MINUTES OF THE SENATE JUDICIARY COMMITTEE

The Chairman called the meeting to order at 9:35 a.m. on January 24, 2012, in Room 548-S of the Capitol. All members were present except Senator Schodorf, who was excused.

Committee staff present:
- Jason Thompson, Office of the Revisor of Statutes
- Bob Allison-Gallimore, Kansas Legislative Research Department
- Lauren Douglass, Kansas Legislative Research Department
- Theresa Kiernan, Committee Assistant

Others attending:
See attached list

The Chairman turned the Committee's attention to **SB 249–Relating to employees; criminal history record check**.

Jason Thompson, Staff Revisor, distributed copies of a balloon amendment for **SB 249** (Attachment 1). Mr. Thompson stated the amendments in the balloon would clarify that current employees of the Division of Legislative Post Audit could be fingerprinted for the purpose of conducting criminal history checks.

**Senator Umbarger moved, Senator Pilcher-Cook seconded, the amendment proposed in the balloon be adopted. Motion adopted.**

**Senator Umbarger moved, Senator Pilcher-Cook seconded, SB 249 be passed, as amended. Motion adopted.**

The Chairman turned the Committee's attention to **SB 279–Unlawful sexual relations, foster parents and foster children**.

Jason Thompson, Staff Revisor, distributed copies of a balloon amendment for **SB 279** (Attachment 2). Mr. Thompson stated the amendments in the balloon would address concerns raised by Senator Vratil relating to the language used in existing law. The amendments would clarify existing language.

**Senator Vratil moved, Senator King seconded, the amendments in the balloon be adopted. Motion adopted.**

**Senator Kelly moved, Senator King seconded, on page 2 of the balloon, in the first line of the last insert that the word “regular” be stricken. Motion adopted.**

**Senator Vratil moved, Senator Schodorf seconded, SB 279 be passed, as amended. Motion adopted.**

The Chairman turned the Committee's attention to **SB 280–Sexually violent predator cases; evaluations**

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.
and expert testimony.

Jason Thompson, Staff Revisor, distributed copies of a memo relating to the physician-patient privilege prepared by Katherine McBride and copies of a balloon amendment for SB 280 (Attachments 3 and 4). Mr. Thompson stated the amendments in the balloon would clarify that neither the physician-patient privilege nor HIPPA is violated if statements made by the detainee during the evaluation and conclusions drawn by the person conducting the evaluation are disclosed in accordance with the section.

Senator Vratil moved, Senator Kelly seconded, the amendments in the balloon be adopted. Motion adopted.

Senator Vratil moved, Senator Umbarger seconded, SB 280 be passed, as amended. Motion adopted.

The Chairman turned the Committee's attention to SB 291—Amendments to the uniform trust code.

Senator King moved, Senator Kelly seconded, to amend SB 291 on page 1, in line 29, by striking, “may”, and inserting “is not presumed to”. Motion adopted.

Senator King moved, Senator Lynn seconded, SB 291 be passed, as amended. Motion adopted.

The Chairman turned the Committee's attention to SB 292—Revoking an ex-spouse's inheritance rights upon divorce.

In response to a question raised by Senator Schodorf, the Chairman stated if SB 292 is enacted, a new will should be executed after a divorce if a person desires to leave property or other benefit to an ex-spouse.

Senator Vratil moved, Senator Umbarger seconded, SB 292 be passed. Motion adopted.

The Chairman turned the Committee's attention to SB 293—Filing of wills and admission to probate.

Senator King moved, Senator Vratil seconded, SB 293 be passed. Motion adopted.

The Chairman turned the Committee's attention to SB 297—Removing the gifts from a spouse exception from marital property in a divorce.

Senator Vratil moved, Senator King seconded, SB 297 be passed. Motion adopted.

The next meeting is scheduled for January 25, 2012.

The meeting was adjourned at 10:30 a.m.