

SENATE BILL No. 318

By Committee on Ways and Means

3-16

1 AN ACT concerning municipal courts; relating to ~~fingerprinting~~ *{the*
2 *Kansas code of procedure for municipal courts; requiring the city*
3 *attorney to review certain audio and video evidence}*; removing the
4 requirement to collect fingerprints from persons convicted of violating
5 certain municipal ordinance provisions related to ~~vehicle registration or~~
6 ~~driving without a valid driver's license or motor vehicle liability~~
7 ~~insurance coverage; amending K.S.A. {12-4410 and }12-4517 and~~
8 ~~repealing the existing section {sections}.~~
9

10 *Be it enacted by the Legislature of the State of Kansas:*

11 *{Section 1. K.S.A. 12-4410 is hereby amended to read as follows:*
12 *12-4410. (a) The accused person shall be permitted to inspect all matters*
13 *relevant to the case and to present or provide to the city attorney matters*
14 *that are relevant to the case.*

15 *(b) The city attorney shall inspect and review every audio and video*
16 *recording relevant to the case that is presented or provided to the city*
17 *attorney by the accused person or the accused person's counsel, including,*
18 *but not limited to, a recording made and retained by law enforcement*
19 *using a body camera or vehicle camera as defined by K.S.A. 45-254, and*
20 *amendments thereto.*

21 *(c) Depositions shall not be taken or used except by written*
22 *agreement of both parties filed with the court or by order of the court*
23 *upon such conditions as the court may prescribe.}*

24 ~~Section 1. {Sec. 2.}~~ K.S.A. 12-4517 is hereby amended to read as
25 follows: 12-4517. (a) (1) *Except as provided further,* the municipal court
26 judge shall ensure that all persons convicted of violating municipal
27 ordinance provisions that prohibit conduct comparable to a class A or B
28 misdemeanor or assault as defined in K.S.A. ~~2022 Supp.~~ 21-5412(a), and
29 amendments thereto, under a Kansas criminal statute are fingerprinted and
30 processed. *The provisions of this section shall not apply to persons*
31 *convicted of violating municipal ordinance provisions that prohibit the*
32 *acts prohibited by K.S.A. ~~8-142,~~ 8-235 or 40-3104, and amendments*
33 *thereto.*

34 (2) The municipal court judge shall ensure that all persons arrested or
35 charged with a violation of a city ordinance prohibiting the acts prohibited
36 by K.S.A. 8-2,144 or 8-1567, and amendments thereto, are fingerprinted

1 and processed at the time of booking or first appearance, whichever occurs
2 first.

3 (b) The municipal court judge shall order the individual to be
4 fingerprinted at an appropriate location as determined by the municipal
5 court judge. Failure of the person to be fingerprinted after court order
6 issued by the municipal judge shall constitute contempt of court. To
7 reimburse the city or other entity for costs associated with fingerprinting,
8 the municipal court judge may assess reasonable court costs, in addition to
9 other court costs imposed by the state or municipality.

10 ~~Sec. 2. {3.}~~ K.S.A. ~~{12-4410 and }12-4517~~ ~~is {are}~~ hereby repealed.

11 ~~Sec. 3. {4.}~~ This act shall take effect and be in force from and after its
12 publication in the statute book.