

SESSION OF 2024

SUPPLEMENTAL NOTE ON SENATE BILL NO. 190

As Recommended by Senate Committee on
Judiciary

Brief*

SB 190 would amend the Kansas Code of Criminal Procedure to require a magistrate to order, as a condition of release for any person charged with a felony, that the person execute (sign) a waiver of extradition:

- Stating the person consents to extradition to Kansas and waives all procedures incidental to extradition proceedings pursuant to Kansas' enactment of the Uniform Criminal Extradition Act, or any other law, if such person is arrested in another state while on bond; and
- Acknowledging that the person shall not be released prior to trial in any other state pending extradition to Kansas.

The bill also would make technical amendments to ensure consistency in statutory organization.

Background

The bill was introduced by the Senate Committee on Judiciary during the 2023 Legislative Session at the request of a representative of the Johnson County Sheriff's Office.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Senate Committee on Judiciary

In the Senate Committee hearing on January 17, 2024, a representative of the Johnson County Sheriff's Office testified as a **proponent**, stating the bill would assist law enforcement in bringing fugitives back to the state to answer for crimes committed in Kansas. Written-only proponent testimony was provided by representatives of the Kansas County and District Attorneys Association and the Kansas Sheriffs Association.

Written-only **opponent** testimony was provided by representatives of the Board of Indigents' Defense Services and the American Civil Liberties Union of Kansas. No other testimony was provided.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, the Office of Judicial Administration indicates enactment of the bill would have a negligible fiscal effect on the operations of the Judicial Branch.

Crimes; criminal procedure; bond; extradition