

Approved: May 22, 2012  
(Date)

## MINUTES OF THE SENATE JUDICIARY COMMITTEE

The Chairman called the meeting to order at 9:30 a.m. on January 11, 2012, in Room 548-S of the Capitol.

All members were present.

Committee staff present:

Jason Thompson, Office of the Revisor of Statutes  
Katherine McBride, Office of the Revisor of Statutes  
Robert Allison-Gallimore, Kansas Legislative Research Department  
Lauren Douglass, Kansas Legislative Research Department  
Theresa Kiernan, Committee Assistant

Conferees appearing before the Committee:

None

The Chairman introduced Katherine McBride, who is a new member of the staff serving the Judiciary Committee. The Chairman noted while Katherine is new to the Committee this is her second year working for the Legislature as a member of the Office of the Revisor of Statutes.

The Chairman recognized the following persons for the purpose of making requests for the introduction of bills:

Nancy J. Strouse, Kansas Judicial Council, who requested seven bills which would:

- Revoke an ex-spouse's inheritance rights upon divorce.
- Amend K.S.A. 23-201 relating to marital property and clarifying that a spouse's creditors cannot reach assets given to the other spouse in circumstances where no fraud on creditors was involved.
- Amend the probate code, relating to the delivery of wills to the court and filing of wills to preserve them for probate.
- Amend several provisions of the Kansas Uniform Trust Code: Create a procedure for filing a claim against a trust in a probate proceeding; eliminate the presumption that a spendthrift provision is a material purpose of trust; and delete the requirement that a taxpayer ID number be included in a certification of trust.
- Make clean-up amendments and policy recommendations of the Criminal Recodification Commission.
- Amend the juvenile offender code to include provisions relating to probable cause determinations in juvenile offender proceedings.
- Repeal the June 30, 2013, sunset provision for the Commission on Judicial Performance.

## CONTINUATION SHEET

Minutes of the Senate Judiciary Committee at 9:30 a.m. on January 11, 2010, in Room 548-S of the Capitol.

Patrick Vogelsberg, KCDAA, who requested three bills which would:

- Amend the felony murder statute; concerning lesser included offenses in jury instructions
- Amend the criminal procedure relating to speedy trial provisions; concerning the allotment of time among the parties
- Amend K.S.A. 21-5909 to include the Secretary of SRS and other mandatory reporters

Helen Pedigo, Special Counsel to the Chief Justice of Supreme Court, who requested four bills which related to:

- Extending the judicial branch surcharge
- Malpractice liability screening panels
- Wage and non-wage garnishments
- Sources for jury pool lists

Ed Klumpp, KPA, KSA and KCP, who requested two bills which related to:

- Forfeiture of vehicles used in felony attempts to elude a law enforcement officer
- Civil process fees under K.S.A. 28-110

Kevin Barone, The Capitol Lobby Group, who requested a bill to amend K.S.A. 22-2802 and 22-2801a relating to appearance bonds and surety agents.

Megan Henry, Office of the Attorney General, who requested two bills relating to:

- Sexually violent predator cases; concerning expert testimony and evaluations
- Unlawful sexual relations; concerning foster parents and foster children

The next meeting is scheduled for January 12, 2012.

The meeting was adjourned at 9:55 a.m.