

SENATE BILL No. 384

By Committee on Judiciary

2-6

1 AN ACT concerning the Kansas criminal justice coordinating council;
2 relating to the substance abuse policy board; membership and duties;
3 amending K.S.A. 2017 Supp. 74-9501 and repealing the existing
4 section.

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

7 Section 1. K.S.A. 2017 Supp. 74-9501 is hereby amended to read as
8 follows: 74-9501. (a) There is hereby established the Kansas criminal
9 justice coordinating council.

10 (b) The council shall consist of the governor or designee, the chief
11 justice of the supreme court or designee, the attorney general or designee,
12 the secretary of corrections, the superintendent of the highway patrol, the
13 commissioner of juvenile justice and the director of the Kansas bureau of
14 investigation.

15 (c) The governor shall designate staff to the Kansas criminal justice
16 coordinating council. The staff shall attend all meetings of the council, be
17 responsible for keeping a record of council meetings, prepare reports of
18 the council and perform such other duties as directed by the council.

19 (d) The council shall elect a chairperson and vice-chairperson from
20 among the members of the council.

21 (e) The council shall:

22 (1) Appoint a standing local government advisory group to consult
23 and advise the council concerning local government criminal justice issues
24 and the impact of state criminal justice policy and decisions on local units
25 of government. The advisory group shall consist of a sheriff, chief of
26 police, county or district attorney, a member of a city governing body and
27 a county commissioner. Appointees to such advisory group shall serve
28 without compensation or reimbursement for travel and subsistence or any
29 other expenses.

30 (2) Define and analyze issues and processes in the criminal justice
31 system, identify alternative solutions and make recommendations for
32 improvements.

33 (3) Perform such criminal justice studies or tasks as requested by the
34 governor, the attorney general, the legislature or the chief justice, as
35 deemed appropriate or feasible by the council.

36 (4) Oversee development and management of a criminal justice

1 database. All criminal justice agencies as defined in ~~subsection (c)~~ of
2 K.S.A. 22-4701(c), and amendments thereto, and the juvenile justice
3 authority shall provide any data or information, including juvenile offender
4 information which is requested by the council, in a form and manner
5 established by the council, in order to facilitate the development and
6 management of the criminal justice council database.

7 (5) Develop and oversee reporting of all criminal justice federal
8 funding available to the state or local units of government including
9 assuming the designation and functions of administering the United States
10 bureau of justice assistance grants.

11 (6) Form such task groups as necessary and appoint individuals who
12 appropriately represent law enforcement, the judiciary, legal profession,
13 state, local, or federal government, the public, or other professions or
14 groups as determined by the council, to represent the various aspects of the
15 issue being analyzed or studied, when analyzing criminal justice issues and
16 performing criminal justice studies. Members of the legislature may be
17 appointed ex officio members to such task groups. A member of the
18 council shall serve as the chairperson of each task group appointed by the
19 council. The council may appoint other members of the council to any task
20 group formed by the council.

21 (7) Review reports submitted by each task group named by the
22 council and shall submit the report with the council's recommendations
23 pertaining thereto to the governor, the attorney general, the chief justice of
24 the supreme court, the chief clerk of the house of representatives and the
25 secretary of the senate.

26 (8) (A) Establish the substance abuse policy board to consult and
27 advise the council concerning issues and policies pertaining to the
28 treatment, sentencing, rehabilitation and supervision of substance abuse
29 offenders. The board shall specifically analyze and study *issues relating to*
30 *driving under the influence, treatment for substance abuse while in*
31 *custody and the use of drug courts* ~~by other states and other therapeutic~~
32 ~~courts.~~

33 (B) The substance abuse policy board shall consist of the secretary of
34 corrections *or the secretary's designee*, ~~the commissioner of juvenile~~
35 ~~justice~~, the secretary for aging and disability services *or the secretary's*
36 *designee*, the director of the Kansas bureau of investigation *or the*
37 *director's designee*, the chief justice of the supreme court or the chief
38 justice's designee, a member of the Kansas sentencing commission, a
39 prosecutor appointed by the Kansas county and district attorneys
40 association, *a criminal defense attorney appointed by the Kansas*
41 *association of criminal defense lawyers* and two persons appointed by the
42 Kansas association of addiction professionals. Of the persons appointed by
43 the Kansas association of addiction professionals, one shall be an addiction

1 counselor and the other shall be a professional program administrator.

2 (C) Each member of the board shall receive compensation,
3 subsistence allowances, mileage and other expenses as provided for in
4 K.S.A. 75-3223, and amendments thereto, except that the public members
5 of the board shall receive compensation in the amount provided for
6 legislators pursuant to K.S.A. 75-3212, and amendments thereto, for each
7 day or part thereof actually spent on board activities. No per diem
8 compensation shall be paid under this subsection to salaried state, county
9 or city officers or employees.

10 (D) The substance abuse policy board shall elect a chairperson from
11 its membership and shall meet upon the call of its chairperson as necessary
12 to carry out its duties.

13 (E) Each appointed member of the substance abuse policy board shall
14 be appointed for a term of two years and shall continue to serve during that
15 time as long as the member occupies the position which made the member
16 eligible for the appointment. Each member shall continue in office until a
17 successor is appointed and qualifies. Members shall be eligible for
18 reappointment, and appointment may be made to fill an unexpired term.

19 (F) The board shall submit its reports to the criminal justice
20 coordinating council and to the governor, the attorney general, the chief
21 justice of the supreme court, the chief clerk of the house of representatives
22 and the secretary of the senate.

23 Sec. 2. K.S.A. 2017 Supp. 74-9501 is hereby repealed.

24 Sec. 3. This act shall take effect and be in force from and after its
25 publication in the statute book.