

SESSION OF 2012

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2568

As Amended by House Committee on
Corrections and Juvenile Justice

Brief*

HB 2568 would make several amendments to the Kansas Offender Registration Act. The bill would amend some key terms, including the removal of hospitals from the definition of "treatment facility", and add "adjudications" alongside convictions throughout the bill. Further, it would require courts to register offenders at conviction or adjudication, rather than at sentencing or disposition, and clarify the other responsibilities of the court with respect to offender registration at that time, including additional requirements if the offender is released.

Similarly, the bill would revise the responsibilities with respect to offender registration of any correctional facility or the registering law enforcement agency's designee; the staff of any treatment facility; the registering law enforcement agency, upon the reporting of any offender; and the Kansas Bureau of Investigation (KBI). It also would revise offender registration requirements to remove the requirement if an offender is in the care or custody of any treatment facility and amend requirements with respect to travel outside the U.S. and information that must be provided on the registration form.

Additionally, the bill would amend the 15 year registration requirement for some crimes by removing the requirement under sexual battery that one of the parties be less than 18 years of age and adding convictions of any person required by court order to register for an offense not

*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>

otherwise required by the Kansas Offender Registration Act. It also would amend the lifetime registration requirement for the crime of aggravated human trafficking by removing the requirement that the victim be less than 18 years of age.

The bill also would provide that no internet website sponsored or created by a registering law enforcement agency or the KBI would be allowed to contain the address of any place where the offender is an employee or any other information about where the offender works. Such a website, however, would be required to contain a statement that employment information is publicly available and may be obtained by contacting the appropriate registering law enforcement agency.

Background

In the House Committee on Corrections and Juvenile Justice, representatives of the KBI, Kansas Hospital Association, and Kansas Department of Corrections offered testimony in support of HB 2568. The Committee also received testimony in opposition to the bill from the Kansas Association of Criminal Defense Lawyers and neutral testimony from the Office of Judicial Administration. The Committee amended the bill by adopting several amendments proposed by the conferees.

The fiscal note indicates passage of HB 2568, as introduced, would have no fiscal effect on the KBI. The League of Kansas Municipalities and the Kansas Association of Counties estimate that the fiscal effect for local governments would be negligible and could be handled within current resources. The Kansas Sentencing Commission states that the bill would have no effect on prison admissions or beds.