,
3 and the name and address of each person to whom a copy was forwarded.
4 Such return shall be under the hand and seal of office, and shall have the
5 same force and effect as a due and sufficient return made on process
6 directed to a sheriff. The commissioner of insurance shall keep a suitable
7 record in which shall be docketed every action commenced against an
8 insurance company, the time when commenced, the date and manner of
9 service; also the date of the judgment, its amount and costs, and the date of
10 payment thereof, which shall be certified from time to time by the clerk of
11 the court.

12 Sec. 43. K.S.A. 2014 Supp. 43-107 is hereby amended to read as
13 follows: 43-107. (a) At least 30 days before service is required, the clerk of
14 the court of the ~~county~~ *judicial district* where such court is to be held shall
15 draw from the jury box the names of 30 persons to serve as grand jurors
16 and the names of 24 persons to serve as petit jurors. In the event that a
17 ~~county~~ *judicial district* has appropriate base information programmed as a
18 part of its computer operations so that it might comply with the spirit of
19 the jury selection laws of Kansas, the jury commissioners may by local
20 rule provide alternate methods for securing jury panels directly from the
21 computer without the necessity of drawing names or cards from a wheel
22 manually.

23 (b) Upon receipt of a list of all remaining legally qualified grand
24 jurors from the court pursuant to K.S.A. 22-3002, and amendments
25 thereto, the clerk of the court of the ~~county~~ *judicial district* where such
26 court is to be held shall draw for a second time 15 names of persons to
27 serve as grand jurors from such list. In the event that the ~~county~~ *judicial*
28 *district* in which court is to be held has an alternate method for securing
29 jury panels directly from the computer, the clerk shall use the computer to
30 generate 15 names of persons to serve as grand jurors from such list.

31 Sec. 44. K.S.A. 2014 Supp. 43-158 is hereby amended to read as
32 follows: 43-158. The following persons shall be excused from jury service:
33 (a) Persons unable to understand the English language with a degree of
34 proficiency sufficient to respond to a jury questionnaire form prepared by
35 the commissioner;

36 (b) persons under adjudication of incompetency;

37 (c) persons who within 10 years immediately preceding have been
38 convicted of or pleaded guilty, or nolo contendere, to an indictment or
39 information charging a felony;

40 (d) persons who have served as jurors in the ~~county~~ *judicial district*
41 within one year immediately preceding; and

42 (e) a mother breastfeeding her child. Jury service shall be postponed
43 until such mother is no longer breastfeeding the child.

1 Sec. 45. K.S.A. 43-162 is hereby amended to read as follows: 43-162.
2 All jury lists shall be prepared in accordance with the provisions of this
3 act. Jury commissioners shall cause to be prepared under their supervision
4 a list of persons qualified as jurors in each county. Jury lists shall be
5 prepared from voter registration records of the county *in such judicial*
6 *district*, lists of licensed drivers residing in the ~~county judicial district~~ or
7 enumeration or census records for the county *in such judicial district*, in
8 accordance with the intent and purposes of this act. ~~On and after January 1,~~
9 ~~1985~~, Lists of holders of state-issued nondrivers' identification cards who
10 reside in the ~~county judicial district~~ may also be used in the preparation of
11 jury lists. Jury lists prepared from multiple sources may be used if one or
12 more of the foregoing records is used as a material source in preparing the
13 list. The commissioners shall cause the jury list of each county to be
14 revised and updated by adding names of qualified jurors and removing
15 names of those who have died, removed from the ~~county judicial district~~,
16 or who have otherwise become disqualified. For the purposes of
17 preparation and revision of jury lists, commissioners shall have access to
18 the voter registration records of the ~~county judicial district~~, records of the
19 division of vehicles pertaining to licensed drivers who reside in the ~~county~~
20 *judicial district* and enumeration or census records for the county. ~~On and~~
21 ~~after January 1, 1985~~, Commissioners shall have access to records of the
22 division of vehicles pertaining to nondrivers' identification card holders
23 who reside in the ~~county judicial district~~, for the purposes of preparation
24 and revision of jury lists.

25 Sec. 46. K.S.A. 43-163 is hereby amended to read as follows: 43-163.
26 Jury commissioners shall cause cards to be prepared such that the name of
27 each person on the jury list shall appear on one card. Such cards shall be of
28 uniform kind and size. Such cards shall be placed in a wheel designated by
29 the commissioner, and while in the wheel shall be thoroughly mixed. After
30 such cards are thoroughly mixed in the wheel, cards may be drawn
31 therefrom as provided in this act for selection of members of jury panels.
32 There shall be one and only one wheel for each ~~county judicial district~~,
33 and the commissioner shall assure that it is kept securely locked and it
34 shall be maintained under the control of the commissioner. In the event
35 that a ~~county judicial district~~ has appropriate base information
36 programmed as a part of its computer operations so that it might comply
37 with the spirit of the jury selection laws of Kansas the jury commissioners
38 may by local rule provide alternate methods for securing jury panels
39 directly from the computer without the necessity of drawing names or
40 cards from a wheel manually.

41 Sec. 47. K.S.A. 43-164 is hereby amended to read as follows: 43-164.
42 Whenever it is necessary to secure a panel of jurors, or additional members
43 for a panel of jurors, names shall be drawn from the wheel of the ~~county~~

1 *judicial district* as herein provided. If such panel of jurors, or additional
2 names for a panel, is to be drawn to serve in the district court, the district
3 judge, or a person appointed by the court for such purpose, shall make
4 such drawing. If such panel, or additional names, are to be drawn for
5 service in a court of the ~~county~~ *judicial district* other than the district
6 court, the judge of any such court, or a person appointed by ~~him~~ *the judge*
7 for the purpose, shall make such drawing. There shall be drawn from the
8 wheel a number of cards sufficient to make up the panel or to supply
9 additional names of jurors for a panel, as may be directed by the
10 commissioner. The person drawing names from the wheel shall be so
11 situated that ~~he~~ *such person* is unable to see the name on any card before it
12 is drawn.

13 Sec. 48. K.S.A. 47-421 is hereby amended to read as follows: 47-421.
14 Any person who shall willfully and knowingly brand or cause to be
15 branded with such person's brand, or any brand not the recorded brand of
16 the owner, any livestock being the property of another, or who shall
17 willfully or knowingly efface, deface or obliterate any brand upon any
18 livestock, shall be deemed guilty of felony, and upon conviction thereof
19 shall be punished by confinement in the custody of the secretary of
20 corrections for a period not exceeding five years. Prosecution for violation
21 of the provisions of this section may be had either in the ~~county~~ *judicial*
22 *district* where such violation occurred or in any ~~county~~ *judicial district* in
23 which the livestock may be located or found in the possession of the
24 accused.

25 Sec. 49. K.S.A. 50-110 is hereby amended to read as follows: 50-110.
26 (a) *Jurisdiction*. For the purpose of enforcing this act, the courts of this
27 state shall have power to exercise jurisdiction over persons to the
28 maximum extent permitted by the constitution of the United States.

29 (b) *Venue*. Every action pursuant to this act shall be brought in the
30 district court of any ~~county~~ *judicial district* in which there occurred an act
31 or practice declared to be a violation of this act or in the district court of
32 Shawnee county.

33 Sec. 50. K.S.A. 50-638 is hereby amended to read as follows: 50-638.
34 (a) *Jurisdiction*. Any supplier, whether or not a resident or citizen of this
35 state, who in person or through an agent or an instrumentality, engages in a
36 consumer transaction in this state, thereby submits the supplier to the
37 jurisdiction of the courts of this state as to any cause of action arising from
38 such consumer transaction.

39 (b) *Venue*. Every action pursuant to this act shall be brought in the
40 district court of any ~~county~~ *judicial district* in which there occurred an act
41 or practice declared to be a violation of this act, or in which the defendant
42 resides or the defendant's principal place of business is located. If the
43 defendant is a nonresident and has no principal place of business within

1 this state, then the nonresident defendant can be sued either in the district
2 court of Shawnee county or in the district court of any ~~county~~ *judicial*
3 *district* in which there occurred an act or practice declared to be a violation
4 of this act.

5 Sec. 51. K.S.A. 55-1617 is hereby amended to read as follows: 55-
6 1617. The district court of the ~~county~~ *judicial district* in which oil or gas is
7 produced shall be a court of proper venue for proceedings brought
8 pursuant to this act. The prevailing party in a proceeding brought pursuant
9 to this act on which a judgment is rendered may recover court costs and
10 reasonable attorney fees at the discretion of the court.

11 Sec. 52. K.S.A. 56-1a510 is hereby amended to read as follows: 56-
12 1a510. Service of process in any action against any foreign limited
13 partnership, whether or not that limited partnership is qualified to do
14 business in this state, shall be made in the manner prescribed by K.S.A.
15 60-304, and amendments thereto. Any person who has a cause of action
16 against any foreign limited partnership, whether or not the limited
17 partnership is qualified to do business in this state may file suit against the
18 limited partnership in the district court of a ~~county~~ *judicial district* in
19 which there is proper venue if the cause of action arose in Kansas out of
20 the limited partnership's doing business in Kansas or while the limited
21 partnership was doing business in Kansas.

22 Sec. 53. K.S.A. 59-2126 is hereby amended to read as follows: 59-
23 2126. (a) In an independent adoption venue shall be in the ~~county~~ *judicial*
24 *district* in which the petitioner resides or in the ~~county~~ *judicial district* in
25 which the child to be adopted resides.

26 (b) In an agency adoption venue shall be:

27 (1) In the ~~county~~ *judicial district* in which the petitioner resides;

28 (2) in the ~~county~~ *judicial district* in which the child to be adopted
29 resided prior to receipt of custody by the agency; or

30 (3) where the child placing agency is located.

31 (c) In a stepparent adoption venue shall be in the ~~county~~ *judicial*
32 *district* in which the petitioner resides or where the child resides.

33 (d) If the petitioner resides upon or is stationed at a United States
34 military post or reservation within this state, and the child to be adopted is
35 then residing with the petitioner, venue may be in the district court of the
36 ~~county~~ *judicial district* in which the post or reservation is located, or in the
37 district court of any ~~county~~ *judicial district* located immediately adjacent
38 to such ~~county~~ *judicial district*.

39 (e) Where the residence of the child, as defined in K.S.A. 59-2112,
40 *and amendments thereto*, serves as the basis for venue, a sworn affidavit
41 shall be filed with the petition setting forth the factual basis for the child's
42 residency.

43 Sec. 54. K.S.A. 2014 Supp. 59-2136 is hereby amended to read as

1 follows: 59-2136. (a) The provisions of this section shall apply where a
2 relinquishment or consent to an adoption has not been obtained from a
3 parent and K.S.A. 59-2124 and 59-2129, and amendments thereto, state
4 that the necessity of a parent's relinquishment or consent can be
5 determined under this section.

6 (b) Insofar as practicable, the provisions of this section applicable to
7 the father also shall apply to the mother and those applicable to the mother
8 also shall apply to the father.

9 (c) In stepparent adoptions under subsection (d), the court may
10 appoint an attorney to represent any father who is unknown or whose
11 whereabouts are unknown. In all other cases, the court shall appoint an
12 attorney to represent any father who is unknown or whose whereabouts are
13 unknown. If no person is identified as the father or a possible father, the
14 court shall order publication notice of the hearing in such manner as the
15 court deems appropriate.

16 (d) In a stepparent adoption, if a mother consents to the adoption of a
17 child who has a presumed father under ~~subsection (a)(1), (2) or (3) of~~
18 K.S.A. 2014 Supp. 23-2208(a)(1), (a)(2) or (a)(3), and amendments
19 thereto, or who has a father as to whom the child is a legitimate child
20 under prior law of this state or under the law of another jurisdiction, the
21 consent of such father must be given to the adoption unless such father has
22 failed or refused to assume the duties of a parent for two consecutive years
23 next preceding the filing of the petition for adoption or is incapable of
24 giving such consent. In determining whether a father's consent is required
25 under this subsection, the court may disregard incidental visitations,
26 contacts, communications or contributions. In determining whether the
27 father has failed or refused to assume the duties of a parent for two
28 consecutive years next preceding the filing of the petition for adoption,
29 there shall be a rebuttable presumption that if the father, after having
30 knowledge of the child's birth, has knowingly failed to provide a
31 substantial portion of the child support as required by judicial decree,
32 when financially able to do so, for a period of two years next preceding the
33 filing of the petition for adoption, then such father has failed or refused to
34 assume the duties of a parent. The court may consider the best interests of
35 the child and the fitness of the nonconsenting parent in determining
36 whether a stepparent adoption should be granted.

37 (e) Except as provided in subsection (d), if a mother desires to
38 relinquish or consents to the adoption of such mother's child, a petition
39 shall be filed in the district court to terminate the parental rights of the
40 father, unless the father's relationship to the child has been previously
41 terminated or determined not to exist by a court. The petition may be filed
42 by the mother, the petitioner for adoption, the person or agency having
43 custody of the child or the agency to which the child has been or is to be

1 relinquished. Where appropriate, the request to terminate parental rights
2 may be contained in a petition for adoption. If the request to terminate
3 parental rights is not filed in connection with an adoption proceeding,
4 venue shall be in the ~~county~~ *judicial district* in which the child, the mother
5 or the presumed or alleged father resides or is found. In an effort to
6 identify the father, the court shall determine by deposition, affidavit or
7 hearing, the following:

8 (1) Whether there is a presumed father under K.S.A. 2014 Supp. 23-
9 2208, and amendments thereto;

10 (2) whether there is a father whose relationship to the child has been
11 determined by a court;

12 (3) whether there is a father as to whom the child is a legitimate child
13 under prior law of this state or under the law of another jurisdiction;

14 (4) whether the mother was cohabitating with a man at the time of
15 conception or birth of the child;

16 (5) whether the mother has received support payments or promises of
17 support with respect to the child or in connection with such mother's
18 pregnancy; and

19 (6) whether any man has formally or informally acknowledged or
20 declared such man's possible paternity of the child.

21 If the father is identified to the satisfaction of the court, or if more than
22 one man is identified as a possible father, each shall be given notice of the
23 proceeding in accordance with subsection (f).

24 (f) Notice of the proceeding shall be given to every person identified
25 as the father or a possible father by personal service, certified mail return
26 receipt requested or in any other manner the court may direct. Proof of
27 notice shall be filed with the court before the petition or request is heard.

28 (g) If, after the inquiry, the court is unable to identify the father or any
29 possible father and no person has appeared claiming to be the father and
30 claiming custodial rights, the court shall enter an order terminating the
31 unknown father's parental rights with reference to the child without regard
32 to subsection (h). If any person identified as the father or possible father of
33 the child fails to appear or, if appearing, fails to claim custodial rights,
34 such person's parental rights with reference to the child shall be terminated
35 without regard to subsection (h).

36 (h) (1) When a father or alleged father appears and asserts parental
37 rights, the court shall determine parentage, if necessary pursuant to the
38 Kansas parentage act, K.S.A. 2014 Supp. 23-2201 et seq., and
39 amendments thereto. If a father desires but is financially unable to employ
40 an attorney, the court shall appoint an attorney for the father. Thereafter,
41 the court may order that parental rights be terminated, upon a finding by
42 clear and convincing evidence, of any of the following:

43 (A) The father abandoned or neglected the child after having

1 knowledge of the child's birth;

2 (B) the father is unfit as a parent or incapable of giving consent;

3 (C) the father has made no reasonable efforts to support or
4 communicate with the child after having knowledge of the child's birth;

5 (D) the father, after having knowledge of the pregnancy, failed
6 without reasonable cause to provide support for the mother during the six
7 months prior to the child's birth;

8 (E) the father abandoned the mother after having knowledge of the
9 pregnancy;

10 (F) the birth of the child was the result of rape of the mother; or

11 (G) the father has failed or refused to assume the duties of a parent
12 for two consecutive years next preceding the filing of the petition.

13 (2) In making a finding whether parental rights shall be terminated
14 under this subsection, the court may:

15 (A) Consider and weigh the best interest of the child; and

16 (B) disregard incidental visitations, contacts, communications or
17 contributions.

18 (3) In determining whether the father has failed or refused to assume
19 the duties of a parent for two consecutive years next preceding the filing of
20 the petition for adoption, there shall be a rebuttable presumption that if the
21 father, after having knowledge of the child's birth, has knowingly failed to
22 provide a substantial portion of the child support as required by judicial
23 decree, when financially able to do so, for a period of two years next
24 preceding the filing of the petition for adoption, then such father has failed
25 or refused to assume the duties of a parent.

26 (i) A termination of parental rights under this section shall not
27 terminate the right of the child to inherit from or through the parent. Upon
28 such termination, all the rights of birth parents to such child, including
29 their right to inherit from or through such child, shall cease.

30 Sec. 55. K.S.A. 59-2138 is hereby amended to read as follows: 59-
31 2138. Venue shall be in the ~~county~~ *judicial district* in which the petitioner
32 or the adult to be adopted resides.

33 Sec. 56. K.S.A. 2014 Supp. 59-2203 is hereby amended to read as
34 follows: 59-2203. Proceedings for the probate of a will or for
35 administration shall be had in the ~~county~~ *judicial district* of the residence
36 of the decedent at the time of such decedent's death if the decedent owned
37 an interest in real property in such ~~county~~ *judicial district*, or, if the
38 decedent did not own an interest in real property in the decedent's ~~county~~
39 *judicial district* of residence at the time of such decedent's death, in such
40 ~~county~~ *judicial district* of the residence of the decedent at the time of such
41 decedent's death or in any ~~county~~ *judicial district* where the decedent
42 owned an interest in real property; if the decedent was not a resident of
43 this state, proceedings may be had in any ~~county~~ *judicial district* where

1 such decedent left any estate to be administered as provided in K.S.A. 59-
2 805, and amendments thereto. Proceedings for the administration of a
3 partnership estate by the surviving partner shall be had in the ~~county~~
4 *judicial district* of the residence of the deceased partner at the time. If the
5 deceased partner is a nonresident of the state the proceedings may be had
6 in any ~~county~~ *judicial district* in which any of the partnership property is
7 situated. Such proceedings first legally commenced shall extend to all of
8 the property of the decedent or proposed conservatee in this state.

9 If the proceedings are instituted in more than one ~~county~~ *judicial*
10 *district*, they shall be stayed except in the ~~county~~ *judicial district* where
11 first commenced until final determination of venue. If the proper venue is
12 determined to be in another ~~county~~ *judicial district*, the district court shall
13 transmit the entire file to the proper ~~county~~ *judicial district*.

14 Sec. 57. K.S.A. 59-2207 is hereby amended to read as follows: 59-
15 2207. Any fiduciary may be sued in the district court of the ~~county~~ *judicial*
16 *district* in which ~~he or she~~ *such fiduciary* was appointed, or in which ~~he or~~
17 ~~she~~ *such fiduciary* resides. If the fiduciary does not reside in the ~~county~~ of
18 ~~his or her~~ *judicial district of such fiduciary's* appointment, service may be
19 had upon the fiduciary by serving a summons in the ~~county~~ of ~~his or her~~
20 *judicial district of such fiduciary's* residence.

21 Sec. 58. K.S.A. 59-2403 is hereby amended to read as follows: 59-
22 2403. An appeal taken from any order, judgment, decree or decision
23 (other than one determining or refusing to determine venue or changing or
24 refusing to change venue), made by a district magistrate judge before a
25 change of venue shall be taken to a district judge of the ~~county~~ *judicial*
26 *district* to which the change was made.

27 Sec. 59. K.S.A. 2014 Supp. 59-2971 is hereby amended to read as
28 follows: 59-2971. (a) At any time after the petition provided for in K.S.A.
29 59-2957, and amendments thereto, has been filed venue may be transferred
30 in accordance with this section.

31 (1) Prior to trial required by K.S.A. 59-2965, and amendments
32 thereto, and before the expiration of two full working days following the
33 probable cause hearing held pursuant to K.S.A. 59-2959 or 59-2962, and
34 amendments thereto, the district court then with jurisdiction, on its own
35 motion or upon the written request of any person, may transfer the venue
36 of the case to the district court of the ~~county~~ *judicial district* where the
37 patient is being detained, evaluated or treated in a treatment facility under
38 the authority of an order issued pursuant to K.S.A. 59-2958, 59-2959 or
39 59-2964, and amendments thereto. Thereafter the district court may on its
40 own motion or upon the written request of any person transfer venue to
41 another district court only for good cause shown.

42 When an order changing venue is issued, the district court issuing the
43 order shall immediately send to the district court to which venue is

1 changed a facsimile or electronic copy of the entire file of the case. The
2 district court shall also immediately send a facsimile or electronic copy of
3 the order transferring venue to the treatment facility where the patient is
4 being detained, evaluated or treated.

5 (2) After trial required by K.S.A. 59-2965, and amendments thereto,
6 the district court may on its own motion or upon the written request of any
7 person transfer venue to another district court for good cause shown. When
8 an order changing venue is issued, the district court issuing the order shall
9 immediately send to the district court to which venue is changed a
10 facsimile or electronic copy of the entire file of the case. The transferring
11 district court shall also immediately send a facsimile or electronic copy of
12 the order transferring venue to the treatment facility where the patient is
13 being detained, evaluated or treated.

14 (b) The district court issuing an order transferring venue, if not in the
15 ~~county~~ *judicial district* of residence of the proposed patient, shall transmit
16 to the district court in the ~~county~~ *judicial district* of residence of the
17 proposed patient a statement of any court costs incurred by the ~~county~~
18 *judicial district* of the district court issuing the order and, if the ~~county~~
19 *judicial district* of residence is not the receiving ~~county~~ *judicial district*, a
20 facsimile or electronic copy of the entire file of the case.

21 (c) Any district court to which venue is transferred shall proceed in
22 the case as if the petition had been originally filed therein and shall cause
23 notice of the change of venue to be given to the persons named in and in
24 the same manner as provided for in K.S.A. 59-2963, and amendments
25 thereto. In the event that notice of a change of location of a hearing due to
26 a change of venue cannot be served at least 48 hours prior to any hearing
27 previously scheduled by the transferring court or because of scheduling
28 conflicts the hearing can not be held by the receiving court on the
29 previously scheduled date, then the receiving court shall continue the
30 hearing for up to seven full working days to allow adequate time for notice
31 to be given and the hearing held.

32 (d) Any district court to which venue is transferred, if not in the
33 ~~county~~ *judicial district* of residence of the patient, shall transmit to the
34 district court in the ~~county~~ *judicial district* of residence of the patient a
35 statement of any court costs incurred and a facsimile or electronic copy of
36 all pleadings and orders entered in the case after transfer.

37 Sec. 60. K.S.A. 2014 Supp. 59-29b71 is hereby amended to read as
38 follows: 59-29b71. (a) At any time after the petition provided for in K.S.A.
39 59-29b57, and amendments thereto, has been filed venue may be
40 transferred in accordance with this section.

41 (1) Prior to trial required by K.S.A. 59-29b65, and amendments
42 thereto, and before the expiration of two full working days following the
43 probable cause hearing held pursuant to K.S.A. 59-29b59 or 59-29b62,

1 and amendments thereto, the district court then with jurisdiction, on its
2 own motion or upon the written request of any person, may transfer the
3 venue of the case to the district court of the ~~county~~ *judicial district* where
4 the patient is being detained, evaluated or treated in a treatment facility
5 under the authority of an order issued pursuant to K.S.A. 59-29b58, 59-
6 29b59 or 59-29b64, and amendments thereto. Thereafter the district court
7 may on its own motion or upon the written request of any person transfer
8 venue to another district court only for good cause shown. When an order
9 changing venue is issued, the district court issuing the order shall
10 immediately send to the district court to which venue is changed a
11 facsimile or electronic copy of the entire file of the case. The district court
12 shall also immediately send a facsimile or electronic copy of the order
13 transferring venue to the treatment facility where the patient is being
14 detained, evaluated or treated.

15 (2) After the trial required by K.S.A. 59-29b65, and amendments
16 thereto, the district court may on its own motion or upon the written
17 request of any person transfer venue to another district court for good
18 cause shown. When an order changing venue is issued, the district court
19 issuing the order shall immediately send to the district court to which
20 venue is changed a facsimile or electronic copy of the entire file of the
21 case. The transferring district court shall also immediately send a facsimile
22 or electronic copy of the order transferring venue to the treatment facility
23 where the patient is being detained, evaluated or treated. Upon request of
24 the receiving district court or upon an order of the district court
25 transferring venue, the transferring district court shall send to the receiving
26 district court the entire original file of the case by mail.

27 (b) The district court issuing an order transferring venue, if not in the
28 ~~county~~ *judicial district* of residence of the proposed patient, shall transmit
29 to the district court in the ~~county~~ *judicial district* of residence of the
30 proposed patient a statement of any court costs incurred by the ~~county~~
31 *judicial district* of the district court issuing the order and, if the ~~county~~
32 *judicial district* of residence is not the receiving ~~county~~ *judicial district*, a
33 facsimile or electronic copy of the entire file of the case.

34 (c) Any district court to which venue is transferred shall proceed in
35 the case as if the petition had been originally filed therein and shall cause
36 notice of the change of venue to be given to the persons named in and in
37 the same manner as provided for in K.S.A. 59-29b63, and amendments
38 thereto. In the event that notice of a change of location of a hearing due to
39 a change of venue cannot be served at least 48 hours prior to any hearing
40 previously scheduled by the transferring court or because of scheduling
41 conflicts the hearing can not be held by the receiving court on the
42 previously scheduled date, then the receiving court shall continue the
43 hearing for up to seven full working days to allow adequate time for notice

1 to be given and the hearing held.

2 (d) Any district court to which venue is transferred, if not in the
3 ~~county~~ *judicial district* of residence of the patient, shall transmit to the
4 district court in the ~~county~~ *judicial district* of residence of the patient a
5 statement of any court costs incurred and a facsimile or electronic copy of
6 all pleadings and orders entered in the case after transfer.

7 Sec. 61. K.S.A. 2014 Supp. 60-242 is hereby amended to read as
8 follows: 60-242. (a) *Consolidation*. If actions involving a common
9 question of law or fact are pending before the court in the same or different
10 counties in the judicial district, the court may:

11 (1) Join for hearing or trial any or all matters at issue in the actions;

12 (2) consolidate the actions; or

13 (3) issue any other orders to avoid unnecessary cost or delay.

14 (b) *Separate trials*. For convenience, to avoid prejudice or to
15 expedite and economize, the court may order a separate trial in the county
16 where the action is pending, or a different county in the judicial district, of
17 one or more separate issues, claims, counterclaims, crossclaims or third-
18 party claims. When ordering a separate trial, the court must preserve any
19 right to a jury trial.

20 (c) *Multidistrict litigation*. (1) When civil actions arising out of the
21 same transaction or occurrence or series of transactions or occurrences are
22 pending in different judicial districts, the supreme court, on request of a
23 party or of any court in which one of the actions is pending and upon
24 finding that a transfer and consolidation will promote the just and efficient
25 conduct of the actions, may order transfer of the pending actions to one of
26 the ~~counties~~ *judicial districts* in which an action is pending. The actions
27 may be consolidated for discovery, pretrial proceedings and possible trial.
28 The supreme court must designate a judge to hear the consolidated actions.
29 Actions filed subsequent to the order may be consolidated as provided in
30 this section.

31 (2) The assigned judge may conduct all pretrial and discovery
32 proceedings, issue pretrial and discovery orders, decide questions of law,
33 including motions for summary judgment and, when the assigned judge
34 conducts a trial, allocate expenses of the trial among counties.

35 (3) The assigned judge may conduct a joint trial of any or all of the
36 consolidated actions, but all parties to the actions jointly tried must
37 consent to joint trial. Jury trials may be conducted in any ~~county~~ *judicial*
38 *district* that would have had venue of any of the consolidated actions,
39 subject to a change of venue under K.S.A. 60-609, and amendments
40 thereto. If the assigned judge decides not to conduct the trial of any of the
41 consolidated actions or if a party to any of the consolidated actions does
42 not consent to joint trial, the assigned judge must return that action, and
43 the record in that action, to the district court from which it originated. The

1 assigned judge must notify the supreme court that the action has been
2 returned.

3 Sec. 62. K.S.A. 60-601 is hereby amended to read as follows: 60-601.
4 The term real property, as used in this section, includes any interest or
5 estate created by an oil, gas or mineral lease, or an oil, gas or mineral
6 royalty. Actions concerning real property must be brought in the ~~county~~
7 *judicial district* designated in this section.

8 (a) *Eminent domain actions.* Eminent domain actions must be brought
9 in the ~~county~~ *judicial district* in which the real estate is situated, except if
10 it be an entire tract situated in two or more ~~counties~~ *judicial districts* and
11 there is common ownership, the action may be brought in any ~~county~~
12 *judicial district* in which a part thereof is situated.

13 (b) *Generally.* The following actions must be brought in the ~~county~~
14 *judicial district* in which the real estate is situated, except if it be an entire
15 tract situated in two or more ~~counties~~ *judicial districts*, or if it consists of
16 separate tracts situated in two or more ~~counties~~ *judicial districts*, the action
17 may be brought in any ~~county~~ *judicial district* in which any tract or parts
18 thereof is situated:

19 (1) Actions in ejectment or for the recovery of real property or any
20 estate or interest therein, or to determine adverse claims.

21 (2) Actions for the partition of real estate or any estate or interest
22 therein.

23 (3) Actions for the sale of real property (or any estate or interest
24 therein, under a mortgage, lien or other encumbrance or charge.

25 (4) Actions to compel the specific performance of a contract for the
26 sale of real property, or any estate or interest therein. Such action may also
27 be brought in any ~~county~~ *judicial district* where the defendant or any one
28 of the defendants may reside.

29 (c) *Transcript to other counties.* Immediately after final judgment the
30 clerk of the district court in which the action was brought shall transmit a
31 transcript of the proceedings to the clerk of the district court in any other
32 ~~county~~ *judicial district* wherein any real property may be affected by such
33 proceedings where the same shall be docketed and filed. The cost of such
34 transcript and filing shall be taxed as costs of the case.

35 Sec. 63. K.S.A. 60-602 is hereby amended to read as follows: 60-602.
36 Actions for the following causes must be brought in the ~~county~~ *judicial*
37 *district* in which the cause, or some part thereof arose:

38 (†) (a) Actions for the recovery of a fine, forfeiture or penalty, other
39 than against public utilities or common carriers, except if the act was
40 committed on a road or river which forms the boundary of two or more
41 ~~counties~~ *judicial districts* the action may be brought in any one of the
42 bordering ~~counties~~ *judicial districts* opposite the place where the act was
43 committed.

1 (2) (b) An action against a public officer for an act done or threatened
2 to be done by such officer by virtue or under color of ~~his or her~~ office, or
3 for neglect of ~~his or her~~ official duties.

4 (3) (c) An action on an official bond or undertaking of a public
5 officer.

6 Sec. 64. K.S.A. 60-603 is hereby amended to read as follows: 60-603.
7 An action against a resident of this state, other than an action for which
8 venue is otherwise specifically prescribed by law may be brought in the
9 ~~county~~, *judicial district in which:*

10 (1) (a) ~~in which~~ The defendant resides, ~~or~~;

11 (2) (b) ~~in which~~ the plaintiff resides if the defendant is served therein;
12 ~~or~~;

13 (3) (c) ~~in which~~ the cause of action arose, ~~or~~;

14 (4) (d) ~~in which~~ the defendant has a place of business or of
15 employment if ~~said~~ the defendant is served therein, ~~or~~;

16 (5) (e) ~~in which~~ the estate of a deceased person is being probated if
17 such deceased person was jointly liable with the defendant and a demand
18 to enforce such liability has been duly exhibited in the probate
19 proceedings; or

20 (6) (f) ~~in which~~ there is located tangible personal property which is
21 the subject of an action for the possession thereof if immediate possession
22 is sought in accordance with K.S.A. 60-1005, *and amendments thereto*, at
23 the time of the filing of the action.

24 Sec. 65. K.S.A. 60-604 is hereby amended to read as follows: 60-604.
25 An action against a domestic corporation, or against a foreign corporation
26 which is qualified to do business in this state, other than an action for
27 which venue is otherwise specifically prescribed by law, may be brought
28 in the ~~county~~ *judicial district in which:*

29 (1) (a) Its registered office is located;

30 (2) (b) the cause of action arose;

31 (3) (c) the defendant is transacting business at the time of the filing of
32 the petition, if the plaintiff is a resident of such ~~county~~ *judicial district* at
33 the time the cause of action arose;

34 (4) (d) there is located tangible personal property which is the subject
35 of an action for the possession thereof if immediate possession is sought in
36 accordance with K.S.A. 60-1005, *and amendments thereto*, at the time of
37 the filing of the action; or

38 (5) (e) equipment or facilities for use in the supply of transportation
39 services, or communication services, including, without limitation,
40 telephonic communication services, are located, where the subject of such
41 action relates to transportation services or communication services
42 supplied or rendered, in whole or in part, using such equipment or
43 facilities.

1 Sec. 66. K.S.A. 60-605 is hereby amended to read as follows: 60-605.
2 An action against a nonresident of this state, or against a corporation
3 which is not qualified to do business in this state, other than an action for
4 which venue is otherwise specifically prescribed by law, may be brought
5 in the ~~county~~ *judicial district* in which:

6 (1) (a) The plaintiff resides; or if the plaintiff is a corporation, in the
7 ~~county~~ *judicial district* of its registered office or in which it maintains a
8 place of business; or if the plaintiff is a partnership, either general or
9 limited, in the county of the residence of a partner, in the ~~county~~ *judicial*
10 *district* of the registered office of a corporate partner or in the ~~county~~
11 *judicial district* in which the partnership maintains a place of business;

12 (2) (b) the defendant is served;

13 (3) (c) the cause of action arose;

14 (4) (d) the defendant is transacting business at the time of the filing of
15 the petition;

16 (5) (e) there is property of the defendant, or debts owing to the
17 defendant;

18 (6) (f) there is located tangible personal property which is the subject
19 of an action for the possession thereof if immediate possession is sought in
20 accordance with K.S.A. 60-1005, and amendments thereto, at the time of
21 the filing of the action; or

22 (7) (g) equipment or facilities for use in the supply of transportation
23 services, or communication services, including, without limitation,
24 telephonic communication services, are located where the subject of such
25 action relates to transportation services or communication services
26 supplied or rendered, in whole or in part, using such equipment or
27 facilities.

28 Sec. 67. K.S.A. 60-606 is hereby amended to read as follows: 60-606.

29 (a) Except as provided by subsection (b), any action brought against a
30 public utility, common carrier or transportation system for any liability or
31 penalty or forfeiture, may be brought in any ~~county~~ *judicial district* into or
32 through which such public utility, common carrier or transportation system
33 operates regularly.

34 (b) Any action brought against a public utility, common carrier or
35 transportation system for damages arising from personal injury, resulting
36 in death or otherwise, shall be brought in either the ~~county~~ *judicial district*
37 in which the injury occurred or in the ~~county~~ *judicial district* in which the
38 plaintiff resided at the time of injury.

39 Sec. 68. K.S.A. 60-607 is hereby amended to read as follows: 60-607.

40 (a) An action for divorce, annulment of marriage or separate maintenance
41 may be brought in:

42 (1) The ~~county~~ *judicial district* in which the petitioner is an actual
43 resident at the time of filing the petition;

1 (2) the ~~county~~ *judicial district* where the respondent resides or where
2 service may be obtained; or

3 (3) if the petitioner is a resident of or stationed at a United States post
4 or military reservation within the state at the time of filing the petition, any
5 ~~county~~ *judicial district* adjacent to the post or reservation.

6 (b) For the purposes of this section, a spouse may have a residence
7 separate and apart from the residence of the other spouse.

8 Sec. 69. K.S.A. 60-608 is hereby amended to read as follows: 60-608.
9 If there are several plaintiffs properly joined and venue is determined by
10 the residence of one of them, it shall be necessary that such plaintiff's
11 claim is a substantial part of the action. If there are several defendants
12 properly joined, venue of the action may be determined at the election of
13 the plaintiff as to any one of the defendants against whom a substantial
14 claim exists. If, before trial of an action on the merits is commenced, a
15 party with reference to whom venue was determined ceases to be a party
16 and venue would no longer be proper as to the remaining parties, on the
17 application of any remaining party promptly made, the cause shall be
18 transferred to a ~~county~~ *judicial district* of proper venue. If there is more
19 than one such ~~county~~ *judicial district*, the transfer shall be to a ~~county~~
20 *judicial district* selected by the plaintiff.

21 Sec. 70. K.S.A. 60-609 is hereby amended to read as follows: 60-609.
22 (a) Upon the motion of a party, a district court may transfer any civil
23 action to any ~~county~~ *judicial district* where it might have been brought
24 upon a finding that a transfer would better serve the convenience of the
25 parties and witnesses and the interests of justice.

26 (b) In any action in the district court which is commenced pursuant to
27 chapter 60 of the Kansas Statutes Annotated, *and amendments thereto*, and
28 in which it shall be made to appear that a fair and impartial trial cannot be
29 had in the ~~county~~ *judicial district* where the action is pending, for reasons
30 other than the disqualification of the judge, the court, upon application of
31 either party, may change the place of trial to some ~~county~~ *judicial district*
32 where the objection does not exist.

33 (c) When all parties who are not in default agree and the agreement is
34 approved by the court of original venue and the supreme court, a civil
35 action may be transferred to any ~~county~~ *judicial district*.

36 Sec. 71. K.S.A. 60-611 is hereby amended to read as follows: 60-611.
37 If an action is commenced in good faith and a subsequent timely objection
38 to the venue is sustained, or if before trial on the merit commences, it is
39 found that no cause of action exists in favor of or against a party upon
40 whom venue was dependent, the action shall be transferred to a court of
41 proper jurisdiction of any ~~county~~ *judicial district* of proper venue. If there
42 is more than one such ~~county~~ *judicial district*, the transfer shall be to the
43 court of a ~~county~~ *judicial district* selected by the plaintiff. In accordance

1 with K.S.A. 60-2001, and amendments thereto, the receiving district court
2 shall require the payment of an appropriate docket fee from the movant.

3 Sec. 72. K.S.A. 2014 Supp. 60-612 is hereby amended to read as
4 follows: 60-612. (a) Without changing venue, a judge may conduct any
5 hearing or nonjury trial in any county agreed upon by all parties who are
6 not in default.

7 (b) If the court finds on motion of any party, that the county where an
8 action was filed does not have a courtroom or other suitable facility which
9 conforms to section 11 of the Americans with disabilities act accessibility
10 guidelines for buildings and facilities (ADAAG), adopted by 28 C.F.R. §
11 36.406 and incorporated in appendix A thereto, as in effect on July 1,
12 1999, and that such failure to conform would prohibit or limit the
13 participation of a person material to the proceeding, the judge, without
14 changing venue, may conduct any hearing or trial in any ~~county~~ *judicial*
15 *district* with an accessible courtroom.

16 (c) If the court finds, on motion of any person at least 21 days before
17 the hearing or trial, that the ~~county~~ *judicial district* where an action was
18 filed does not have a courtroom or other suitable facility which conforms
19 to section 11 of the Americans with disabilities act accessibility guidelines
20 for buildings and facilities (ADAAG), adopted by 28 C.F.R. § 36.406 and
21 incorporated in appendix A thereto, as in effect on July 1, 1999, and that
22 such failure to conform would prohibit or limit the attendance of any
23 person, the judge, without changing venue, may conduct the hearing or
24 trial in any ~~county~~ *judicial district* with an accessible courtroom. Notice
25 of the change of the location shall be given to the parties at least 14 days
26 prior to the date of the first proceeding at the alternate location.

27 Sec. 73. K.S.A. 60-613 is hereby amended to read as follows: 60-613.

28 (a) *Action involving persons or property.* Any civil action involving either
29 persons residing on or property located upon the Fort Riley military
30 reservation may be brought in any court of competent jurisdiction in either
31 *the judicial district that includes Geary county or the judicial district that*
32 *includes Riley county, Kansas.*

33 (b) *Service of process.* The respective sheriffs of Geary and Riley
34 county, Kansas, and others authorized to serve process under the laws of
35 this state, in these two named counties, may serve process in any proper
36 action within the boundaries of the Fort Riley military reservation without
37 regard to the county line between Geary and Riley counties as ~~said~~ *such*
38 line existed before the land comprising ~~said~~ *such* reservation was acquired
39 by the United States of America.

40 Sec. 74. K.S.A. 60-614 is hereby amended to read as follows: 60-614.
41 An action arising from any taking or appropriation, or to enjoin any taking
42 or appropriation, of private or public property, or of any of the rights
43 appertaining thereto, which taking or appropriation was without following

1 the statutory procedures for the exercise of the right of eminent domain, by
2 a public or private corporation, body corporate or body politic, possessing
3 the right of eminent domain under the laws of this state, may be brought in
4 the ~~county~~ *judicial district* in which the property or the rights appertaining
5 thereto is situated at the time of the taking or appropriation thereof. Any
6 such action now pending may at the discretion of the court in which it is
7 now pending, be transferred to the corresponding court in the ~~county~~
8 *judicial district* where the property or rights are situated. Notwithstanding
9 any other law to the contrary, summons in any such action may be issued
10 by the court and directed to and served by the sheriff of any county
11 wherein the defendant may be found. This act shall create no new rights or
12 causes of action and shall be construed as designating venue for such
13 actions only. This act shall not be construed as waiving any existing
14 sovereign immunity. This act shall be and shall be construed as
15 supplemental to and a part of the code of civil procedure.

16 Sec. 75. K.S.A. 2014 Supp. 60-4103 is hereby amended to read as
17 follows: 60-4103. (a) The district court has jurisdiction under this act over:

18 (1) All interests in property if the property for which forfeiture is
19 sought is within this state at the time the action is filed; or

20 (2) the interest of an owner or interest holder in the property if the
21 owner or interest holder is subject to personal jurisdiction in this state.

22 (b) (1) In addition to the venue provided for under any other
23 provision of law, a proceeding for forfeiture under this act may be
24 commenced and maintained in the ~~county~~ *judicial district* in which any
25 part of the property is found or in the ~~county~~ *judicial district* in which a
26 civil or criminal action could be commenced and maintained against an
27 owner or interest holder for the conduct alleged to give rise to the
28 forfeiture.

29 (2) (A) Except as provided in subsection (b)(2)(B), any proceeding
30 for forfeiture brought by the attorney general may be commenced and
31 maintained in:

32 (i) Any ~~county~~ *judicial district* in which there is proper venue as
33 provided in subsection (b)(1) or any other provision of law; or

34 (ii) Shawnee county unless a motion to change venue is properly filed
35 with the court not later than 20 days after service of the petition
36 commencing such proceeding. If such motion to change venue is properly
37 filed, the court shall transfer the proceeding to another ~~county~~ *judicial*
38 *district* in which there is proper venue as provided in subsection (b)(1) or
39 any other provision of law.

40 (B) If a proceeding for forfeiture is brought by the attorney general
41 and involves property, law enforcement agencies, or owners or interest
42 holders of property in multiple counties, such proceeding may be
43 commenced and maintained in:

1 (i) Shawnee county; or

2 (ii) any ~~county~~ *judicial district* in which there is proper venue as
3 provided in subsection (b)(1) or any other provision of law.

4 Sec. 76. K.S.A. 61-2708 is hereby amended to read as follows: 61-
5 2708. The venue of actions commenced under this act shall be as
6 prescribed in article 19 of chapter 61 of the Kansas Statutes Annotated,
7 *and amendments thereto*, except that the ~~county~~ *judicial district* in which
8 the cause of action arose shall be proper venue only where it is
9 affirmatively shown that the defendant was a resident of the ~~county~~
10 *judicial district* where the cause of action arose at the time the cause of
11 action arose.

12 Sec. 77. K.S.A. 61-3402 is hereby amended to read as follows: 61-
13 3402. An action against a resident of this state, other than an action for
14 which venue is otherwise specifically prescribed by law, may be brought
15 in the ~~county~~ *judicial district* in which:

16 (a) The defendant resides;

17 (b) the plaintiff resides if the defendant is served therein;

18 (c) the cause of action arose;

19 (d) the defendant has a place of business or of employment if the
20 defendant is served therein;

21 (e) the estate of a deceased person is being probated if such deceased
22 person was jointly liable with the defendant and a demand to enforce such
23 liability has been duly exhibited in the probate proceedings of such
24 decedent's estate; or

25 (f) there is located tangible personal property which is the subject of
26 an action for the possession thereof if immediate possession is sought in
27 accordance with K.S.A. 61-3701, and amendments thereto, at the time of
28 the filing of the action.

29 Sec. 78. K.S.A. 61-3403 is hereby amended to read as follows: 61-
30 3403. An action against a domestic corporation, or against a foreign
31 corporation which is qualified to do business in this state, other than an
32 action for which venue is otherwise specifically prescribed by law, may be
33 brought in the ~~county~~ *judicial district* in which:

34 (a) Its registered office is located;

35 (b) the cause of action arose;

36 (c) the defendant is transacting business at the time of the filing of the
37 petition; or

38 (d) there is located tangible personal property which is the subject of
39 an action for the possession thereof if immediate possession is sought in
40 accordance with K.S.A. 61-3701, and amendments thereto, at the time of
41 the filing of the action.

42 Sec. 79. K.S.A. 61-3404 is hereby amended to read as follows: 61-
43 3404. An action against a nonresident of this state, or against a corporation

1 which is not qualified to do business in this state, other than an action for
2 which venue is otherwise specifically prescribed by law, may be brought
3 in the ~~county~~ *judicial district* in which:

4 (a) The plaintiff resides, or if the plaintiff is a corporation, in the
5 ~~county~~ *judicial district* of its registered office or in which it maintains a
6 place of business;

7 (b) the defendant is served;

8 (c) the cause of action arose;

9 (d) the defendant is transacting business at the time of the filing of the
10 petition;

11 (e) there is property of the defendant, or debts owing to the
12 defendant; or

13 (f) there is located tangible personal property which is the subject of
14 an action for the possession thereof if immediate possession is sought in
15 accordance with K.S.A. 61-3701, and amendments thereto, at the time of
16 the filing of the action.

17 Sec. 80. K.S.A. 61-3405 is hereby amended to read as follows: 61-
18 3405. Any action brought against a public utility, common carrier or
19 transportation system for any liability or penalty or forfeiture, may be
20 brought in any ~~county~~ *judicial district* into or through which such public
21 utility, common carrier or transportation system operates regularly.

22 Sec. 81. K.S.A. 61-3406 is hereby amended to read as follows: 61-
23 3406. If there are several plaintiffs properly joined and venue is
24 determined by the residence of one of them, it shall be necessary that such
25 plaintiff's claim is a substantial part of the action. If there are several
26 defendants properly joined, venue of the action may be determined at the
27 election of the plaintiff as to any one of the defendants against whom a
28 substantial claim exists. If, before trial of an action on the merits is
29 commenced, a party with reference to whom venue was determined ceases
30 to be a party and venue would no longer be proper as to the remaining
31 parties, on the application of any remaining party promptly made, the
32 cause shall be transferred to a court of a ~~county~~ *judicial district* of proper
33 jurisdiction and venue. If there is more than one such ~~county~~ *judicial*
34 *district*, the transfer shall be to a ~~county~~ *judicial district* selected by the
35 plaintiff.

36 Sec. 82. K.S.A. 61-3407 is hereby amended to read as follows: 61-
37 3407. In all cases pursuant to the provisions of the code of civil procedure
38 for limited actions in which it shall be made to appear that a fair and
39 impartial trial cannot be had in the ~~county~~ *judicial district* where the suit is
40 pending, for reasons other than the disqualification of the judge, the court,
41 upon application of either party, may change the place of trial to the
42 district court of some ~~county~~ *judicial district* where the objection does not
43 exist.

1 Sec. 83. K.S.A. 61-3409 is hereby amended to read as follows: 61-
2 3409. If an action is commenced in good faith and a subsequent timely
3 objection to the venue is sustained, or if before trial on the merit
4 commences, it is found that no cause of action exists in favor of or against
5 a party upon whom venue was dependent, the action shall be transferred to
6 a court of proper jurisdiction of any ~~county~~ *judicial district* of proper
7 venue. If there is more than one such ~~county~~ *judicial district*, the transfer
8 shall be to the court of a ~~county~~ *judicial district* selected by the plaintiff. In
9 accordance with K.S.A. 61-4001, and amendments thereto, the receiving
10 district court shall require the payment of an appropriate docket fee from
11 the movant.

12 Sec. 84. K.S.A. 66-118e is hereby amended to read as follows: 66-
13 118e. In any case where the application for review might be taken to the
14 district court of more than one ~~county~~ *judicial district*, any party interested
15 in ~~said~~ *such* action may, within ~~ten (10)~~ 10 days after the transcript is filed
16 with the clerk of the district court, apply to the district court in which such
17 application was originally filed for a change of venue, ~~and if it shall be~~
18 ~~made to appear.~~ *If it appears* to the satisfaction of the court that the
19 convenience of the parties will be best served and a speedy, fair and
20 economical trial be secured by transferring such proceeding to another
21 ~~county~~ *judicial district* of this state in which the order or the decision of
22 the commission is to become effective, or if it appears that the application
23 should have been filed in the district court of some other ~~county~~ *judicial*
24 *district*, it shall be the duty of the court to make an order transferring such
25 proceeding to such other ~~county~~ *judicial district* for trial or decision, ~~and,~~
26 Upon such order being made, the files of the case shall be transmitted by
27 the clerk of the court to the clerk of the court of the ~~county~~ *judicial district*
28 to which the proceeding is transferred, and thereupon the proceeding shall
29 be docketed in the district court of the ~~county~~ *judicial district* to which it is
30 transferred and all subsequent proceedings shall be had as if the
31 application for review had been originally filed in the last named ~~county~~;
32 ~~Provided, That~~ *judicial district*. The provisions of this section shall not be
33 construed to restrict or prevent an application for change of venue upon
34 any other statutory ground.

35 Sec. 85. K.S.A. 2014 Supp. 74-711 is hereby amended to read as
36 follows: 74-711. The records of the secretary of labor, compiled and
37 maintained for administration of the employment security law, shall be
38 made available to the director of workers' compensation for comparison
39 with respect to matters of payroll, payroll tax, number and type of
40 employees of all employers doing business in the state of Kansas who
41 have not qualified as self-insurers or group-funded workers' compensation
42 pools and who have not filed statements of insurance with the director of
43 workers' compensation. The director shall order employers coming under

1 this act and who have not qualified as self-insurers or group-funded
2 workers' compensation pools and who have not filed a statement of
3 insurance as provided by this act to so qualify or to file such statement or
4 to cease doing business in the state of Kansas within a period to be set by
5 the director but not less than 10 days from the date of the order.

6 In the event that such an employer fails to comply with the order of the
7 director of workers' compensation issued as provided in this section, the
8 attorney general or the district attorney or county attorney of any county *in*
9 *such judicial district* in which such employer is doing business shall
10 prepare and file in the district court of any ~~county~~ *judicial district* in which
11 such employer is doing business a petition in the name of the state signed
12 and verified by the director of workers' compensation, and asking that such
13 employer be enjoined from doing business in this state for such period of
14 time as the director may deem proper and until such employer has
15 complied with the workers' compensation law, and the district court shall
16 have jurisdiction and venue to enter its order without requiring bond or
17 evidence to be filed or presented. In all other respects such action shall be
18 governed by the laws governing civil procedure.

19 Sec. 86. K.S.A. 75-6907 is hereby amended to read as follows: 75-
20 6907. Whenever it appears that an awarding authority is attempting to
21 enforce any contract based upon a bid in which a mistake has been made
22 contrary to the provisions of this act, an action may be brought in the
23 district court of the ~~county~~ *judicial district* in which the contract was
24 awarded to enjoin such enforcement and, upon a proper showing, a
25 permanent or temporary injunction, restraining order or other equitable
26 relief shall be granted in an action brought by the bidder, the attorney
27 general or any county or district attorney.

28 Sec. 87. K.S.A. 2014 Supp. 75-7510 is hereby amended to read as
29 follows: 75-7510. Any action under this act may be brought in the district
30 court of any ~~county~~ *judicial district* in which the defendant or, in the case
31 of multiple defendants, any one defendant can be found, resides or
32 transacts business or in which any act prohibited by K.S.A. 2014 Supp. 75-
33 7503, and amendments thereto, occurred.

34 Sec. 88. K.S.A. 77-609 is hereby amended to read as follows: 77-609.
35 (a) The district court shall conduct judicial review except when:

36 (1) A statute specifically provides for review of an agency action by
37 appeal directly to the court of appeals; or

38 (2) otherwise provided by law.

39 (b) Except as otherwise provided by K.S.A. 8-259, 31-144, 44-556,
40 72-5430a and 74-2426, and amendments thereto, venue is in the ~~county~~
41 *judicial district* in which the order or agency action is entered or is
42 effective or the rule and regulation is promulgated.

43 Sec. 89. K.S.A. 77-624 is hereby amended to read as follows: 77-624.

1 (a) In addition to other remedies provided by law, an agency may seek
2 enforcement of its rule and regulation or order by filing a petition for civil
3 enforcement in the district court.

4 (b) The petition shall name, as defendants, each alleged violator
5 against whom the agency seeks to obtain civil enforcement.

6 (c) A party to an agency hearing may seek enforcement of a
7 subpoena, discovery order or protective order by filing a petition for civil
8 enforcement in the district court. The petition shall name, as defendants,
9 each person against whom the party seeks to obtain civil enforcement.

10 (d) Venue shall be in the ~~county~~ *judicial district*:

11 (1) In which the order is entered or the rule and regulation is
12 promulgated; or

13 (2) determined in the manner provided for determination of venue in
14 other civil cases.

15 (e) A petition for civil enforcement may request, and the court may
16 grant, declaratory relief, temporary or permanent injunctive relief, any
17 other civil remedy provided by law or any combination of the foregoing.

18 Sec. 90. K.S.A. 5-417, 16a-6-116, 17-1775, 17-7307, 17-76,129, 20-
19 301, 20-301b, 20-327, 20-331, 20-333, 20-336, 20-338, 20-348, 20-354,
20 20-2908, 20-3107, 20-3108, 20-3109, 20-3110, 22-2602, 22-2603, 22-
21 2604, 22-2605, 22-2606, 22-2607, 22-2608, 22-2609, 22-2610, 22-2611,
22 22-2612, 22-2613, 22-2614, 22-2616, 22-2617, 43-162, 43-163, 43-164,
23 47-421, 50-110, 50-638, 55-1617, 56-1a510, 59-2126, 59-2138, 59-2207,
24 59-2403, 60-601, 60-602, 60-603, 60-604, 60-605, 60-606, 60-607, 60-
25 608, 60-609, 60-611, 60-613, 60-614, 61-2708, 61-3402, 61-3403, 61-
26 3404, 61-3405, 61-3406, 61-3407, 61-3409, 66-118e, 75-6907, 77-609 and
27 77-624 and K.S.A. 2014 Supp. 8-259, 8-1020, 17-76,121, 20-329, 22-
28 2615, 22-2619, 22-2902, 22-3428, 22-3428a, 23-2210, 26-501, 38-2204,
29 38-2305, 40-218, 43-107, 43-112a, 43-112b, 43-158, 59-2136, 59-2203,
30 59-2971, 59-29b71, 60-242, 60-612, 60-4103, 74-711 and 75-7510 are
31 hereby repealed.

32 Sec. 91. This act shall take effect and be in force from and after its
33 publication in the statute book.