

SENATE BILL No. 402

By Committee on Judiciary

2-13

1 AN ACT concerning the Kansas criminal justice information system
2 committee; amending K.S.A. 2013 Supp. 74-5701, 74-5702, 74-5703,
3 74-5704 and 74-5706 and repealing the existing sections.
4

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

6 Section 1. K.S.A. 2013 Supp. 74-5701 is hereby amended to read as
7 follows: 74-5701. (a) There is hereby established the Kansas criminal
8 justice information system committee, ~~referred to in this act as the~~
9 ~~committee~~, to be composed of the following persons or their designated
10 representative: (1) The secretary of administration, ~~who shall serve as~~
11 ~~chairperson~~; (2) the director of the Kansas bureau of investigation; (3) the
12 superintendent of the Kansas highway patrol; (4) a sheriff as designated by
13 the Kansas sheriff's association; (5) a chief of police as designated by the
14 Kansas association of chiefs of police; (6) the secretary of the Kansas
15 department of corrections; ~~(7) the commissioner of the Kansas juvenile~~
16 ~~justice authority~~; ~~(8)~~ (7) the judicial administrator of the office of judicial
17 administration; ~~(9)~~ (8) a prosecutor as designated by the Kansas county
18 and district attorneys association; ~~(10)~~ (9) a court administrator or clerk as
19 designated by the Kansas association of district court clerks and
20 administrators; and ~~(11) an administrator or director of a public 9-1-1~~
21 ~~communications center as designated by the Kansas 9-1-1 providers~~
22 ~~association~~ (10) a representative from the Kansas association of public
23 safety communications officials.

24 (b) *The committee shall elect a chairperson and the secretary of*
25 *administration shall serve as co-chairperson. The chairperson shall serve*
26 *for a term of one year. The co-chairperson may cast a vote only in cases*
27 *of tie votes.*

28 (c) The committee shall meet, on call of the chairperson, as often as is
29 necessary to carry out the provisions of this ~~act~~ *article*. Members of the
30 ~~criminal justice information system~~ committee attending meetings of such
31 committee, or attending a subcommittee meeting thereof authorized by
32 such committee, shall be paid subsistence allowances, mileage and other
33 expenses as provided in K.S.A. 75-3223, and amendments thereto.

34 (d) *As used in this article, "committee" means the Kansas criminal*
35 *justice information system committee.*

36 Sec. 2. K.S.A. 2013 Supp. 74-5702 is hereby amended to read as

1 follows: 74-5702. (a) The committee shall establish, maintain—and,
2 upgrade *and enhance* the criminal justice information system, by adoption,
3 *management* and enforcement of a minimum standard of computerized
4 ~~data base information exchange, to interconnect each county of the state~~
5 ~~into a unified electronic information system, with at least one designated~~
6 ~~outlet or terminal in each county.~~ Such minimum standard of computerized
7 ~~data base information standards~~ shall be established by the committee by
8 ~~rule and regulation~~ *rules and regulations* and may be changed as
9 technology and system management may require.

10 (b) *The committee shall make available through funds from K.S.A.*
11 *74-5707, and amendments thereto, a connection between each county and*
12 *the state into a unified electronic information system, if the county meets*
13 *the standards for use of the connection established by the committee by*
14 *rules and regulations.*

15 (c) The committee shall approve substantive changes, *as defined by*
16 *the committee by rules and regulations*, made by any state agency or other
17 agency to ~~a data base, telecommunications~~ *the electronic information*
18 *exchange* format, programming or other ~~facilities accessed by, providing~~
19 ~~or using service components~~ of; the criminal justice information system
20 before the changes may be implemented. The committee shall report
21 regularly to the criminal justice coordinating council, established by
22 K.S.A. 74-9501, and amendments thereto. The committee shall inform the
23 council and request its comments regarding proposed rules and
24 regulations, policies and standards proposed by the committee and
25 proposed projects which would expand or modify the criminal justice
26 information system or its services.

27 (d) The committee is authorized to enter into agreements to lease or
28 purchase such facilities and equipment as may be necessary to establish,
29 operate and maintain such electronic information system, *or as needed to*
30 *accomplish the operations of the committee.* The committee may designate
31 a specific state agency or group of agencies to provide a specific service or
32 group of services to the system. The cost of establishing, maintaining and
33 upgrading such system, except as otherwise provided in this ~~act~~ *article*,
34 shall be paid for from funds appropriated or made available for such
35 purpose by the legislature. The committee is hereby authorized and
36 directed to accept and use any available ~~federal~~ funds for the
37 establishment, *maintenance*, upgrading and operation of the information
38 system.

39 (e) The chairperson may appoint subcommittees to assist the
40 committee in its operation.

41 (f) *Within the limits of appropriations therefor, the committee may*
42 *appoint a director who shall be in the unclassified service of the Kansas*
43 *civil service act and shall receive an annual salary fixed by the committee.*

1 Sec. 3. K.S.A. 2013 Supp. 74-5703 is hereby amended to read as
2 follows: 74-5703. The board of county commissioners of each county shall
3 establish, maintain and equip at least one outlet or terminal within the
4 county as part of the statewide information system created under this ~~act~~
5 *article*. Upon application to and written approval of the committee,
6 additional outlets or terminals may be established within a county by the
7 board of county commissioners of such county or by the governing body
8 of any city within such county. Except as otherwise provided in this ~~act~~
9 *article*, the cost of establishing and upgrading any such outlet or terminal,
10 including the cost of equipment and the cost of connecting it to the
11 statewide system, shall be paid for by the political subdivision so
12 establishing such outlet or terminal from its general fund. The board of
13 county commissioners of each county and the governing body of any city
14 establishing or upgrading an outlet or terminal under this ~~act~~ *article* are
15 hereby authorized and directed to accept and use any available ~~federal~~
16 funds for the operation of the *criminal justice* information system.

17 Sec. 4. K.S.A. 2013 Supp. 74-5704 is hereby amended to read as
18 follows: 74-5704. The committee shall adopt and enforce such rules ~~and~~,
19 regulations *and policies* as are necessary for the establishment,
20 *maintenance*, upgrading and operation of the statewide *criminal justice*
21 information system.

22 Sec. 5. K.S.A. 2013 Supp. 74-5706 is hereby amended to read as
23 follows: 74-5706. The committee may provide for additional outlets or
24 terminals in any county and for upgrading any outlet or terminal in a
25 county in which there is more than one outlet or terminal. The cost of
26 providing any additional outlet or terminal required under authority of this
27 section and the cost of upgrading any outlet or terminal required under
28 authority of this section shall be paid in accordance with this section as
29 determined by the committee. The committee may determine that the
30 board of county commissioners or the governing body of the city in which
31 any such outlet or terminal is located or to be located shall pay the entire
32 cost thereof, or that the state and such county or city shall share such cost,
33 or that the state shall pay such entire cost. In making such determination
34 the committee is directed to provide that the state shall pay all or part of
35 any costs incurred under this section if the committee is of the opinion that
36 such costs are necessary to maintain or improve the effectiveness of the
37 statewide *criminal justice* information system as a whole.

38 Sec. 6. K.S.A. 2013 Supp. 74-5701, 74-5702, 74-5703, 74-5704 and
39 74-5706 are hereby repealed.

40 Sec. 7. This act shall take effect and be in force from and after its
41 publication in the statute book.