

SENATE BILL No. 80

By Committee on Judiciary

1-28

SB80-Balloon-Smith

Prepared By: Jason Thompson,
Office of Revisor of Statutes
February 7, 2013

1 AN ACT concerning grand juries; amending K.S.A. 22-3002, 22-3003, 22-
2 3004, 22-3005, 22-3006, 22-3007, 22-3009, 22-3010, 22-3011, 22-
3 3012, 22-3013 and 22-3014 and K.S.A. 2012 Supp. 22-3001 and 22-
4 3008 and repealing the existing sections.

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

6 Section 1. K.S.A. 2012 Supp. 22-3001 is hereby amended to read as
7 follows: 22-3001. (a) A majority of the district judges in any judicial
8 district may order a grand jury to be summoned in any county in the
9 district when it is determined to be in the public interest.

10 (b) The district or county attorney in such attorney's county may
11 petition the chief judge or the chief judge's designee in such district court
12 to order a grand jury to be summoned in the designated county in the
13 district to investigate alleged violations of an off-grid felony; a severity
14 level 1, 2, 3 or 4 felony or a drug severity level 1 or 2 felony consider any
15 alleged felony law violation. The chief judge or the chief judge's designee
16 in the district court of the county shall then consider the petition and, if it
17 is found that the petition is in proper form, as set forth in this subsection,
18 shall order a grand jury to be summoned within 15 days after receipt of
19 such petition.

20 (c) A grand jury shall be summoned in any county within 60 days
21 after a petition praying therefor is presented to the district court, bearing
22 the signatures of a number of electors equal to 100 plus 2% of the total
23 number of votes cast for governor in the county in the last preceding
24 election. The petition shall be in substantially the following form:

25 The undersigned qualified electors of the county of _____
26 and state of Kansas hereby request that the district court of
27 _____ county, Kansas, within 60 days after the filing of this
28 petition, cause a grand jury to be summoned in the county to investigate
29 alleged violations of law and to perform such other duties as may be
30 authorized by law.

31 The signatures to the petition need not all be affixed to one paper, but
32 each paper to which signatures are affixed shall have substantially the
33 foregoing form written or printed at the top thereof. Each signer shall add
34 to such signer's signature such signer's place of residence, giving the street
35 and number or rural route number, if any. One of the signers of each paper
36

attorney general in any judicial district or the

Senate Judiciary
2-7-2013
Attachment 2