

SESSION OF 2004

**SUPPLEMENTAL NOTE ON
SUBSTITUTE FOR HOUSE BILL NO. 2049**

As Amended by House Committee on
Corrections and Juvenile Justice

Brief*

Sub. for HB 2049 would provide for the establishment of an office of district attorney in each judicial district that votes for the measure. The procedure to put the question of whether to change the present method of selecting county attorneys and instead replacing it with an office of district attorney to a vote of the electorate is outlined in the bill.

When the majority of voters in each county elect to adopt a district attorney system, there is the establishment of an office of district attorney in such a judicial district. The term of office for a district attorney will be for four years. A district attorney system, so elected, will require the following:

- ! The district attorney or a deputy or assistant will maintain office hours of not less than 60 hours per month in each city which is the county seat of each county in the judicial district.
- ! The board of county commissioners of each county in the judicial district will enter into an interlocal cooperation agreement regarding services, duties, functions, activities, obligations, or responsibilities that are required.
- ! The annual salary of a district attorney elected as provided in the bill will be 80 percent of a district court judge. Counties will ratably contribute to the district attorney's and any assistant district attorney's salary based on the population of the county.

*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/klrd>

An office of district attorney may be terminated if approved by the voters in a manner described in the bill.

The House Committee made technical amendments.

Background

The legislator who requested the bill expressed support for the bill. The bill was assigned to a subcommittee which resulted in the substitute bill.

The fiscal note on the original bill indicates there would be a fiscal impact on effected counties but these costs cannot be estimated at this time.