

SESSION OF 2022

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2299**

As Amended by House Committee of the Whole

**Brief\***

HB 2299, as amended, would amend the Code of Criminal Procedure to extend, from 96 hours to 240 hours, the time period within which a search warrant must be executed after it is issued.

The bill also would make technical amendments to ensure consistency in statutory references and phrasing.

**Background**

The bill was introduced by the House Committee on Judiciary at the request of Representative Resman.

***House Committee on Judiciary***

The House Committee on Judiciary held hearings on the bill on February 15, 2021, and January 20, 2022.

In the 2021 House Committee hearing, Representative Resman, a representative of the Johnson County Sheriff's Office, and a representative of the Kansas Association of Chiefs of Police, Kansas Peace Officers Association, and Kansas Sheriffs Association (law enforcement organizations) testified as **proponents**, stating the bill would bring the time allowed for execution of a search warrant in line with the standard of many other states and would increase safety for law enforcement and the public. A representative of the

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\*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>

League of Kansas Municipalities (LKM) submitted written-only proponent testimony. No other testimony was submitted.

In the 2022 House Committee hearing, a representative of the law enforcement organizations again testified as a **proponent**, and a representative of LKM again submitted written-only proponent testimony. No other testimony was provided.

### ***House Committee of the Whole***

On February 22, 2022, the House Committee of the Whole amended the bill to update statutory references and to change the time period from 10 days to 240 hours.

### **Fiscal Information**

According to the fiscal note prepared by the Division of the Budget on the bill in 2021, the Office of Judicial Administration indicates enactment of the bill would have a negligible effect on Judicial Branch operations, and the Kansas Association of Counties indicates enactment of the bill could create additional costs if a county must continually monitor a location.

Criminal procedure; search warrants; time for execution