

**HOUSE BILL No. 2460**

By Committee on Corrections and Juvenile Justice

1-14

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1 AN ACT concerning the Kansas offender registration act; regarding  
2 violations of the act; amending K.S.A. 2015 Supp. 22-4903 and  
3 repealing the existing section.  
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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2015 Supp. 22-4903 is hereby amended to read as  
7 follows: 22-4903.(a) Violation of the Kansas offender registration act is the  
8 failure by an offender, as defined in K.S.A. 22-4902, and amendments  
9 thereto, to comply with any and all provisions of such act, including any  
10 and all duties set forth in K.S.A. 22-4905 through 22-4907, and  
11 amendments thereto. Any violation of the Kansas offender registration act  
12 which continues for more than 30 consecutive days shall, upon the 31<sup>st</sup>  
13 consecutive day, constitute a new and separate offense, and shall continue  
14 to constitute a new and separate offense every 30 days thereafter for as  
15 long as the violation continues.

16 (b) Aggravated violation of the Kansas offender registration act is  
17 violation of the Kansas offender registration act which continues for more  
18 than 180 consecutive days. Any aggravated violation of the Kansas  
19 offender registration act which continues for more than 180 consecutive  
20 days shall, upon the 181<sup>st</sup> consecutive day, constitute a new and separate  
21 offense, and shall continue to constitute a new and separate violation of the  
22 Kansas offender registration act every 30 days thereafter, or a new and  
23 separate aggravated violation of the Kansas offender registration act every  
24 180 days thereafter, for as long as the violation continues.

25 (c) (1) Except as provided in subsection (c)(3), violation of the  
26 Kansas offender registration act is:

- 27 (A) Upon a first conviction, a severity level 6, ~~person~~ felony;  
28 (B) upon a second conviction, a severity level 5, ~~person~~ felony; and  
29 (C) upon a third or subsequent conviction, a severity level 3, ~~person~~  
30 felony.

31 *Such violation shall be designated as a person or nonperson crime in*  
32 *accordance with the designation assigned to the underlying crime for*  
33 *which the offender is required to be registered under the Kansas offender*  
34 *registration act. **If the offender is required to be registered under both***

1 **a person and nonperson underlying crime, the violation shall be**  
2 **designated as a person crime.**

3 (2) Except as provided in subsection (c)(3), aggravated violation of  
4 the Kansas offender registration act is a severity level 3, ~~person~~ felony.

5 *Such violation shall be designated as a person or nonperson crime in*  
6 *accordance with the designation assigned to the underlying crime for*  
7 *which the offender is required to be registered under the Kansas offender*  
8 *registration act. **If the offender is required to be registered under both***  
9 **a person and nonperson underlying crime, the violation shall be**  
10 **designated as a person crime.**

11 (3) Violation of the Kansas offender registration act or aggravated  
12 violation of the Kansas offender registration act consisting only of failing  
13 to remit payment to the sheriff's office as required in ~~subsection (k)~~ of  
14 K.S.A. 22-4905(k), and amendments thereto, is:

15 (A) Except as provided in subsection (c)(3)(B), a class A  
16 misdemeanor if, within 15 days of registration, full payment is not  
17 remitted to the sheriff's office;

18 (B) a severity level 9, ~~person~~ felony if, within 15 days of the most  
19 recent registration, two or more full payments have not been remitted to  
20 the sheriff's office.

21 *Such violation shall be designated as a person or nonperson crime in*  
22 *accordance with the designation assigned to the underlying crime for*  
23 *which the offender is required to be registered under the Kansas offender*  
24 *registration act. **If the offender is required to be registered under both***  
25 **a person and nonperson underlying crime, the violation shall be**  
26 **designated as a person crime.**

27 (d) Prosecution of violations of this section may be held:

28 (1) In any county in which the offender resides;

29 (2) in any county in which the offender is required to be registered  
30 under the Kansas offender registration act;

31 (3) in any county in which the offender is located during which time  
32 the offender is not in compliance with the Kansas offender registration act;  
33 or

34 (4) in the county in which any conviction or adjudication occurred for  
35 which the offender is required to be registered under the Kansas offender  
36 registration act.

37 Sec. 2. K.S.A. 2015 Supp. 22-4903 is hereby repealed.

38 Sec. 3. This act shall take effect and be in force from and after its  
39 publication in the ~~statute book~~ **Kansas register**.