

SESSION OF 2019

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2279

As Amended by House Committee on
Corrections and Juvenile Justice

Brief*

HB 2279, as amended, amends law related to domestic violence calls and law enforcement agency notification policies.

Continuing law requires law enforcement agencies in the state to adopt written policies regarding domestic violence calls and make such policies available to all officers of the agency. The bill would require all law enforcement agencies in the state provide training to law enforcement officers regarding the agency's adopted policy.

The bill would add requirements that such written policies provide, when an arrest is made for a domestic violence offense, including an arrest for violation of a protection order, the officer shall provide the victim information regarding:

- The fact that in some cases the person arrested can be released from custody in a short amount of time;
- The fact that in some cases a bond condition may be imposed on the person arrested that prohibits contact with the victim for 72 hours, and if the person arrested contacts the victim during that time, the victim should notify law enforcement immediately; and

*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>

- Any available services within the jurisdiction to monitor custody changes of the person being arrested, including, but not limited to, the Kansas Victim Information and Notification Everyday (VINE) Service, if available in the jurisdiction.

Background

The bill was introduced by Representatives Victors and Curtis.

In the House Committee on Corrections and Juvenile Justice hearing, proponent testimony was presented by Representative Curtis and representatives of the Kansas Coalition Against Sexual and Domestic Violence and the Wichita Family Crisis Center. Written-only proponent testimony was provided by Representative Victors and a private citizen. Proponents testified the intent of the legislation was to provide domestic violence victims notice of a potential amount of time that would expire before the arrested person may be released from jail.

A representative of the Association of Chiefs of Police, Kansas Peace Officers Association, and Kansas Sheriffs' Association presented opponent testimony. The opponent testified the organizations were concerned with specific bond schedule and no-contact order notice requirements contained in the bill, as introduced.

The House Committee amended the bill to specify notice is to be provided when an arrest is made for a domestic violence offense. The House Committee also adjusted the notice provision related to release from custody and no-contact orders and replaced the notice based upon a bond schedule with notice that an arrested person can be released from custody in a short amount of time.

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Kansas Bureau of

Investigation and the Kansas Highway Patrol indicate enactment of the bill would have a negligible fiscal effect on agency operations and would be absorbed within existing resources.

The Kansas Association of Counties and the League of Kansas Municipalities indicate enactment of the bill would result in staff time and attorney costs in drafting written policies with the requirements listed in the bill and additional time for local law enforcement agencies to provide the training required by the bill.