

2023 Kansas Statutes

50-1013. Violation of act or cease and desist order, penalties; prosecution. (a) Any person who willfully violates any provision of this act or knowingly violates any cease and desist order issued under this act commits a severity level 7, nonperson felony. Any violation of this act committed on or after July 1, 1993, resulting in a loss of \$25,000 or more, regardless of its location on the sentencing grid block, shall have a presumptive sentence of imprisonment.

(b) Prosecution for any crime under this act must be commenced within five years after the alleged violation. A prosecution is commenced when a complaint or information is filed, or an indictment returned, and a warrant thereon is delivered to the sheriff or other officer for execution. No such prosecution shall be deemed to have been commenced if the warrant so issued is not executed without unreasonable delay.

(c) The commissioner shall prepare and refer such evidence as may be available concerning criminal violations of this act or of any rule and regulation or order hereunder to the attorney general, or in consultation with the attorney general to the proper county or district attorney, who may, in such prosecutor's discretion, with or without such a reference, institute the appropriate criminal proceedings under the laws of this state. The commissioner may pay extradition and witness expenses and other costs associated with the case. The commissioner and persons employed by the administrator shall assist in the prosecution of criminal cases as requested by the attorney general or county or district attorney.

History: L. 1988, ch. 328, § 13; L. 1992, ch. 226, § 11; L. 1993, ch. 291, § 227; L. 2017, ch. 81, § 10; July 1.