

SESSION OF 2015

SUPPLEMENTAL NOTE ON SENATE BILL NO. 113

As Amended by House Committee on Judiciary

Brief*

SB 113, as amended, would amend a provision allowing a Kansas resident charged with violating wildlife, parks and tourism laws related to licenses, permits, stamps, or other documents to produce such documents in court or to the arresting officer and thereby avoid conviction. Specifically, the bill would require such document to have been valid at the time of the alleged violation rather than at the time of such person's arrest.

The bill also would clarify that only a physical license, permit, stamp, or other issue would need to be surrendered to the court when the judge orders forfeiture or suspension of such document.

Finally, the bill would amend law related to issuance of a citation for misdemeanor violations of any wildlife, parks and tourism laws so that issuance of a citation is permissive, rather than mandatory. The bill would eliminate a provision subjecting an officer to sanctions for failing to issue a citation under this section.

Background

SB 113 was introduced at the request of the Kansas Department of Wildlife, Parks and Tourism (KDWPT) in the Senate Committee on Judiciary. In the Senate Committee, a representative of KDWPT testified in support of the bill, explaining the need for the bill due to the movement toward

*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>

electronic licensing by KDWPT. There was no opponent or neutral testimony on the bill.

In the House Committee on Judiciary, the same conferee testified. The House Committee amended the bill to add the provisions of SB 112, related to issuance of a citation. Further background information regarding SB 112 is provided below.

According to the fiscal note prepared by the Division of the Budget, KDWPT indicates SB 113 would have no fiscal effect.

Background of SB 112

SB 112 was introduced by the Senate Committee on Judiciary at the request of KDWPT. At the Senate Committee hearing, a representative of KDWPT testified in support of the bill. There was no opponent or neutral testimony presented.

The Senate Committee adopted a technical amendment correcting a statutory reference.

In the House Committee on Judiciary, a representative of KDWPT testified in support of the bill. A citizen testified in opposition to the bill. As previously noted, the House Committee added the contents of SB 112 (as amended by Senate Committee) to SB 113.

According to the fiscal note prepared by the Division of the Budget on SB 112, KDWPT indicates the bill would have no fiscal effect.