

HOUSE BILL No. 2344

By Committee on Elections

2-10

1 AN ACT concerning Riley county; requiring the election of a sheriff and
2 the abolishment of the Riley county law enforcement agency; repealing
3 K.S.A. 19-4424, 19-4425, 19-4426, 19-4427, 19-4428, 19-4429, 19-
4 4430, 19-4431, 19-4432, 19-4433, 19-4434, 19-4435, 19-4436, 19-
5 4437, 19-4438, 19-4439, 19-4440, 19-4441, 19-4443, 19-4444 and 19-
6 4445 and K.S.A. 2020 Supp. 19-4442.

7
8 *Be it enacted by the Legislature of the State of Kansas:*

9 Section 1. (a) The position of county sheriff in Riley county shall be
10 elected for a four -year term of office beginning in the 2022 election cycle.

11 (b) The Riley county law enforcement agency is hereby abolished
12 effective upon the second Monday in January 2023, and all powers, duties
13 and responsibilities of the agency are hereby transferred to the county
14 sheriff and the county sheriff's department on that date, as provided in
15 section 2, and amendments thereto.

16 Sec. 2. (a) Upon the dissolution of the Riley county law enforcement
17 agency, the county sheriff and the sheriff's department shall acquire the
18 property of the agency subject to any leases or agreements duly and
19 validly made by the agency. The county sheriff and the sheriff's
20 department shall be responsible for the payment or retirement of any debts
21 or obligations of the agency. All property, funds and assets of the agency
22 shall be transferred to the county sheriff's department.

23 (b) The county sheriff and the sheriff's department shall be the
24 successor in every way to the powers, duties and functions of the Riley
25 county law enforcement agency. Every act performed in the exercise of
26 such transferred powers, duties and functions by the county sheriff and the
27 sheriff's department shall be deemed to have the same force and effect as if
28 performed by the agency.

29 (c) Whenever the Riley county law enforcement agency is referred to
30 or designated by a contract or other document and such reference is in
31 regard to any of the powers, duties and functions transferred to the county
32 sheriff and the sheriff's department, such reference or designation shall be
33 deemed to apply to the county sheriff and the sheriff's department as the
34 context requires.

35 (d) The county sheriff shall have the legal custody of all records,
36 memoranda, writings, entries, prints, representations, electronic data, or

1 combinations thereof, of any act, transaction, occurrence or event of the
2 agency.

3 (e) No suit, action or other proceeding, judicial or administrative,
4 lawfully commenced, or that could have been commenced, by or against
5 the Riley county law enforcement agency prior to its dissolution or by or
6 against any officer employed by the agency, prior to its dissolution in such
7 officer's official capacity or in relation to the discharge of such officer's
8 official duties, shall abate by reason of the governmental reorganization
9 effected under the provisions of this act.

10 Sec. 3. K.S.A. 19-4424, 19-4425, 19-4426, 19-4427, 19-4428, 19-
11 4429, 19-4430, 19-4431, 19-4432, 19-4433, 19-4434, 19-4435, 19-4436,
12 19-4437, 19-4438, 19-4439, 19-4440, 19-4441, 19-4443, 19-4444 and 19-
13 4445 and K.S.A. 2020 Supp. 19-4442 are hereby repealed.

14 Sec. 4. This act shall take effect and be in force from and after
15 January 1, 2022, and its publication in the statute book.