

2012

Substitute for SENATE BILL NO. 282

By Committee on Judiciary

AN ACT concerning covered offenses and conduct giving rise to forfeiture; relating to fleeing or eluding; amending K.S.A. 2011 Supp. 60-4104 and repealing the existing section.

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

Section 1. K.S.A. 2011 Supp. 60-4104 is hereby amended to read as follows: 60-4104. Conduct and offenses giving rise to forfeiture under this act, whether or not there is a prosecution or conviction related to the offense, are:

- (a) All offenses which statutorily and specifically authorize forfeiture;
- (b) violations ~~of~~ [involving controlled substances, as described in](#) K.S.A. 2011 Supp. 21-5701 through 21-5717, and amendments thereto;
- (c) theft, [as defined in](#) K.S.A. 2011 Supp. 21-5801, and amendments thereto;
- (d) criminal discharge of a firearm, as defined in subsections (a)(1) and (a)(2) of K.S.A. 2011 Supp. 21-6308, and amendments thereto;
- (e) gambling, [as defined in](#) K.S.A. 2011 Supp. 21-6404, and amendments thereto, and commercial gambling, as defined in subsection (a)(1) of K.S.A. 2011 Supp. 21-6406, and amendments thereto;
- (f) counterfeiting, [as defined in](#) K.S.A. 2011 Supp. 21-5825, and amendments thereto;
- (g) ~~violations of~~ [unlawful possession of a scanning device or reencoder, as described in](#) K.S.A. 2011 Supp. 21-6108, and amendments thereto;
- (h) medicaid fraud, [as described in](#) K.S.A. 2011 Supp. 21-5925 through 21-5934, and amendments thereto;
- (i) an act or omission occurring outside this state, which would be a violation in the place of occurrence and would be described in this section if the act occurred in this state,

whether or not it is prosecuted in any state;

(j) an act or omission committed in furtherance of any act or omission described in this section including any inchoate or preparatory offense, whether or not there is a prosecution or conviction related to the act or omission;

(k) any solicitation or conspiracy to commit any act or omission described in this section, whether or not there is a prosecution or conviction related to the act or omission;

(l) ~~violations of~~ [furtherance of terrorism or illegal use of weapons of mass destruction, as described in](#) K.S.A. 2011 Supp. 21-5423, and amendments thereto;

(m) unlawful conduct of dog fighting and unlawful possession of dog fighting paraphernalia, as defined in subsections (a) and (b) of K.S.A. 2011 Supp. 21-6414, and amendments thereto;

(n) unlawful conduct of cockfighting and unlawful possession of cockfighting paraphernalia, as defined in subsections (a) and (b) of K.S.A. 2011 Supp. 21-6417, and amendments thereto;

(o) prostitution, [as defined in](#) K.S.A. 2011 Supp. 21-6419, and amendments thereto, promoting prostitution, [as defined in](#) K.S.A. 2011 Supp. 21-6420, and amendments thereto, and patronizing a prostitute, [as defined in](#) K.S.A. 2011 Supp. 21-6421, and amendments thereto;

(p) human trafficking and aggravated human trafficking, [as defined in](#) K.S.A. 2011 Supp. 21-5426, and amendments thereto;

(q) violations of [the banking code, as described in](#) K.S.A. 9-2012, and amendments thereto;

(r) mistreatment of a dependent adult, [as defined in](#) K.S.A. 2011 Supp. 21-5417, and

amendments thereto;

(s) giving a worthless check, [as defined in](#) K.S.A. 2011 Supp. 21-5821, and amendments thereto;

(t) forgery, [as defined in](#) K.S.A. 2011 Supp. 21-5823, and amendments thereto;

(u) making false information, [as defined in](#) K.S.A. 2011 Supp. 21-5824, and amendments thereto;

(v) criminal use of a financial card, [as defined in](#) K.S.A. 2011 Supp. 21-5828, and amendments thereto;

(w) ~~violations of~~ [unlawful acts concerning computers, as described in](#) K.S.A. 2011 Supp. 21-5839, and amendments thereto;

(x) identity theft and identity fraud, as defined in subsections (a) and (b) of K.S.A. 2011 Supp. 21-6107, and amendments thereto; ~~and~~

(y) electronic solicitation, [as defined in](#) K.S.A. 2011 Supp. 21-5509, and amendments thereto; [and](#)

[\(z\) felony violations of fleeing or attempting to elude a police officer, as described in K.S.A. 8-1568, and amendments thereto.](#)

Sec. 2. K.S.A. 2011 Supp. 60-4104 is hereby repealed.

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