

[As Amended by Senate Committee of the Whole]

As Amended by Senate Committee

Session of 2008

SENATE BILL No. 590

By Senator Journey

2-11

12 AN ACT relating to the Kansas criminal justice coordinating council;
13 establishing the substance abuse policy board; amending K.S.A. 2007
14 Supp. 74-9501 and repealing the existing section.
15

16 *Be it enacted by the Legislature of the State of Kansas:*

17 Section 1. K.S.A. 2007 Supp. 74-9501 is hereby amended to read as
18 follows: 74-9501. (a) There is hereby established the Kansas criminal jus-
19 tice coordinating council.

20 (b) The council shall consist of the governor or designee, the chief
21 justice of the supreme court or designee, the attorney general or designee,
22 the secretary of corrections, the superintendent of the highway patrol,
23 the commissioner of juvenile justice and the director of the Kansas bureau
24 of investigation.

25 (c) The governor shall designate staff to the Kansas criminal justice
26 coordinating council. The staff shall attend all meetings of the council,
27 be responsible for keeping a record of council meetings, prepare reports
28 of the council and perform such other duties as directed by the council.

29 (d) The council shall elect a chairperson and vice-chairperson from
30 among the members of the council.

31 (e) The council shall:

32 (1) Appoint a standing local government advisory group to consult
33 and advise the council concerning local government criminal justice issues
34 and the impact of state criminal justice policy and decisions on local units
35 of government. The advisory group shall consist of a sheriff, chief of
36 police, county or district attorney, a member of a city governing body and
37 a county commissioner. Appointees to such advisory group shall serve
38 without compensation or reimbursement for travel and subsistence or any
39 other expenses;

40 (2) Define and analyze issues and processes in the criminal justice
41 system, identify alternative solutions and make recommendations for im-
42 provements;

43 (3) Perform such criminal justice studies or tasks as requested by the

1 governor, the attorney general, the legislature or the chief justice, as
2 deemed appropriate or feasible by the council.

3 (4) Oversee development and management of a criminal justice da-
4 tabase. All criminal justice agencies as defined in subsection (c) of K.S.A.
5 22-4701 and amendments thereto and the juvenile justice authority shall
6 provide any data or information, including juvenile offender information
7 which is requested by the council, in a form and manner established by
8 the council, in order to facilitate the development and management of
9 the criminal justice council database.

10 (5) Develop and oversee reporting of all criminal justice federal fund-
11 ing available to the state or local units of government including assuming
12 the designation and functions of administering the United States bureau
13 of justice assistance grants.

14 (6) Form such task groups as necessary and appoint individuals who
15 appropriately represent law enforcement, the judiciary, legal profession,
16 state, local, or federal government, the public, or other professions or
17 groups as determined by the council, to represent the various aspects of
18 the issue being analyzed or studied, when analyzing criminal justice issues
19 and performing criminal justice studies. Members of the legislature may
20 be appointed ex officio members to such task groups. A member of the
21 council shall serve as the chairperson of each task group appointed by
22 the council. The council may appoint other members of the council to
23 any task group formed by the council.

24 (7) Review reports submitted by each task group named by the coun-
25 cil and shall submit the report with the council's recommendations per-
26 taining thereto to the governor, the attorney general, the chief justice of
27 the supreme court, the chief clerk of the house of representatives and
28 the secretary of the senate, ~~and~~.

29 (8) (A) Establish the sex offender policy board to consult and advise
30 the council concerning issues and policies pertaining to the treatment,
31 sentencing, rehabilitation, reintegration and supervision of sex offenders.

32 (B) The sex offender policy board shall consist of the secretary of
33 corrections, the commissioner of juvenile justice, the secretary of social
34 and rehabilitation services, the director of the Kansas bureau of investi-
35 gation and the chief justice of the supreme court or the chief justice's
36 designee and two persons appointed by the criminal justice coordinating
37 council. Of the persons appointed by the criminal justice coordinating
38 council, one shall be a mental health service provider and the other shall
39 be engaged in the provision of services involving child welfare or crime
40 victims.

41 (C) Each member of the board shall receive compensation, subsis-
42 tence allowances, mileage and other expenses as provided for in K.S.A.
43 75-3223, and amendments thereto, except that the public members of

1 the board shall receive compensation in the amount provided for legis-
2 lators pursuant to K.S.A. 75-3212, and amendments thereto, for each day
3 or part thereof actually spent on board activities. No per diem compen-
4 sation shall be paid under this subsection to salaried state, county or city
5 officers or employees.

6 (D) The sex offender policy board shall elect a chairperson from its
7 membership and shall meet upon the call of its chairperson as necessary
8 to carry out its duties.

9 (E) Each appointed member of the sex offender policy board shall
10 be appointed for a term of two years and shall continue to serve during
11 that time as long as the member occupies the position which made the
12 member eligible for the appointment. Each member shall continue in
13 office until a successor is appointed and qualifies. Members shall be eli-
14 gible for reappointment, and appointment may be made to fill an unex-
15 pired term.

16 (F) The board shall submit its reports to the criminal justice coordi-
17 nating council and to the governor, the attorney general, the chief justice
18 of the supreme court, the chief clerk of the house of representatives and
19 the secretary of the senate.

20 (i) The board shall submit a report regarding public notification per-
21 taining to sex offenders, restrictions on the residence of released sex of-
22 fenders, utilization of electronic monitoring, and the management of ju-
23 venile sex offenders by the first day of the 2007 legislative session.

24 (ii) The board shall submit a report regarding treatment and super-
25 vision standards for sex offenders, suitability of lifetime release supervi-
26 sion and safety education and prevention strategies for the public by the
27 first day of the 2008 legislative session.

28 (iii) The board shall submit reports regarding any other studies, issues
29 or policy recommendations as completed.

30 (G) The sex offender policy board established pursuant to subsection
31 (e)(8) of this section shall expire on June 30, ~~2008~~ **[2011]**.

32 (9) (A) *Establish the substance abuse policy board to consult and*
33 *advise the council concerning issues and policies pertaining to the treat-*
34 *ment, sentencing, rehabilitation and supervision of substance abuse of-*
35 *fenders. The board shall specifically analyze and study driving under the*
36 *influence and the use of drug courts by other states.*

37 (B) *The substance abuse policy board shall consist of the secretary of*
38 *corrections, the commissioner of juvenile justice, the secretary of social*
39 *and rehabilitation services, the director of the Kansas bureau of investi-*
40 *gation ~~and~~, the chief justice of the supreme court or the chief justice's*
41 *designee, a member of the Kansas sentencing commission, a prose-*
42 *cutor appointed by the Kansas county and district attorneys asso-*
43 *ciation, and two persons appointed by the Kansas association of addiction*

1 *professionals. Of the persons appointed by the Kansas association of ad-*
2 *dition professionals, one shall be an addiction counselor and the other*
3 *shall be a professional program administrator.*

4 (C) *Each member of the board shall receive compensation, subsis-*
5 *tence allowances, mileage and other expenses as provided for in K.S.A.*
6 *75-3223, and amendments thereto, except that the public members of the*
7 *board shall receive compensation in the amount provided for legislators*
8 *pursuant to K.S.A. 75-3212, and amendments thereto, for each day or*
9 *part thereof actually spent on board activities. No per diem compensation*
10 *shall be paid under this subsection to salaried state, county or city officers*
11 *or employees.*

12 (D) *The substance abuse policy board shall elect a chairperson from*
13 *its membership and shall meet upon the call of its chairperson as necessary*
14 *to carry out its duties.*

15 (E) *Each appointed member of the substance abuse policy board shall*
16 *be appointed for a term of two years and shall continue to serve during*
17 *that time as long as the member occupies the position which made the*
18 *member eligible for the appointment. Each member shall continue in office*
19 *until a successor is appointed and qualifies. Members shall be eligible for*
20 *reappointment, and appointment may be made to fill an unexpired term.*

21 (F) *The board shall submit its reports to the criminal justice coordi-*
22 *nating council and to the governor, the attorney general, the chief justice*
23 *of the supreme court, the chief clerk of the house of representatives and*
24 *the secretary of the senate.*

25 Sec. 2. K.S.A. 2007 Supp. 74-9501 is hereby repealed.

26 Sec. 3. This act shall take effect and be in force from and after its
27 publication in the statute book.