

As Amended by House Committee

Session of 2021

HOUSE BILL No. 2083

By Committee on Corrections and Juvenile Justice

1-20

1 AN ACT concerning the Kansas sentencing commission; relating to
2 membership; legislative members; amending K.S.A. 74-9102 and
3 repealing the existing section.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 74-9102 is hereby amended to read as follows: 74-
7 9102. (a) The Kansas sentencing commission shall consist of 17 members,
8 as follows:

9 (1) The chief justice of the supreme court or the chief justice's
10 designee;

11 (2) two district court judges appointed by the chief justice of the
12 supreme court;

13 (3) the attorney general or the attorney general's designee;

14 (4) one public defender appointed by the governor;

15 (5) one private defense counsel appointed by the governor;

16 (6) one county attorney or district attorney appointed by the governor;

17 (7) the secretary of corrections or the secretary's designee;

18 (8) the chairperson of the prisoner review board or such chairperson's
19 designee;

20 (9) two members of the general public, at least one of whom shall be
21 a member of a racial minority group, appointed by the governor;

22 (10) a director of a community corrections program appointed by the
23 governor; and

24 (11) a court services officer appointed by the chief justice of the
25 supreme court. Not more than three members of the commission appointed
26 by the governor shall be of the same political party.

27 (b) In addition to the members appointed pursuant to subsection (a),
28 four members of the legislature shall serve as voting members of the
29 commission. Such members shall be appointed as follows: One *member of*
30 *the standing senate committee on judiciary* shall be appointed by the
31 president of the senate, one *member of the standing senate committee on*
32 *judiciary* shall be appointed by the minority leader of the senate, one
33 *member of the standing house committee on corrections and juvenile*
34 *justice* shall be appointed by the speaker of the house of representatives
35 and one *member of the standing house committee on corrections and*
36 *juvenile justice* shall be appointed by the minority leader of the house of

1 representatives.

2 (c) The governor shall appoint a chairperson from the two district
3 court judges appointed by the chief justice of the supreme court or the
4 chief justice of the supreme court. The members of the commission
5 appointed pursuant to subsection (a) shall elect any additional officers
6 from among its members necessary to discharge its duties.

7 (d) The commission shall meet upon call of its chairperson as
8 necessary to carry out its duties under this act.

9 (e) Each appointed member of the commission shall be appointed for
10 a term of two years and shall continue to serve during that time as long as
11 the member occupies the position which made the member eligible for the
12 appointment. Each member shall continue in office until a successor is
13 appointed and qualifies. Members shall be eligible for reappointment, and
14 appointment may be made to fill an unexpired term.

15 (f) Each member of the commission shall receive compensation,
16 subsistence allowances, mileage and other expenses as provided for in
17 K.S.A. 75-3223, and amendments thereto, except that the public members
18 of the commission shall receive compensation in the amount provided for
19 legislators pursuant to K.S.A. 75-3212, and amendments thereto, for each
20 day or part thereof actually spent on commission activities.

21 Sec. 2. K.S.A. 74-9102 is hereby repealed.

22 Sec. 3. This act shall take effect and be in force from and after
23 **January 9, 2023, and** its publication in the statute book.