

2015 SENATE JUDICIARY/HOUSE JUDICIARY
 CONFERENCE COMMITTEE INDEX – 03/26/14, 08:28

BILL NO.	SUBJECT	SENATE VERSION	HOUSE VERSION	HISTORY / COMMITTEE ACTION
Sub for SB 38	Bath faith assertions of patent infringement.	<p>Section 1: 1. Unconscionable act for a person to make a bad faith assertion of patent infringement [if the person sends a communication that] <u>fails to conduct a reasonable analysis comparing the scope of the patent to the intended recipient or affiliated person's products, services or technology or such analysis was done by the communication does not identify [the specific areas in which the affiliated person's products...are within the patent]</u></p> <p>Section 1: 2. Unconscionable act for a person to make a bad faith assertion of patent infringement [if the person sends a communication that] <u>is deceptive in that it willfully uses exaggeration, falsehood, innuendo or ambiguity as to a material fact or willfully fails to state a material fact or willfully conceals or omits a material fact relating to the patent or alleged infringement thereof.</u></p>	<p>1. Same; but <u>fails to compare the scope of the patent to the intended recipient or affiliated person's products, services or technology, to the extent commercially reasonable and identifiable from public information; or performs such comparison, but fails to identify in the communication [the specific areas in which the affiliated person's products...are within the patent]</u></p> <p>Section 1: 2. House Committee struck this provision. (Page 2, lines 19-22)</p>	<p>Senate-Passed; Yea: 40 Nay: 0 House-Passed as amended; Yea: 115 Nay: 0 Senate Nonconcurrent 3/23/15 King/Smith/Haley House Acceded 3/24/15 Barker/Macheers/Carmichael</p>

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<p>SB 113</p>	<p>Relating to licenses, permits, stamps and other issues of the department of WPT.</p>	<p>K.S.A. 32-1001</p> <p>1. Amends current law allowing a KS resident charged with violating a WPT law relating to licenses, permits, stamps or other documents issued by the department, to produce the documents in court or to the arresting officer to avoid conviction. Such documents would have to have been valid at the time of the <u>alleged violation</u> instead of the time of the <u>person's arrest</u>.</p> <p>2. Clarifies that only a <u>physical</u> license, permit, stamp or other issue of the department would have to be surrendered to the court, upon the judge ordering forfeiture or suspension of the document.</p> <p>3. N/A</p>	<p>K.S.A. 32-1001</p> <p>1. Same.</p> <p>2. Same.</p> <p>3. Added contents of SB 112, relating to issuance of a WPT citation (eliminates provision subjecting an officer to removal from office for failing to issue WPT citations).</p>	<p>Senate-Passed; Yea: 39 Nay: 1 House-Passed as amended; Yea: 121 Nay: 0 Senate Nonconcurrent 3/18/15 King/Smith/Haley House Acceded 3/19/15 Barker/Macheers/Carmichael</p>
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BILL NO.	SUBJECT	HOUSE VERSION	SENATE VERSION	HISTORY / COMMITTEE ACTION
HB 2025	Amending the Kansas law enforcement training act.	<p>K.S.A. 74-5616</p> <p>1. Requires the agency head or other appointing authority for a LEO under investigation for a violation of the section to provide all reports, documentation, transcripts, recordings and other information to the commission when requested during the course of such investigation.</p> <p>K.S.A. 74-5622</p> <p>2. Allows an officer whose certificate has been revoked to petition the commission to reinstate the certificate five years after revocation. If the commission denies the petition for reinstatement, the person may petition the commission to reinstate the certificate five years from the denial. Removes provision allowing a person whose certificate has been suspended to petition the commission to reinstate the certificate.</p>	<p>K.S.A. 74-5616</p> <p>1. Same, but the Senate Committee added an "Oxford comma" (serial comma) on page 2, line 25.</p> <p>K.S.A. 74-5622</p> <p>2. Same.</p>	<p>House-Passed; Yea: 122 Nay: 0 Senate-Passed as amended; Yea: 38 Nay: 1 House Nonconcurrent 3/24/15 Barker/Macheers/Carmichael Senate Acceded 3/24/15 King/Smith/Haley</p>

Bills heard in House Judiciary, passed by the House, not passed by the Senate

In Senate Judiciary

2112 – County law libraries. (123-1)

In Senate Corrections

None

In the Senate, below the line

None

Other

2101 – Mediation or arbitration of trust provisions. [S Sub 2101 is a KPERS bill]
2109 – Transfer-on-death deeds. [S Tax]
2115 – Criminal history classification, aggravated battery while DUI. [SC placed into 2055]
[S Sub 2115 by S Judiciary contents not conferenceable (Admin. procedure, SB 19)]
2341 – Prioritizing options for disposal of seized wildlife. (82-43) [Not yet assigned to S committee]

Bills heard in Senate Judiciary, passed by the Senate, not passed by the House

In House Judiciary

17 – Judicial council membership. (39-0)
44 – Docket fees; electronic filing and management fund. (40-0) [HJ placed into 51]
57 – Kansas power of attorney act. (40-0)
58 – Kansas judicial review act; venue. (39-1)
159 – Safe families act; LEO custody re: drug crime in the child's residence. (30-4)
197 – Supreme court nominating commission and judicial district nominating commissions; attorney information; certain applicant information public when appointing court of appeals judges. (35-4)

In House Corrections

None

In the House, below the line

59 – Clarifying district magistrate judge jurisdiction. (40-0) [HJ-BPA]
105 – UIFSA 2008 (40-0) [H Fed & State-BP]
206 (+128) – Enforcement of open records and meetings; attorney general; fund. (40-0) [HJ-BPA]

Other

11 – Scrap metal. (40-0) [HJ-BPA-now in H Tax]
14 – CJIS line fund (35-5) [HJ-BP-now in H Tax]
23 (+2040) – Authorized restrictions of driving privileges; interlock. (40-0) [HJ-BPA-now in H Tax]
34 – Penalties for voting crimes; prosecution of election crimes. (23-17) [HJ-BP-now in H Tax]
51 (+44) – Judicial branch surcharge; docket fees; electronic filing and management fund. (34-6) [HJ-BPA-stricken from calendar 03/25]
112 – KDWPPT citations. (40-0) [HJ placed into 113] [H Sub 112 is a Veterans bill]
133 – Possession or consumption of alcoholic beverage by minor; immunity from criminal prosecution for certain minors. (34-5)
149 – Civil commitment of sexually violent predators. (40-0) [HJ-BPA-now in H Tax]
157 – CINC code; medicating a child. (38-2) [HJ-BP-stricken from calendar 03/25]
175 – Exercise of religious freedom by postsecondary education student associations. (30-8) [H Fed & State]
183 (+184) – Collection of debts owed to courts. (38-2) [HJ-BPA-stricken from calendar 03/25]
184 – Court fees, fines, restitution; dormancy. (40-0) [HJ placed into 51] [H Sub 184 by H Judiciary contents not conferenceable-stricken from calendar 03/25]

CORRECTIONS AND JUDICIARY BILLS WHICH HAVE PASSED ONE HOUSE

<u>Bills heard in House Corrections, passed by the House, not passed by the Senate</u>	<u>Bills heard in Senate Corrections, passed by the Senate, not passed by the House</u>
<p><i>In Senate Corrections</i> 2382 – Placement of juveniles, correctional facilities. (115-6) [SCOW placed into 2336]</p> <p><i>In Senate Judiciary</i> None</p> <p><i>In the Senate, below the line</i> None</p> <p><i>Other</i> 2056 – Use of risk assessment tool for community corrections placement. (115-0) [SC placed into 2051] [S Sub 2056 by S Corrections not conferenceable (Licensure of bail enforcement agents, SB 90)]</p>	<p><i>In House Corrections</i> Sub 216 – Kansas school security act. (31-9)</p> <p><i>In House Judiciary</i> Sub 18 – Making certain law enforcement audio and video recordings confidential and exempt from the open records act. (40-0) 56 – Removing affirmative defense to promotion to minors of material harmful to minors for public, private or parochial schools. (26-14) 128 – Creating an exception to the Kansas open records act for municipal judges, city attorneys and certain special assistant attorneys. (40-0) [HJ placed into 206]</p> <p><i>In the House, below the line</i> Sub 131 – Peer support counseling sessions; confidentiality of communications. (40-0) [HC-BP]</p> <p><i>Other</i> 12 – Battery of judges, attorneys, court services officers and mental health employees. (40-0) [H Sub 12 by H Veterans not conferenceable (Military service members; diversion; sentencing)] 70 – Background checks and licensure of teachers; background checks for school employees with direct contact with students. (29-10) [H Education-BPA-stricken from calendar 03/25] 214 – Human trafficking and commercial sexual exploitation of a child. (40-0) [HJ-BP-stricken from calendar 03/25] 290 – Kansas code of military justice, Article 15; commanding officer's nonjudicial punishment. (40-0) [Not yet assigned to H committee]</p>