

SESSION OF 2013

**CONFERENCE COMMITTEE REPORT BRIEF
SENATE BILL NO. 20**

As Agreed to April 3, 2013

Brief*

SB 20 would make several amendments to the Kansas Offender Registration Act. Specifically, the bill would:

- Amend the effective dates for registration requirements to reflect when various types of offenses originally were codified;
- Correct an inaccurate statutory reference to the crime of aggravated incest;
- Specify that persons convicted of involuntary manslaughter while driving under the influence (DUI) are not required to register as this crime inadvertently was included when recodification of the criminal code placed the crime within the involuntary manslaughter section;
- Clarify registration requirements for offenders in the custody of a correctional facility and prior to the offender being discharged, paroled, furloughed, or released on work or school release;
- Strike language concerning “the duration of registration” that is unnecessary and has caused confusion as to how long an offender must register;

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- Provide that registration would be completed even when the offender does not remit the registration fee and failure to remit full payment within 15 days of registration would be a class A misdemeanor or, if within 15 days of the most recent registration two or more full payments have not been remitted, a severity level 9, person felony; and
- Amend requirements for providing DNA samples to the Kansas Bureau of Investigation (KBI) to align the requirements with current KBI practices.

Conference Committee Action

The Conference Committee agreed to remove the contents of SB 20 and replace them with the contents of HB 2209, as amended by the Senate Judiciary Committee. The Conference Committee had previously added the contents of SB 20 to HB 2081.

Background

In the House Corrections and Juvenile Justice Committee, representatives of the KBI and the Kansas Department of Corrections (KDOC) appeared in support of HB 2209. No others offered testimony. Testimony described the changes as minor and clarifying.

The House Committee amended the bill by adopting additional minor amendments requested by the Office of the Revisor of Statutes, KBI, and KDOC.

In the Senate Judiciary Committee, representatives of the KBI, KDOC, Kansas Sheriffs Association, and Coalition for Fair Sentencing appeared in support of the bill. A local defense attorney offered neutral testimony.

The Senate Committee adopted an amendment concerning registration requirements for offenders in KDOC custody requested by the KBI to ensure compliance with federal law. Additionally, the Senate Committee adopted language concerning penalties for failure to pay registration fees proposed by the Kansas Sheriffs Association.

The Division of the Budget's fiscal note for the bill, as introduced, indicates passage would have no fiscal effect.

Kansas Offender Registration Act

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