

MEMORANDUM

To: Chairperson Burgess and members of the Committee on Government Efficiency
From: Jim Wilson, First Assistant Revisor
Date: February 14, 2012
Subject: HB 2683 – Amending K.S.A. 22-3416 & Repealing K.S.A. 75-5207, 75-5208 and 75-5213;
concerning the director of penal institutions

HB 2683 would amend K.S.A. 22-3416 to replace an outdated reference to the director of penal institutions with a reference to the Secretary of Corrections and would repeal three other statutes concerning the director of penal institutions which are no longer applicable. These repealed statutes were enacted in 1973 as part of a governmental reorganization and repeal executed statutes related to standard reorganization language. These statutes are printed in the hard bound Volume 6 of the KSA's.

These sections were recommended to the Office of Repealer and Tim Madden, Senior Counsel to the Secretary of Corrections, is listed as resource contact.

The act would take effect upon publication in the statute book.

75-5207. Rules and regulations of state director of penal institutions continued in effect. All rules and regulations of the state director of penal institutions which are in force and effect on the date this act takes effect, relating to government, conduct, operation, or discipline in any correctional institution shall constitute and be rules and regulations of the secretary of corrections until the same are revoked, suspended, revised or amended as provided by law. History: L. 1973, ch. 339, § 7; July 1, 1974.

75-5208. Certain records and property transferred to department of corrections; certain records transmitted to secretary. All records, papers and property of the state director of penal institutions shall, on the date this act takes effect, become and be the property of the department of corrections. Copies of all records and papers relating to paroles and parolees on file with the Kansas adult authority shall be transmitted, on the effective date of this act, to the secretary. History: L. 1973, ch. 339, § 8; July 1, 1974.

75-5213. Transfer of existing powers, duties and functions. (a) All the powers, duties and functions of the existing state director of penal institutions are hereby transferred to and conferred and imposed upon the secretary of corrections created by this act.

(b) Every act performed in the exercise of such powers, duties and functions by or under the authority of the secretary of corrections created by this act shall be deemed to have the same force and effect as if performed by the state director of penal institutions in whom such functions were vested prior to the effective date of this act.

(c) Whenever the state director of penal institutions, or words of like effect, is referred to or designated by a statute, contract or other document, such reference or designation shall be deemed to apply to the secretary of corrections created by this act. History: L. 1973, ch. 339, § 24; July 1, 1974.

House Government Efficiency

Date: 2-14-2012

Attachment: 8