

## Substitute for HOUSE BILL No. 2055

By Committee on Corrections and Juvenile Justice

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1 AN ACT concerning criminal procedure; relating to district attorney  
2 offender reports; amending K.S.A. 22-3432 and K.S.A. 2011 Supp. 22-  
3 3427 and repealing the existing sections.

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

6 Section 1. K.S.A. 2011 Supp. 22-3427 is hereby amended to read as  
7 follows: 22-3427.(a) When any person has been convicted of a violation of  
8 any law of the state of Kansas and has been sentenced to confinement, it  
9 shall be the duty of the sheriff of the county, upon receipt of a certified  
10 copy of the journal entry of judgment, judgment form showing conviction,  
11 sentence, and commitment, or an order of commitment supported by a  
12 recorded judgment of sentence, to cause such person to be confined in  
13 accordance with the sentence.

14 (b) The certified copy of a judgment and sentence to confinement or  
15 imprisonment shall be sufficient authority for the jailer or warden or other  
16 person in charge of the place of confinement to detain such person for the  
17 period of the sentence.

18 (c) The court shall forward a copy of all complaints, supporting  
19 affidavits, ~~county and district attorney reports~~, presentence investigation  
20 reports and other diagnostic reports on the offender received by the district  
21 court, including any reports received from the state security hospital, to the  
22 officer having the offender in custody for delivery with the offender to the  
23 correctional institution.

24 Sec. 2. K.S.A. 22-3432 is hereby amended to read as follows: 22-  
25 3432. (a) It shall be the duty of the county or district attorney of the county  
26 in which a person has been convicted of a felony and sentenced to  
27 imprisonment to furnish to the secretary of corrections information  
28 pertaining to ~~the any special facts and circumstances surrounding~~  
29 ~~concerning the commission of the offense, including any aggravating or~~  
30 ~~mitigating circumstances, and such other information which has come to~~  
31 ~~the attention of the county attorney which might have a bearing in~~  
32 ~~determining the possibility of the inmate thereafter becoming a useful~~  
33 ~~citizen or the offender that cannot be obtained from records provided to~~  
34 ~~the secretary pursuant to K.S.A. 22-3427, and amendments thereto. This~~

35 (b) *If applicable*, such information shall be set forth on forms  
36 provided by the secretary and shall be submitted at the time ~~the such~~

1 inmate is committed. Such information shall be forwarded by the secretary  
2 to the correctional institution receiving such inmate.

3 Sec. 3. K.S.A. 22-3432 and K.S.A. 2011 Supp. 22-3427 are hereby  
4 repealed.

5 Sec. 4. This act shall take effect and be in force from and after its  
6 publication in the statute book.

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