

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Chairman Mike O'Neal at 3:30 P.M. on February 2, 2006 in Room 313-S of the Capitol.

All members were present except:

Michael Peterson- excused
Mike Kiegerl- excused

Committee staff present:

Jerry Ann Donaldson, Kansas Legislative Research
Jill Wolters, Office of Revisor of Statutes
Cindy O'Neal, Committee Secretary

Conferees appearing before the committee:

Representative Virginia Beamer
Chuck Simmons, Kansas Department of Corrections
Cindy Vaught, Self

Representative Yoder requested three bill introductions:

1. Prohibiting the supreme court from establishing emergency surcharge fees
2. Setting term limits for supreme court to 10 years
3. Railroad immunity

He made the motion to have the requests introduced as committee bills. Representative Pilcher-Cook seconded the motion. The motion carried.

Representative Hutchins requested a bill which would exempt public and county hospitals from paying docket fees and service of process fees. She made the motion to have her request introduced as a committee bill. Representative Pilcher-Cook seconded the motion. The motion carried.

Representative Crow made the motion to have a bill introduced that would give judges discretion on felony domestic battery. Representative Pilcher-Cook seconded the motion. The motion carried.

Representative Ward requested a bill be introduced that would increase the law library fund to \$4.00. Representative Ward made the motion to have the request introduced as a committee bill. Representative Garcia seconded the motion. The motion carried.

Chairman O'Neal received a bill request from Representative Decker which would amend the obscenity statute which was ruled unconstitutional by the Atchison County District Court. Representative Kinzer made the motion to have the request introduced as a committee bill. Representative Pilcher-Cook seconded the motion. The motion carried.

Chairman O'Neal opened the hearing on **HB 2557 - offenders required to be registered for certain crimes involving minors shall not reside within 1,500 feet of a school and 1,000 feet of a licensed child care facility.**

Representative Virginia Beamer received a letter from a private school in Oakley concerned that a sex offender had moved two block from their school and one block from a public school. She researched the issue and found that Kansas does not have any residency restrictions with regard to how close a sex offender can live to schools. The proposed bill is patterned after Iowa's residency requirements. Enacting this legislation would keep our children safe from those individuals who would more than likely commit another sexual crime. (Attachment 1)

Chuck Simmons, Kansas Department of Corrections, believes that the proposed law does not benefit the public or enhance the safety of children. Studies show that 93% of sex offenses are committed by those who actually know and have a relationship with the child. A Minnesota study shows that most sex offenders are more likely to travel to another neighborhood to seek victims as to avoid being recognized. The passage of this bill would force individuals to live outside metropolitan areas and farther away from social support groups and employment opportunities. (Attachment 2)

CONTINUATION SHEET

MINUTES OF THE House Judiciary Committee at 3:30 P.M. on February 2, 2006 in Room 313-S of the Capitol.

The Office of Attorney General provided the committee with a copy of the S.A.F.E. Kansans Task Force Report which focused on improving Kansas criminal statutes and appropriate sentencing provisions for criminals who victimize children. (Attachment 3)

Cindy Vaught, advocated for juvenile sex offenders to be excluded from the bill. She was concerned that this would limit the ability of families and young adults from finding affordable residences. (Attachment 4)

The hearing on **HB 2557** was closed.

HB 2611 - child passenger safety act, booster seats

Representative Loyd made the motion to report **HB 2611** favorably for passage. Representative Davis seconded the motion. The motion carried.

The committee meeting adjourned at 5:30 p.m. The next meeting was scheduled for 3:30 p.m. on February 6, 2006 in room 313-S.