

House Corrections and Juvenile Justice Committee
February 4, 2020
House Bill 2473

Testimony of Kansas Association of Criminal Defense Lawyers
presented by Jennifer Roth
Proponent

Dear Chairman Jennings and Members of the Committee:

We believe laws need to change in order to address the penalties that youths suffer for consensual acts with other youths. Young people should not be branded and punished as sex offenders for consensual acts. We thank the Judicial Council Advisory Committee for their work on this proposal, which does improve upon the current law.

What this bill would do

HB 2738 amends the crime of unlawful voluntary sexual relations (K.S.A. 21-5507, commonly referred to as the Romeo and Juliet statute) to provide penalties for consensual acts between youth that vary according to what the act is and the age range of the parties.

What this bill does not do

It does not change penalties/severity levels for nonconsensual acts between people of any ages. For example, a 14-year-old who forcibly has sex with a 13-year-old could still be prosecuted for rape. It does not change the age of consent. It does not address any crimes other than the one mentioned. For example, it does not deal with juveniles and pornography or electronic solicitation. It does not change penalties/severity levels for sex offenses under K.S.A. 21-6627 (commonly referred to as Jessica's Law). It would still be a presumptive life sentence under K.S.A. 21-6627 for someone 18 (or older) and someone 13 years old (or younger) to have sexual contact of any kind.

Conclusion

We ask that you recommend HB 2473 favorably for passage.

Thank you for your consideration,

Jennifer Roth
co-chair, Legislative Committee, KACDL
jrothlegislative@gmail.com
785.550.5365