

SESSION OF 2022

SUPPLEMENTAL NOTE ON SENATE BILL NO. 300

As Amended by Senate Committee on Judiciary

Brief*

SB 300, as amended, would amend definitions in the Kansas Racketeer Influenced and Corrupt Organization Act (Kansas RICO Act), as follows.

The bill would add to the definition of “covered person” a person who has engaged in identity theft or identity fraud. The bill also would add identity theft or identity fraud to the list of crimes for which committing, attempting, or conspiring to commit or soliciting, coercing, or intimidating another person to commit a misdemeanor or felony violation would constitute “racketeering activity” under the Kansas RICO Act.

The bill would also make technical amendments to update statutory references and to ensure consistent phrasing.

Background

The bill was introduced by the Senate Committee on Federal and State Affairs at the request of Senator Petersen.

Senate Committee on Judiciary

In the Senate Committee hearing on January 26, 2022, Senator Petersen and a representative of the Johnson County Sheriff’s Office provided **proponent** testimony, stating the bill would allow law enforcement to investigate, and

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

prosecutors to bring charges against organizers of identity theft and identity fraud under state law.

A representative of the Kansas County and District Attorneys Association and a representative of the Kansas Association of Chiefs of Police, Kansas Peace Officers Association, and Kansas Sheriffs Association provided written-only proponent testimony. No other testimony was provided.

On January 27, 2022, the Senate Committee adopted a technical amendment to the bill.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget dated May 13, 2021, enactment of the bill, as introduced, would have no fiscal effect on the Kansas Department of Corrections. The Office of Judicial Administration indicates enactment of the bill would not have a significant fiscal effect on the Judicial Branch. The Office of Attorney General was unable to provide information regarding any fiscal effect enactment of the bill may have, and the Kansas Sentencing Commission indicates enactment of the bill may have an effect on prison admissions and bed space but cannot provide an estimate. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2022 Governor's Budget Report*.

Kansas Racketeer Influenced and Corrupt Organization Act; identity theft; identity fraud