

SESSION OF 2012

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2704

As Amended by Senate Committee on Judiciary

Brief*

HB 2704 would repeal several statutes concerning the role of the Topeka Correctional Facility (Facility) as the reception and diagnostic facility. The statutes proposed for repeal relate to the:

- Primary function and purpose of the Facility with regard to the delivery of offenders and the examination and study of all felony offenders sentenced by the courts to the custody of the Secretary of Corrections (KSA 75-5262);
- Appointment of psychiatrists, psychologists, social workers, chaplains, and other officers and employees by the warden of the Facility, as approved by the Secretary of Corrections (KSA 75-5263);
- Authority of the Secretary of Corrections to make requisitions to any warden of a state correctional institution for the transfer of an inmate to the Facility for examination, study, and subsequent confinement assignment (KSA 75-5264), or for the purpose of performing work at the Facility (KSA 75-5265);
- Sheriff's conveyance of offenders to the Facility (KSA 75-5220); and

*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>

- Scientific examination and study of women sentenced to the custody of the Secretary of Corrections in a manner substantially similar to that provided for in KSA 75-5262 (KSA 75-5229).

Background

The bill was introduced at the request of the Governor's Office of the Repealer. A representative of the Department of Corrections testified in favor of the bill before the House Committee on Government Efficiency noting, when the statutes were enacted in 1973, the role of the Topeka Correctional Facility (formerly the State Reception and Diagnostic Center) distinguished it from the other correctional facilities of the Department of Corrections. The representative further testified that, since 1973, additional correctional facilities have been added and the roles of the facilities have changed. The representative stated the statutes are outmoded and should be repealed. No opposing or neutral testimony was presented to the House Committee.

In the Senate Committee on Judiciary, a representative of the Kansas Department of Corrections appeared in support of the bill. The Committee amended the bill to include additional statutes that reference the role of the Topeka Correctional Facility as the reception and diagnostic facility.

The fiscal note prepared by the Division of the Budget for HB 2704, as introduced, states the bill is of a technical nature; therefore, enactment of the bill would have no fiscal effect.