

SESSION OF 2020

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2470

As Recommended by House Committee on
Corrections and Juvenile Justice

Brief*

HB 2470 would amend law related to jurisdiction and supervision of participants in the nonprison sanction of placement in a certified drug abuse treatment program.

The bill would provide that, when a defendant is sentenced to the nonprison sanction of placement in a certified drug abuse treatment program, the district court from which the defendant is on parole, probation, community correctional services program, or suspended sentence may transfer jurisdiction of the defendant with the concurrence of the receiving district court and all parties.

The bill would specify that, if an offender is permitted to leave the judicial district of the sentencing court, the court may:

- Transfer supervision over the offender from that judicial district to another; and
- Either transfer or retain jurisdiction of the offender.

Background

SB 123 (2003) created a nonprison sanction of certified substance abuse treatment for certain drug offenders. Commonly referred to as the "Senate Bill 123 Program," this

*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>

program is administered by the Kansas Sentencing Commission.

The bill was introduced in the House Committee on Corrections and Juvenile Justice at the request of the Kansas Sentencing Commission.

In the House Committee hearing, proponent testimony was provided by representatives of the Kansas Sentencing Commission and the Kansas Sheriffs Association. Proponents testified that current law allows the sentencing court to transfer supervision, but does not contain provisions related to transferring jurisdiction. They stated that, by allowing for transfer of jurisdiction, the bill would enable the court in the jurisdiction in which the offender lives to address concerns. Neutral testimony was presented by a representative of the Kansas Community Corrections Association. No opponent testimony was provided.

According to the fiscal note prepared by the Division of the Budget on the bill, the Office of Judicial Administration indicates any fiscal effect on revenues or expenditures of the Judicial Branch associated with the bill would be negligible.