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MEMORANDUM

To: House Committee on Corrections and Juvenile Justice

From: Office of Revisor of Statutes

Date: February 13, 2024

Subject: Bill Brief on HB 2741

HB 2741 updates the general terms of supervision for offenders on probation and postrelease supervision.

Sections 1 amends K.S.A. 21-6607 related to conditions of probation and Section 3 amends K.S.A. 22-3717 related to conditions of postrelease supervision. The bill removes the current list of supervision terms for offenders on probation and post-release supervision and makes the terms of supervision for each type of offender substantially similar. The bill would require these offenders to (1) obey all laws and report law enforcement contact, (2) not engage in physical violence and, if convicted of a felony, not purchase or possess a dangerous weapon including a firearm, (3) report to the supervision officer as directed, (4) remain within the state or other specified areas, (5) reside at the person's approved residence unless permission to relocate is granted, (6) not possess, use or distribute controlled substances, (7) not possess or consume alcohol or enter establishments where alcohol is sold or consumed as the primary business, (8) submit to alcohol or substance use testing, (9) participate in assessment, treatment, programming and other directives of the court, (10) submit to searches of the person, effects, vehicle, residence or property based on reasonable suspicion that the person violated conditions of supervision, and (11) refrain from contacting victims unless authorized by the court. The bill requires the office of judicial administration and the department corrections to collaborate to develop documentation related to conditions of supervision.

The bill keeps the current law requirements to pay a supervision fee for people on probation supervision and an administrative fee for people on postrelease supervision. It also keeps the current law requirement to reimburse the state for expenditures made by the board of indigents' defense services to provide counsel and to pay restitution.