

HOUSE BILL No. 2686

By Committee on Corrections and Juvenile Justice

2-13

Proposed Amendments to HB 2686 - Jennings
House Corrections and Juvenile Justice
Prepared by: Natalie Scott, Assistant Revisor
February 20, 2020

1 AN ACT concerning crimes, punishment and criminal procedure; relating
2 to possession of marijuana; removing felony violation; releasing people
3 from custody for such violations; amending K.S.A. 2019 Supp. 21-
4 5706 and repealing the existing section.

strike

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

7 ~~New Section 1. (a) All persons serving a term of imprisonment in the~~
8 ~~custody of the secretary of corrections for a violation of K.S.A. 2019~~
9 ~~Supp. 21-5706(b), and amendments thereto, when the substance involved~~
10 ~~is marijuana, as designated in K.S.A. 65-4105(d), and amendments thereto,~~
11 ~~or tetrahydrocannabinols, as designated in K.S.A. 65-4105(h), and~~
12 ~~amendments thereto, shall be released from such person's term of~~
13 ~~imprisonment by the secretary as provided in this section.~~

14 ~~(b) All persons on probation or assignment to a community~~
15 ~~correctional services program for a violation of K.S.A. 2019 Supp. 21-~~
16 ~~5706(b), and amendments thereto, when the substance involved is~~
17 ~~marijuana, as designated in K.S.A. 65-4105(d), and amendments thereto,~~
18 ~~or tetrahydrocannabinols, as designated in K.S.A. 65-4105(h), and~~
19 ~~amendments thereto, shall be discharged from probation or assignment to a~~
20 ~~community correctional services program as provided in this section.~~

Remove Section 1

21 ~~(c) (1) The secretary shall make appropriate calculation and~~
22 ~~adjustments of sentence for inmates in the secretary's custody or on a~~
23 ~~community correctional services program by July 1, 2020.~~

24 ~~(2) The judicial branch shall make appropriate calculation and~~
25 ~~adjustments of sentence for offenders on probation being supervised by~~
26 ~~court services officers by July 1, 2020.~~

27 Sec. 2. K.S.A. 2019 Supp. 21-5706 is hereby amended to read as
28 follows: 21-5706. (a) It shall be unlawful for any person to possess any
29 opiates, opium or narcotic drugs, or any stimulant designated in K.S.A. 65-
30 4107(d)(1), (d)(3) or (f)(1), and amendments thereto, or a controlled
31 substance analog thereof.

32 (b) It shall be unlawful for any person to possess any of the following
33 controlled substances or controlled substance analogs thereof:

34 (1) Any depressant designated in K.S.A. 65-4105(e), 65-4107(e), 65-
35 4109(b) or (c) or 65-4111(b), and amendments thereto;

36 (2) any stimulant designated in K.S.A. 65-4105(f), 65-4107(d)(2), (d)