

HOUSE BILL No. 2191

AN ACT concerning crimes, punishment and criminal procedure; relating to execution of search warrants; electronically stored information; amending K.S.A. 2018 Supp. 22-2503 and repealing the existing section.

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

Section 1. K.S.A. 2018 Supp. 22-2503 is hereby amended to read as follows: 22-2503. (a) Except as provided in ~~subsection~~ *subsections (b) and (c)*, search warrants issued by a district magistrate judge may be executed only within the judicial district in which the judge resides or within the judicial district to which the judge has been assigned pursuant to K.S.A. 20-319, and amendments thereto.

(b) Search warrants issued pursuant to ~~subsection (a)(2)~~ of K.S.A. 22-2502(a)(2), and amendments thereto:

(1) That are issued by a district judge may be executed anywhere within the state; and

(2) shall be valid during the time period specified by the warrant regardless of whether the tracking device or the subject person or property leaves the issuing jurisdiction.

(c) *Warrants issued for electronically stored information, electronic devices or media capable of storing electronically stored information located within Kansas authorize the transfer of such information, devices or media for further examination and review to anywhere within the state of Kansas or outside the state of Kansas at any time after the seizure unless otherwise specified in the warrant. The provisions of this subsection shall apply prospectively to warrants issued after July 1, 2019.*

(d) As used in this section, "tracking data" and "tracking device" have the same meanings as defined in K.S.A. 22-2502, and amendments thereto.

Sec. 2. K.S.A. 2018 Supp. 22-2503 is hereby repealed.

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

I hereby certify that the above BILL originated in the HOUSE, and passed that body

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.