

SESSION OF 2010

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2661

As Recommended by House Committee on
Corrections and Juvenile Justice

Brief*

HB 2661 would correct inadvertent errors made in the recodification of the drug code in 2009 HB 2332. The bill would:

- Add a specific reference to subsection (b)(3) of KSA 21-36a06 (possession of marijuana) regarding the law providing municipal courts jurisdiction, or concurrent jurisdiction, to hear and determine cases;
- Add the age 18 of the offender requirement back into the law regarding the crime of distribution of a controlled substance or controlled substance analog;
- Add language to cover Schedule V controlled substances regarding the crime of possession of a controlled substance or controlled substance analog;
- Conform the penalty provision regarding prescription-only drug violations;
- Use terms defined in the recodified drug code and add the age 18 of the offender requirement back into the law regarding precursor offenses;
- Add references to the Uniform Controlled Substances Act provisions repealed in recodification and make clear the old law violations and new law violations are treated the same; and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>

- Clarify that only those individuals convicted of KSA 21-36a05(a)(1) are required to register under the Kansas Offender Registration Act and would make the provision retroactive to remove the registration requirement for anyone convicted under the other subsections of KSA 21-36a05.

The bill would be effective upon publication in the *Kansas Register*.

Background

HB 2661 was requested by the Office of the Revisor of Statutes. There were no proponents or opponents of the bill who testified at the House Committee.

There was no fiscal note on the bill, as introduced.