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MEMORANDUM

To: Senate Committee on Judiciary
From: Jenna Moyer, Assistant Revisor of Statutes
Date: March 20, 2018
Subject: SB 439 – Clarifying methods of recording grand jury proceedings

SB 439 amends grand jury statutes relating to recording of proceedings, signing of indictments, and amendment of indictments.

Section 1 amends K.S.A. 22-3006 to require that all grand jury proceedings be recorded. The grand jury shall select the method of recording and may employ a certified shorthand reporter or use the court's digital recording system, if available.

Section 2 amends K.S.A. 22-3011 to allow an indictment to be signed "Presiding Grand Juror." Current law requires the presiding grand juror to sign the indictment with the presiding juror's name.

Section 3 amends K.S.A. 22-3015 to change who makes the application for amending an indictment from the "people" to "prosecuting attorney".