



KANSAS
ASSOCIATION OF
COUNTIES

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House Federal and State Affairs Committee
February 4, 2021
House Bill 2025

Kansas Association of Counties
Neutral Testimony

Chairman Barker and members of the Committee:

Thank you for allowing the Kansas Association of Counties to provide testimony regarding HB 2025, which would require warrants to conduct physical or electronic surveillance.

The Kansas Association of Counties and its member counties stand in strong support of the constitutionally protected freedom from a warrantless search in criminal matters. This is an important freedom within our legal system. HB 2025 goes beyond this, however, extending the warrant requirement to under HB 2025 to county weed supervisors.

County weed supervisors are tasked with the duty to eradicate and otherwise control noxious weeds within their respective counties. As a part of this responsibility, county weed supervisors are to do annual surveys and other inspections to determine if noxious weeds are present on property. State law already requires that noxious weed inspectors attempt to notify the property owner of the purpose of the inspection, and allows the owner or lessee of the premises to accompany the individual conducting the inspection. *See* K.S.A. 2-1330(b). Requiring a warrant to conduct such inspections will needlessly burden the county attorney or magistrate judge to approve these warrants on an annual basis. This seems impractical.

County weed supervisors should not fall under the purview of this bill. The method for county weed directors entering a property is already outlined under statute. The requirements of this bill would interfere both with the work of the weed director and with the functions of the county attorney or judges approving the warrants.

KAC would support an amendment to remove the weed directors from this legislation by striking “or a county weed supervisor pursuant to K.S.A. 2-1316” on page 1, lines 8 and 9.

Thank you for the opportunity to provide this information to the committee. Please let me know if we can provide further assistance on this topic.

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