

As Amended by House Committee

Session of 2010

HOUSE BILL No. 2640

By Committee on Corrections and Juvenile Justice

2-3

10 AN ACT concerning crimes, punishment and criminal procedure; relat-
11 ing to aiding a person required to register under the Kansas offender
12 registration act; failure to register by a person required to register
13 under the Kansas offender registration act; amending K.S.A. 21-3812
14 and 22-4903 and repealing the existing sections.
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16 *Be it enacted by the Legislature of the State of Kansas:*

17 Section 1. K.S.A. 21-3812 is hereby amended to read as follows: 21-
18 3812. (a) Aiding a felon is knowingly harboring, concealing or aiding any
19 person who has committed a felony under the laws of this state, other
20 than a violation of K.S.A. 22-4903, and amendments thereto, or another
21 state or the United States with intent that such person shall avoid or
22 escape from arrest, trial, conviction or punishment for such felony.

23 Aiding a felon is a severity level 8, nonperson felony.

24 (b) Aiding a person charged with a felony is knowingly harboring,
25 concealing or aiding a person who has been charged with a felony under
26 the laws of this state, other than a violation of K.S.A. 22-4903, and amend-
27 ments thereto, or another state or the United States with intent that such
28 person shall avoid or escape from arrest, trial, conviction or punishment
29 for such felony.

30 Aiding a person charged with a felony is a severity level 8, nonperson
31 felony.

32 (c) Aiding a person who has been convicted of or who has been
33 charged with committing a misdemeanor under the laws of Kansas or
34 another state is knowingly concealing or aiding such person with intent
35 that such person shall avoid or escape from arrest, trial, conviction or
36 punishment for such misdemeanor.

37 Aiding a person convicted of or charged with committing a misde-
38 meanor is a class C misdemeanor.

39 (d) Aiding a person required to register under the Kansas offender
40 registration act, K.S.A. 22-4901 et seq., and amendments thereto, is
41 knowingly harboring, concealing or aiding any person who is required to
42 register under the act and who is not in compliance with the requirements
43 of the act with intent that such person shall avoid or escape from regis-

1 tration, arrest, trial, conviction, punishment or any criminal charges arising from the person's failure to comply with the requirements of the act.

2 Aiding a person required to register under the Kansas offender registration act is a severity level 5 9, person felony.

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5 Sec. 2. K.S.A. 22-4903 is hereby amended to read as follows: 22-
6 4903. (a) *Except as provided further*, any person who is required to register as provided in the Kansas offender registration act who violates any
7 of the provisions of such act, including all duties set out in K.S.A. 22-4904
8 through 22-4907, and amendments thereto, is guilty of a severity level 5
9 9, person felony. ~~Any sex offender, violent offender or~~ **person who is**
10 **convicted of kidnapping as defined in K.S.A. 21-3420, and amend-**
11 **ments thereto, aggravated kidnapping as defined in K.S.A. 21-**
12 **3421, and amendments thereto, criminal restraint as defined in**
13 **K.S.A. 21-3424, and amendments thereto, or aggravated traffick-**
14 **ing as defined in K.S.A. 21-3447, and amendments thereto, any sex**
15 **offender or any sexually violent predator who is required to register as**
16 **provided in the Kansas offender registration act who violates any of the**
17 **provisions of such act, including all duties set out in K.S.A. 22-4904**
18 **through 22-4907, and amendments thereto, is guilty of a severity level 5,**
19 **person felony.** Any violation of any provision of such act, including a violation of the duties set forth in K.S.A. 22-4904 through K.S.A. 22-4907,
20 and amendments thereto, which continues for more than 30 consecutive
21 days shall, upon the 31st consecutive day, constitute a new and separate
22 offense and shall continue to constitute a new and separate offense upon
23 completion of every 30 days thereafter for as long as the offense
24 continues.

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27 (b) Prosecution of violations under subsection (a), shall be held: (1)
28 In the county in which the offender resides; (2) if the offender is temporarily domiciled in a county and is required to be registered, in such
29 county; or (3) in the county in which the offender is required to be registered under this act.

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32 Sec. 3. K.S.A. 21-3812 and 22-4903 are hereby repealed.

33 Sec. 4. This act shall take effect and be in force from and after its
34 publication in the statute book.