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MEMORANDUM

To: Senate Committee on Judiciary

From: Office of Revisor of Statutes

Date: February 19, 2020

Subject: Bill Brief for 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. Subsection (a) provides 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. Subsection (b) provides that in a prosecution for a designated 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 designated crime, the prosecution of which is subject to the section.