

KANSAS OFFICE *of*  
**REVISOR *of* STATUTES**

LEGISLATURE *of* THE STATE *of* KANSAS  
*Legislative Attorneys transforming ideas into legislation.*

---

300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

---

**MEMORANDUM**

To: House Committee on Judiciary  
From: Office of Revisor of Statutes  
Date: March 9, 2020  
Subject: Bill Brief on SB 355

Senate Bill 355 prohibits psychiatric or psychological examinations of victims of certain sex offenses in criminal cases.

The bill creates a new section of law to be added to the Kansas criminal code. This section generally follows the model in current law, K.S.A. 21-5502, concerning evidence of a complaining witness' previous sexual conduct in prosecutions for certain offenses. As introduced, subsection (a) provided that the section would only apply in a prosecution for one of 19 specified crimes or any attempt or conspiracy to commit any crime specified. The Senate Committee on Judiciary amended the bill so that the provisions now apply to any crime. Subsection (b) provides that in a prosecution for any offense, a court shall not require or order a complaining witness to submit to or undergo either a psychiatric or psychological examination. Subsection (c) defines "complaining witness" as an alleged victim of a crime, the prosecution of which is subject to the section.