

SESSION OF 2017

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2191**

As Recommended by House Committee on  
Agriculture

**Brief\***

HB 2191 would make several technical changes to law pertaining to hunting and fishing regulations. The bill would amend current law that allows a resident of Kansas charged with violating provisions of law requiring a license, permit, stamp, or other issue from the Kansas Department of Wildlife, Parks and Tourism (KDWPT) to avoid being convicted if the person presents to the court or the office of the arresting officer an issue of KDWPT that was valid at the time of the arrest. The bill would amend the provision to require the issue of KDWPT to be valid at the time of the person's alleged violation rather than on the date of the arrest.

Additionally, the bill would specify the "physical" license be forfeited, suspended, or surrendered if ordered so by a judge.

Finally, the bill would no longer require an officer to prepare a written citation to an individual charged with violating any of the laws pertaining to wildlife and parks. The bill would make this provision permissive rather than mandatory. Additionally, the bill would eliminate a provision that subjects officers to being found guilty of misconduct and removal from office if they violate the provisions of law relating to the issuance of citations.

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\*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>

## **Background**

The bill was introduced in the House Committee on Agriculture at the request of KDWPT. In the House Committee hearing, a spokesperson from KDWPT testified in favor of the bill. The representative stated the bill would help the agency's movement to electronic licensing by addressing outdated language in the statute and the timing issues created by the ability to purchase licenses online. The representative also added the bill would clarify that a physical license must be surrendered if ordered to ensure a smart phone or tablet is not submitted because it contains the electronic license. Finally, the representative stated the bill would correct some egregious language pertaining to officer misconduct and removal from office for violation of the law pertaining to the requirements of issuing a citation. The spokesperson stated officers could be terminated under the Civil Service Act and potentially charged with a crime. No other testimony was provided.

According to the fiscal note prepared by the Division of the Budget, KDWPT states enactment of the bill would have no fiscal effect.