

HOUSE BILL No. 2435

By Representative Pittman

1-9

1 AN ACT concerning crimes, punishment and criminal procedure; relating
2 to sentencing; court fines; amending K.S.A. 2019 Supp. 21-6604 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. 2019 Supp. 21-6604 is hereby amended to read as
7 follows: 21-6604. (a) Whenever any person has been found guilty of a
8 crime, the court may adjudge any of the following:

9 (1) Commit the defendant to the custody of the secretary of
10 corrections if the current crime of conviction is a felony and the sentence
11 presumes imprisonment, or the sentence imposed is a dispositional
12 departure to imprisonment; or, if confinement is for a misdemeanor, to jail
13 for the term provided by law;

14 (2) impose the fine applicable to the offense and may impose the
15 provisions of subsection (q);

16 (3) release the defendant on probation if the current crime of
17 conviction and criminal history fall within a presumptive nonprison
18 category or through a departure for substantial and compelling reasons
19 subject to such conditions as the court may deem appropriate. In felony
20 cases except for violations of K.S.A. 8-1567 or 8-2,144, and amendments
21 thereto, the court may include confinement in a county jail not to exceed
22 60 days, which need not be served consecutively, as a condition of an
23 original probation sentence;

24 (4) assign the defendant to a community correctional services
25 program as provided in K.S.A. 75-5291, and amendments thereto, or
26 through a departure for substantial and compelling reasons subject to such
27 conditions as the court may deem appropriate, including orders requiring
28 full or partial restitution;

29 (5) assign the defendant to a conservation camp for a period not to
30 exceed six months as a condition of probation followed by a six-month
31 period of follow-up through adult intensive supervision by a community
32 correctional services program, if the offender successfully completes the
33 conservation camp program;

34 (6) assign the defendant to a house arrest program pursuant to K.S.A.
35 2019 Supp. 21-6609, and amendments thereto;

36 (7) order the defendant to attend and satisfactorily complete an

1 alcohol or drug education or training program as provided by K.S.A. 2019
2 Supp. 21-6602(c), and amendments thereto;

3 (8) order the defendant to repay the amount of any reward paid by
4 any crime stoppers chapter, individual, corporation or public entity that
5 materially aided in the apprehension or conviction of the defendant; repay
6 the amount of any costs and expenses incurred by any law enforcement
7 agency in the apprehension of the defendant, if one of the current crimes
8 of conviction of the defendant includes escape from custody or aggravated
9 escape from custody, as defined in K.S.A. 2019 Supp. 21-5911, and
10 amendments thereto; repay expenses incurred by a fire district, fire
11 department or fire company responding to a fire that has been determined
12 to be arson or aggravated arson as defined in K.S.A. 2019 Supp. 21-5812,
13 and amendments thereto, if the defendant is convicted of such crime; repay
14 the amount of any public funds utilized by a law enforcement agency to
15 purchase controlled substances from the defendant during the investigation
16 that leads to the defendant's conviction; or repay the amount of any
17 medical costs and expenses incurred by any law enforcement agency or
18 county. Such repayment of the amount of any such costs and expenses
19 incurred by a county, law enforcement agency, fire district, fire department
20 or fire company or any public funds utilized by a law enforcement agency
21 shall be deposited and credited to the same fund from which the public
22 funds were credited to prior to use by the county, law enforcement agency,
23 fire district, fire department or fire company;

24 (9) order the defendant to pay the administrative fee authorized by
25 K.S.A. 22-4529, and amendments thereto, unless waived by the court;

26 (10) order the defendant to pay a domestic violence special program
27 fee authorized by K.S.A. 20-369, and amendments thereto;

28 (11) if the defendant is convicted of a misdemeanor or convicted of a
29 felony specified in K.S.A. 2019 Supp. 21-6804(i), and amendments
30 thereto, assign the defendant to work release program, other than a
31 program at a correctional institution under the control of the secretary of
32 corrections as defined in K.S.A. 75-5202, and amendments thereto,
33 provided such work release program requires such defendant to return to
34 confinement at the end of each day in the work release program. On a
35 second or subsequent conviction of K.S.A. 8-1567, and amendments
36 thereto, an offender placed into a work release program shall serve the
37 total number of hours of confinement mandated by that section;

38 (12) order the defendant to pay the full amount of unpaid costs
39 associated with the conditions of release of the appearance bond under
40 K.S.A. 22-2802, and amendments thereto;

41 (13) impose any appropriate combination of *paragraphs* (1), ~~(2)~~, ~~(3)~~,
42 ~~(4)~~, ~~(5)~~, ~~(6)~~, ~~(7)~~, ~~(8)~~, ~~(9)~~, ~~(10)~~, ~~(11)~~ and *through* (12); or

43 (14) suspend imposition of sentence in misdemeanor cases.

1 (b) (1) In addition to or in lieu of any of the above, the court shall
2 order the defendant to pay restitution, which shall include, but not be
3 limited to, damage or loss caused by the defendant's crime, unless the
4 court finds compelling circumstances that would render a plan of
5 restitution unworkable. In regard to a violation of K.S.A. 2019 Supp. 21-
6 6107, and amendments thereto, such damage or loss shall include, but not
7 be limited to, attorney fees and costs incurred to repair the credit history or
8 rating of the person whose personal identification documents were
9 obtained and used in violation of such section, and to satisfy a debt, lien or
10 other obligation incurred by the person whose personal identification
11 documents were obtained and used in violation of such section. In regard
12 to a violation of K.S.A. 2019 Supp. 21-5801, 21-5807 or 21-5813, and
13 amendments thereto, such damage or loss shall include the cost of repair or
14 replacement of the property that was damaged, the reasonable cost of any
15 loss of production, crops and livestock, reasonable labor costs of any kind,
16 reasonable material costs of any kind and any reasonable costs that are
17 attributed to equipment that is used to abate or repair the damage to the
18 property. If the court finds a plan of restitution unworkable, the court shall
19 state on the record in detail the reasons therefor.

20 (2) If the court orders restitution, the restitution shall be a judgment
21 against the defendant, which may be collected by the court by garnishment
22 or other execution as on judgments in civil cases. If, after 60 days from the
23 date restitution is ordered by the court, a defendant is found to be in
24 noncompliance with the plan established by the court for payment of
25 restitution, and the victim to whom restitution is ordered paid has not
26 initiated proceedings in accordance with K.S.A. 60-4301 et seq., and
27 amendments thereto, the court shall assign an agent procured by the
28 attorney general pursuant to K.S.A. 75-719, and amendments thereto, to
29 collect the restitution on behalf of the victim. The chief judge of each
30 judicial district may assign such cases to an appropriate division of the
31 court for the conduct of civil collection proceedings.

32 (c) In addition to or in lieu of any of the above, the court shall order
33 the defendant to submit to and complete an alcohol and drug evaluation,
34 and pay a fee therefor, when required by K.S.A. 2019 Supp. 21-6602(d),
35 and amendments thereto.

36 (d) In addition to any of the above, the court shall order the defendant
37 to reimburse the county general fund for all or a part of the expenditures
38 by the county to provide counsel and other defense services to the
39 defendant. Any such reimbursement to the county shall be paid only after
40 any order for restitution has been paid in full. In determining the amount
41 and method of payment of such sum, the court shall take account of the
42 financial resources of the defendant and the nature of the burden that
43 payment of such sum will impose. A defendant who has been required to

1 pay such sum and who is not willfully in default in the payment thereof
2 may at any time petition the court that sentenced the defendant to waive
3 payment of such sum or any unpaid portion thereof. If it appears to the
4 satisfaction of the court that payment of the amount due will impose
5 manifest hardship on the defendant or the defendant's immediate family,
6 the court may waive payment of all or part of the amount due or modify
7 the method of payment.

8 (e) In releasing a defendant on probation, the court shall direct that
9 the defendant be under the supervision of a court services officer. If the
10 court commits the defendant to the custody of the secretary of corrections
11 or to jail, the court may specify in its order the amount of restitution to be
12 paid and the person to whom it shall be paid if restitution is later ordered
13 as a condition of parole, conditional release or postrelease supervision.

14 (f) (1) When a new felony is committed while the offender is
15 incarcerated and serving a sentence for a felony, or while the offender is on
16 probation, assignment to a community correctional services program,
17 parole, conditional release or postrelease supervision for a felony, a new
18 sentence shall be imposed consecutively pursuant to the provisions of
19 K.S.A. 2019 Supp. 21-6606, and amendments thereto, and the court may
20 sentence the offender to imprisonment for the new conviction, even when
21 the new crime of conviction otherwise presumes a nonprison sentence. In
22 this event, imposition of a prison sentence for the new crime does not
23 constitute a departure.

24 (2) When a new felony is committed during a period of time when the
25 ~~defendant~~ *offender* would have been on probation, assignment to a
26 community correctional services program, parole, conditional release or
27 postrelease supervision for a felony had the ~~defendant~~ *offender* not been
28 granted release by the court pursuant to K.S.A. 2019 Supp. 21-6608(d),
29 and amendments thereto, or the prisoner review board pursuant to K.S.A.
30 22-3717, and amendments thereto, the court may sentence the offender to
31 imprisonment for the new conviction, even when the new crime of
32 conviction otherwise presumes a nonprison sentence. In this event,
33 imposition of a prison sentence for the new crime does not constitute a
34 departure.

35 (3) When a new felony is committed while the offender is
36 incarcerated in a juvenile correctional facility pursuant to K.S.A. 38-1671,
37 prior to its repeal, or K.S.A. 2019 Supp. 38-2373, and amendments
38 thereto, for an offense; which, if committed by an adult, would constitute
39 the commission of a felony, upon conviction, the court shall sentence the
40 offender to imprisonment for the new conviction, even when the new
41 crime of conviction otherwise presumes a nonprison sentence. In this
42 event, imposition of a prison sentence for the new crime does not
43 constitute a departure. The conviction shall operate as a full and complete

1 discharge from any obligations, except for an order of restitution, imposed
2 on the offender arising from the offense for which the offender was
3 committed to a juvenile correctional facility.

4 (4) When a new felony is committed while the offender is on release
5 for a felony pursuant to the provisions of article 28 of chapter 22 of the
6 Kansas Statutes Annotated, and amendments thereto, or similar provisions
7 of the laws of another jurisdiction, a new sentence may be imposed
8 consecutively pursuant to the provisions of K.S.A. 2019 Supp. 21-6606,
9 and amendments thereto, and the court may sentence the offender to
10 imprisonment for the new conviction, even when the new crime of
11 conviction otherwise presumes a nonprison sentence. In this event,
12 imposition of a prison sentence for the new crime does not constitute a
13 departure.

14 (g) Prior to imposing a dispositional departure for a defendant whose
15 offense is classified in the presumptive nonprison grid block of either
16 sentencing guideline grid, prior to sentencing a defendant to incarceration
17 whose offense is classified in grid blocks 5-H, 5-I or 6-G of the sentencing
18 guidelines grid for nondrug crimes, in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I
19 of the sentencing guidelines grid for drug crimes committed prior to July
20 1, 2012, or in grid blocks 4-E, 4-F, 4-G, 4-H or 4-I of the sentencing
21 guidelines grid for drug crimes committed on or after July 1, 2012, prior to
22 sentencing a defendant to incarceration whose offense is classified in grid
23 blocks 4-E or 4-F of the sentencing guidelines grid for drug crimes
24 committed prior to July 1, 2012, or in grid blocks 5-C, 5-D, 5-E or 5-F of
25 the sentencing guidelines grid for drug crimes committed on or after July
26 1, 2012, and whose offense does not meet the requirements of K.S.A. 2019
27 Supp. 21-6824, and amendments thereto, prior to revocation of a
28 nonprison sanction of a defendant whose offense is classified in grid
29 blocks 4-E or 4-F of the sentencing guidelines grid for drug crimes
30 committed prior to July 1, 2012, or in grid blocks 5-C, 5-D, 5-E or 5-F of
31 the sentencing guidelines grid for drug crimes committed on or after July
32 1, 2012, and whose offense does not meet the requirements of K.S.A. 2019
33 Supp. 21-6824, and amendments thereto, or prior to revocation of a
34 nonprison sanction of a defendant whose offense is classified in the
35 presumptive nonprison grid block of either sentencing guideline grid or
36 grid blocks 5-H, 5-I or 6-G of the sentencing guidelines grid for nondrug
37 crimes, in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing
38 guidelines grid for drug crimes committed prior to July 1, 2012, or in grid
39 blocks 4-E, 4-F, 4-G, 4-H or 4-I of the sentencing guidelines grid for drug
40 crimes committed on or after July 1, 2012, the court shall consider
41 placement of the defendant in the Labette correctional conservation camp,
42 conservation camps established by the secretary of corrections pursuant to
43 K.S.A. 75-52,127, and amendments thereto, or a community intermediate

1 sanction center. Pursuant to this subsection the defendant shall not be
2 sentenced to imprisonment if space is available in a conservation camp or
3 community intermediate sanction center and the defendant meets all of the
4 conservation camp's or community intermediate sanction center's
5 placement criteria, unless the court states on the record the reasons for not
6 placing the defendant in a conservation camp or community intermediate
7 sanction center.

8 (h) In committing a defendant to the custody of the secretary of
9 corrections, the court shall fix a term of confinement within the limits
10 provided by law. In those cases where the law does not fix a term of
11 confinement for the crime for which the defendant was convicted, the
12 court shall fix the term of such confinement.

13 (i) In addition to any of the above, the court shall order the defendant
14 to reimburse the state general fund for all or part of the expenditures by the
15 state board of indigents' defense services to provide counsel and other
16 defense services to the defendant. In determining the amount and method
17 of payment of such sum, the court shall take account of the financial
18 resources of the defendant and the nature of the burden that payment of
19 such sum will impose. A defendant who has been required to pay such sum
20 and who is not willfully in default in the payment thereof may at any time
21 petition the court that sentenced the defendant to waive payment of such
22 sum or any unpaid portion thereof. If it appears to the satisfaction of the
23 court that payment of the amount due will impose manifest hardship on the
24 defendant or the defendant's immediate family, the court may waive
25 payment of all or part of the amount due or modify the method of
26 payment. The amount of attorney fees to be included in the court order for
27 reimbursement shall be the amount claimed by appointed counsel on the
28 payment voucher for indigents' defense services or the amount prescribed
29 by the board of indigents' defense services reimbursement tables as
30 provided in K.S.A. 22-4522, and amendments thereto, whichever is less.

31 (j) This section shall not deprive the court of any authority conferred
32 by any other Kansas statute to decree a forfeiture of property, suspend or
33 cancel a license, remove a person from office or impose any other civil
34 penalty as a result of conviction of crime.

35 (k) An application for or acceptance of probation or assignment to a
36 community correctional services program shall not constitute an
37 acquiescence in the judgment for purpose of appeal, and any convicted
38 person may appeal from such conviction, as provided by law, without
39 regard to whether such person has applied for probation, suspended
40 sentence or assignment to a community correctional services program.

41 (l) (1) The secretary of corrections is authorized to make direct
42 placement to the Labette correctional conservation camp or a conservation
43 camp established by the secretary pursuant to K.S.A. 75-52,127, and

1 amendments thereto, of an inmate sentenced to the secretary's custody if
2 the inmate:

3 ~~(A)~~(A) Has been sentenced to the secretary for a probation revocation,
4 as a departure from the presumptive nonimprisonment grid block of either
5 sentencing grid, for an offense that is classified in grid blocks 5-H, 5-I or
6 6-G of the sentencing guidelines grid for nondrug crimes, in grid blocks 3-
7 E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes
8 committed prior to July 1, 2012, in grid blocks 4-E, 4-F, 4-G, 4-H or 4-I of
9 the sentencing guidelines grid for drug crimes committed on or after July
10 1, 2012, or for an offense that is classified in grid blocks 4-E or 4-F of the
11 sentencing guidelines grid for drug crimes committed prior to July 1, 2012,
12 or in grid blocks 5-C, 5-D, 5-E or 5-F of the sentencing guidelines grid for
13 drug crimes committed on or after July 1, 2012, and such offense does not
14 meet the requirements of K.S.A. 2019 Supp. 21-6824, and amendments
15 thereto; and

16 ~~(B)~~(B) otherwise meets admission criteria of the camp.

17 (2) If the inmate successfully completes a conservation camp
18 program, the secretary of corrections shall report such completion to the
19 sentencing court and the county or district attorney. The inmate shall then
20 be assigned by the court to six months of follow-up supervision conducted
21 by the appropriate community corrections services program. The court
22 may also order that supervision continue thereafter for the length of time
23 authorized by K.S.A. 2019 Supp. 21-6608, and amendments thereto.

24 (m) When it is provided by law that a person shall be sentenced
25 pursuant to K.S.A. 1993 Supp. 21-4628, prior to its repeal, the provisions
26 of this section shall not apply.

27 (n) (1) Except as provided by K.S.A. 2019 Supp. 21-6630 and 21-
28 6805(f), and amendments thereto, in addition to any of the above, for
29 felony violations of K.S.A. 2019 Supp. 21-5706, and amendments thereto,
30 the court shall require the defendant who meets the requirements
31 established in K.S.A. 2019 Supp. 21-6824, and amendments thereto, to
32 participate in a certified drug abuse treatment program, as provided in
33 K.S.A. 75-52,144, and amendments thereto, including, but not limited to,
34 an approved after-care plan. The amount of time spent participating in
35 such program shall not be credited as service on the underlying prison
36 sentence.

37 (2) If the defendant fails to participate in or has a pattern of
38 intentional conduct that demonstrates the defendant's refusal to comply
39 with or participate in the treatment program, as established by judicial
40 finding, the defendant shall be subject to sanction or revocation pursuant
41 to the provisions of K.S.A. 22-3716, and amendments thereto. If the
42 defendant's probation is revoked, the defendant shall serve the underlying
43 prison sentence as established in K.S.A. 2019 Supp. 21-6805, and

1 amendments thereto.

2 (A) Except as provided in subsection (n)(2)(B), for those offenders
3 who are convicted on or after July 1, 2003, but prior to July 1, 2013, upon
4 completion of the underlying prison sentence, the offender shall not be
5 subject to a period of postrelease supervision.

6 (B) Offenders whose crime of conviction was committed on or after
7 July 1, 2013, and whose probation is revoked pursuant to K.S.A. 22-
8 3716(c), and amendments thereto, or whose underlying prison term expires
9 while serving a sanction pursuant to K.S.A. 22-3716(c)(1), and
10 amendments thereto, shall serve a period of postrelease supervision upon
11 the completion of the underlying prison term.

12 (o) (1) Except as provided in paragraph (3), in addition to any other
13 penalty or disposition imposed by law, upon a conviction for unlawful
14 possession of a controlled substance or controlled substance analog in
15 violation of K.S.A. 2019 Supp. 21-5706, and amendments thereto, in
16 which the trier of fact makes a finding that the unlawful possession
17 occurred while transporting the controlled substance or controlled
18 substance analog in any vehicle upon a highway or street, the offender's
19 driver's license or privilege to operate a motor vehicle on the streets and
20 highways of this state shall be suspended for one year.

21 (2) Upon suspension of a license pursuant to this subsection, the court
22 shall require the person to surrender the license to the court, which shall
23 transmit the license to the division of motor vehicles of the department of
24 revenue, to be retained until the period of suspension expires. At that time,
25 the licensee may apply to the division for return of the license. If the
26 license has expired, the person may apply for a new license, which shall be
27 issued promptly upon payment of the proper fee and satisfaction of other
28 conditions established by law for obtaining a license unless another
29 suspension or revocation of the person's privilege to operate a motor
30 vehicle is in effect.

31 (3) (A) In lieu of suspending the driver's license or privilege to
32 operate a motor vehicle on the highways of this state of any person as
33 provided in paragraph (1), the judge of the court in which such person was
34 convicted may enter an order that places conditions on such person's
35 privilege of operating a motor vehicle on the highways of this state, a
36 certified copy of which such person shall be required to carry any time
37 such person is operating a motor vehicle on the highways of this state. Any
38 such order shall prescribe the duration of the conditions imposed, which in
39 no event shall be for a period of more than one year.

40 (B) Upon entering an order restricting a person's license hereunder,
41 the judge shall require such person to surrender such person's driver's
42 license to the judge who shall cause it to be transmitted to the division of
43 vehicles, together with a copy of the order. Upon receipt thereof, the

1 division of vehicles shall issue without charge a driver's license, which
2 shall indicate on its face that conditions have been imposed on such
3 person's privilege of operating a motor vehicle and that a certified copy of
4 the order imposing such conditions is required to be carried by the person
5 for whom the license was issued any time such person is operating a motor
6 vehicle on the highways of this state. If the person convicted is a
7 nonresident, the judge shall cause a copy of the order to be transmitted to
8 the division and the division shall forward a copy of it to the motor vehicle
9 administrator of such person's state of residence. Such judge shall furnish
10 to any person whose driver's license has had conditions imposed on it
11 under this paragraph a copy of the order, which shall be recognized as a
12 valid Kansas driver's license until such time as the division shall issue the
13 restricted license provided for in this paragraph.

14 (C) Upon expiration of the period of time for which conditions are
15 imposed pursuant to this subsection, the licensee may apply to the division
16 for the return of the license previously surrendered by such licensee. In the
17 event such license has expired, such person may apply to the division for a
18 new license, which shall be issued immediately by the division upon
19 payment of the proper fee and satisfaction of the other conditions
20 established by law, unless such person's privilege to operate a motor
21 vehicle on the highways of this state has been suspended or revoked prior
22 thereto. If any person shall violate any of the conditions imposed under
23 this paragraph, such person's driver's license or privilege to operate a
24 motor vehicle on the highways of this state shall be revoked for a period of
25 not less than 60 days nor more than one year by the judge of the court in
26 which such person is convicted of violating such conditions.

27 (4) As used in this subsection, "highway" and "street" mean the same
28 as in K.S.A. 8-1424 and 8-1473, and amendments thereto.

29 (p) In addition to any of the above, for any criminal offense that
30 includes the domestic violence designation pursuant to K.S.A. 2019 Supp.
31 22-4616, and amendments thereto, the court shall require the defendant to:

32 (1) Undergo a domestic violence offender assessment conducted by a
33 certified batterer intervention program; and (2) follow all
34 recommendations made by such program, unless otherwise ordered by the
35 court or the department of corrections. The court may order a domestic
36 violence offender assessment and any other evaluation prior to sentencing
37 if the assessment or evaluation would assist the court in determining an
38 appropriate sentence. The entity completing the assessment or evaluation
39 shall provide the assessment or evaluation and recommendations to the
40 court and the court shall provide the domestic violence offender
41 assessment to any entity responsible for supervising such defendant. A
42 defendant ordered to undergo a domestic violence offender assessment
43 shall be required to pay for the assessment and, unless otherwise ordered

1 by the court or the department of corrections, for completion of all
2 recommendations.

3 (q) In imposing a fine, the court may authorize the payment thereof in
4 installments. In lieu of payment of any fine imposed, the court may order
5 that the person perform community service specified by the court. The
6 person shall receive a credit on the fine imposed in an amount equal to ~~\$5~~
7 *the minimum wage set by K.S.A. 44-1203(a), and amendments thereto*, for
8 each full hour spent by the person in the specified community service. The
9 community service ordered by the court shall be required to be performed
10 by the later of one year after the fine is imposed or one year after release
11 from imprisonment or jail, or by an earlier date specified by the court. If
12 by the required date the person performs an insufficient amount of
13 community service to reduce to zero the portion of the fine required to be
14 paid by the person, the remaining balance shall become due on that date. If
15 conditional reduction of any fine is rescinded by the court for any reason,
16 then pursuant to the court's order the person may be ordered to perform
17 community service by one year after the date of such rescission or by an
18 earlier date specified by the court. If by the required date the person
19 performs an insufficient amount of community service to reduce to zero
20 the portion of the fine required to be paid by the person, the remaining
21 balance of the fine shall become due on that date. All credits for
22 community service shall be subject to review and approval by the court.

23 (r) In addition to any other penalty or disposition imposed by law, for
24 any defendant sentenced to imprisonment pursuant to K.S.A. 21-4643,
25 prior to its repeal, or K.S.A. 2019 Supp. 21-6627, and amendments
26 thereto, for crimes committed on or after July 1, 2006, the court shall order
27 that the defendant be electronically monitored upon release from
28 imprisonment for the duration of the defendant's natural life and that the
29 defendant shall reimburse the state for all or part of the cost of such
30 monitoring as determined by the prisoner review board.

31 (s) Whenever the court has released the defendant on probation
32 pursuant to subsection (a)(3), the defendant's supervising court services
33 officer, with the concurrence of the chief court services officer, may
34 impose the violation sanctions as provided in K.S.A. 22-3716(c)(1)(B),
35 and amendments thereto, without further order of the court, unless the
36 defendant, after being apprised of the right to a revocation hearing before
37 the court pursuant to K.S.A. 22-3716(b), and amendments thereto, refuses
38 to waive such right.

39 (t) Whenever the court has assigned the defendant to a community
40 correctional services program pursuant to subsection (a)(4), the defendant's
41 community corrections officer, with the concurrence of the community
42 corrections director, may impose the violation sanctions as provided in
43 K.S.A. 22-3716(c)(1)(B), and amendments thereto, without further order

1 of the court unless the defendant, after being apprised of the right to a
2 revocation hearing before the court pursuant to K.S.A. 22-3716(b), and
3 amendments thereto, refuses to waive such right.

4 (u) In addition to any of the above, the court shall authorize an
5 additional 18 days of confinement in a county jail to be reserved for
6 sanctions as set forth in K.S.A. 22-3716(b)(3)(B), (b)(4) or (c)(1)(B), and
7 amendments thereto.

8 Sec. 2. K.S.A. 2019 Supp. 21-6604 is hereby repealed.

9 Sec. 3. This act shall take effect and be in force from and after its
10 publication in the statute book.