

HOUSE BILL No. 2497

By Committee on Corrections and Juvenile Justice

1-23

1 AN ACT concerning crimes, punishment and criminal procedure; relating
2 to sentencing; transfer of supervision; amending K.S.A. 2013 Supp. 21-
3 6610 and repealing the existing section.
4

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

6 Section 1. K.S.A. 2013 Supp. 21-6610 is hereby amended to read as
7 follows: 21-6610. (a) When a defendant is placed on parole by the district
8 court, on probation, assigned to a community correctional services
9 program by a district court or under suspended sentence and such
10 defendant is permitted to go from the judicial district of that court,
11 supervision over the defendant may be transferred from that judicial
12 district to another with the concurrence of the receiving chief court
13 services officer, or if in a community corrections services program, by the
14 concurrence of the director of the receiving program.

15 (b) ~~The district originating court from which the defendant is on~~
16 ~~parole, probation, community correctional services program or suspended~~
17 ~~sentence~~ may: (1) Retain jurisdiction of the defendant; or (2) transfer
18 jurisdiction of the defendant to the receiving court.

19 (c) (1) *If supervision is transferred pursuant to subsection (a), with*
20 *the concurrence of the receiving court, the originating court may enter an*
21 *order directing the clerk to transfer the case to the receiving court. The*
22 *transfer order shall include a copy of: The journal entry of sentencing; all*
23 *documents relating to the defendant's placement on parole, probation,*
24 *assignment to a community correctional services program or suspended*
25 *sentence; and the defendant's written consent to abide by the rules and*
26 *procedures of the receiving court and the receiving supervising entity.*

27 (2) *After the transfer order is entered, the receiving court shall have*
28 *jurisdiction over the defendant for the purpose of enforcing the conditions*
29 *of parole, probation, assignment to a community correctional services*
30 *program or suspended sentence. Such jurisdiction shall include the*
31 *authority to impose any sanctions for violations as provided by law.*

32 (3) *Upon successful completion of such parole, probation,*
33 *assignment to a community correctional services program or suspended*
34 *sentence, the receiving court may: (A) Return the case to the originating*
35 *court for termination or other appropriate disposition; or (B) with the*
36 *consent of the originating court, order termination or other appropriate*

1 *disposition as provided by law.*

2 *(4) If the defendant does not successfully complete such parole,*
3 *probation, assignment to a community correctional services program or*
4 *suspended sentence, the receiving court may, with the consent of the*
5 *originating court, dispose of the case as provided by law. If such consent*
6 *is not given, the receiving court shall return the case to the originating*
7 *court for further proceedings.*

8 *(d) As used in this section:*

9 *(1) "Originating court" means the district court that originally*
10 *placed the defendant on parole, probation, assignment to a community*
11 *correctional services program or suspended sentence; and*

12 *(2) "receiving court" means the district court of the judicial district*
13 *where the defendant's supervision is transferred.*

14 Sec. 2. K.S.A. 2013 Supp. 21-6610 is hereby repealed.

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