

SESSION OF 2012

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2672

As Recommended by House Committee on
Government Efficiency

Brief*

HB 2672 would repeal a statute that concerns lynchings and subsequent vacating and reinstating of a sheriff for failing to perform certain duties. KSA 19-825 provides for a sheriff to be vacated when a person is taken from the custody of such sheriff or sheriff's deputy and is lynched. The statute requires the county clerk to be the immediate successor to the sheriff's duties until a successor is appointed. The procedures for the reinstatement of a sheriff and the findings required in an administrative hearing to allow for reinstatement also are established by the statute.

Background

The bill was introduced at the request of the Governor's Office of the Repealer. The Secretary of Administration testified in favor of the bill before the House Committee on Government Efficiency, indicating the statute is out-of-date and the county clerk would not be the logical successor to a sheriff. No opposing or neutral testimony was presented to the House Committee.

The fiscal note prepared by the Division of the Budget states the bill is of a technical nature; therefore, enactment of the bill would have no fiscal effect.

*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>