

SESSION OF 2012

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2683

As Recommended by House Committee on
Government Efficiency

Brief*

HB 2683 would amend one statute and repeal several other statutes concerning the Director of Penal Institutions. The bill would amend KSA 22-3416 regarding the custody of a prisoner who could be required to attend as a witness in a criminal action or proceeding. The bill would replace the outmoded term of "Director of Penal Institutions" with the current title "Secretary of Corrections". The bill would repeal other provisions as noted below:

- Transfer existing powers, duties, and functions of the Director of Penal Institutions to the Secretary of Corrections (KSA 75-5213);
- Cause the adoption of the rules and regulations of the State Director of Penal Institutions to be treated as those of the Secretary of Corrections until revoked, suspended, revised, or amended (KSA 75-5207); and
- Transfer the records and property of the Director of Penal Institutions to the Department of Corrections, and transfer copies of the records and papers relating to paroles and parolees on file with the Kansas Adult Authority to the Secretary of Corrections (KSA 75-5208).

*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>

Background

The bill was introduced at the request of the Governor's Office of the Repealer. A representative of the Department of Corrections testified in favor of the bill before the House Committee on Government Efficiency, noting the bill repeals a series of statutes referencing the office of the Director of Penal Institutions which are outmoded. The representative also testified one statute needs to be amended to reflect the "Secretary of Corrections" as the chief executive officer for the state correctional system, rather than the outdated "Director of Penal Institutions." 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.