

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Chairman Mike O'Neal at 3:30 P.M. on February 15, 2007 in Room 313-S of the Capitol.

All members were present except:
Jason Watkins- excused

Committee staff present:
Jerry Ann Donaldson, Kansas Legislative Research
Athena Andaya, Kansas Legislative Research
Jill Wolters, Office of Revisor of Statutes
Duston Slinkard, Office of Revisor of Statutes
Cindy O'Neal, Committee Assistant

Conferees appearing before the committee:
Attorney General Paul Morrison
Representative Joe Patton
Sandy Jacquot, League of Kansas Municipalities
Ed Klumpp, Kansas Association of Chiefs of Police
Captain Glenn Kurtz, Sedgwick County Sheriff's Department
Dale Goter, City of Wichita
Chief Judge Michael Corrigan, 18th Judicial District, Wichita
Judge Charles Andrews, 3rd Judicial District, Shawnee County

The hearing on **HB 2318 - allowing crime scene cleanup as a compensable expense for victims**, was opened.

Attorney General Paul Morrison appeared before the committee as the sponsor of the proposed bill. He explained that the proposed bill would expand the definition of "allowance expense" to include an allowance of up to \$1000 for crime scene cleanup. Reimbursement of the costs of crime scene cleanup greatly relieves the amount of stress that is felt by the victim or their family. ([Attachment 1](#))

The hearing on **HB 2318** was closed.

The hearing on **HB 2301 -mandatory days in jail for second or subsequent theft or burglary convictions**, was opened.

Representative Joe Patton appeared before the committee as the sponsor of the proposed bill. He commented that it would not change the severity level of second or subsequent theft or burglary but would require the courts to order the time to be spent in jail. ([Attachment 2](#))

Sandy Jacquot, League of Kansas Municipalities, appeared in opposition to the bill because it would have huge fiscal impacts on municipalities. Most cities have agreements with their county to house city prisoners in the county jail for a fee. However, if this bill passes, there would be more city prisoners serving time in the county jail therefore costing city's more money. ([Attachment 3](#))

Ed Klumpp, Kansas Association of Chiefs of Police, opposed the bill because of the costs to the cities. He agreed that theft and burglary are big problems but there needs to be another solution. ([Attachment 4](#))

Captain Glenn Kurtz, Sedgwick County Sheriff's Department, commented that bed space is a major concern because most jails are currently full and/or overcrowded. ([Attachment 5](#))

The hearing on **HB 2301** was closed.

The hearing on **HB 2393 - municipal courts; fines; restitution costs; collection agents; judgements enforcement in district court**, was opened.

Dale Goter, City of Wichita, appeared as a proponent to the bill. He stated that there is a similar bill **SB 322**, which the City would prefer because it is written better. He commented on the injustice of allowing criminal

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court fines to go unpaid. The City of Wichita does, and will continue, to work with individuals with regard to payment plans but most are irresponsible and don't pay them. The proposed bill would require defendants to pay the entire fine plus collection costs. (Attachment 6)

Sandy Jacquot, League of Kansas Municipalities, expressed her support of the proposed bill. The collection of unpaid fines is an ongoing problem. This bill would shift the burden to pay the fines and cost of collection on the defendant instead of the city. (Attachment 7)

Written testimony in support of the bill was provided by Robert Stephen and the DUI Victim Center of Kansas. (Attachments 8 & 9)

Chief Judge Michael Corrigan, 18th Judicial District, Wichita, appeared in opposition to the bill because it would result in the filing of thousands of unpaid judgement cases and would cause extra work for the court without receiving any additional funding for handling these cases. He suggested the Legislature give authority to municipal courts to collect their own fines and collection fees. (Attachment 10)

Judge Charles Andrews, 3rd Judicial District, Shawnee County, agreed that all fines assessed by the court should be paid in full but was concerned with the demand that would be placed on the district court and its staff. (Attachment 11)

The hearing on **HB 2393** was closed.

HB 2318 - allowing crime scene cleanup as a compensable expense for victims

Representative Owens made the motion to report HB 2318 favorably for passage. Representative Wolf seconded the motion. The motion carried.

The committee meeting adjourned at 5:15 p.m. The next meeting was scheduled for February 19, 2007.