

SESSION OF 2012

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2684

As Amended by Senate Committee on Judiciary

Brief*

HB 2684 would repeal statutes concerning the position of the Ombudsman of Corrections. The statutes relate to the:

- Provision of necessary personnel and accounting services by the Secretary of Corrections to the Office of the Ombudsman of Corrections (KSA 74-7402);
- Appointment, compensation, office space, and support employees for the Ombudsman, and the duties and functions of the Ombudsman (KSA 74-7403);
- Authority of the Ombudsman to have access to correctional institutions and other inmate housing (KSA 74-7404);
- Conditions under which the records in the possession of the Ombudsman, or any employee of the Ombudsman, may be made available to the Department of Corrections (KSA 74-7406); and
- Authority of the Ombudsman to administer oaths (KSA 74-7407).

The bill also would amend a reference to the Ombudsman of Corrections in KSA 45-221, concerning open records.

*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 Ombudsman of Corrections has not been funded or operational for approximately a decade, rendering the statutes outmoded. No opposing or neutral testimony was presented to the House Committee.

In the Senate Committee on Judiciary, a representative of the Department of Corrections appeared in support of the bill. The Committee amended the bill to remove a reference to the Ombudsman of Corrections in KSA 45-221, concerning open records.

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.