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**DAN OSMAN**  
48TH DISTRICT

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**PROPONENT testimony for HB 2370 - Defining consent in the Kansas criminal code for sexual offenses.**

Chairman Owens, Ranking Carmichael, and members of the House Committee on Corrections and Juvenile Justice:

Thank you for hearing HB 2370 – a bill defining consent in the Kansas criminal code for sexual offenses.

We use consent in so many ways in life. My kids when they go on field trips need a parental consent form. When hospital procedures are done, it's always accompanied by a medical consent form. And lest we think that consent is just written, when we're working bills and trying to compromise on language, we as a committee try to come to a consensus.

In contract law, it's especially important. A contract cannot be valid or legally binding unless consent is given. Consent, essentially, occurs when two parties mutually agree with each other. It's a meeting of the minds.

At its base, consent in a contract and consent in sexual relations are not so different. We're looking to see that all parties involved affirmatively agree to the relationship. So if we can define it for contracts, why can't we define it for sexual offenses?

This would be a definition in the criminal code but the importance of this bill goes far beyond prosecution. Having a formal definition in Kansas means that everyone can be aware ahead of time of what is and isn't appropriate. People can be educated of this definition in health classes, freshmen orientations, HR reviews, and even CLEs.

As I looked through the rest of the country in preparation for this testimony, I counted 25 states and territories that defined either "consent" or "lack of consent." This is something that at least half the country finds to be important and appropriate. I want Kansas to join that list.

Sincerely

Dan Osman  
Representative – District 48, Kansas