

Approved

Date:

2/26/02

MINUTES OF THE SENATE JUDICIARY COMMITTEE.

The meeting was called to order by Chairperson Senator Vratil at 9:34 a.m. on February 25, 2002 in Room 123-S of the Capitol.

All members were present.

Committee staff present:

Gordon Self, Revisor  
Mike Heim, Research  
Jerry Donaldson, Research  
Mary Blair, Secretary

Conferees appearing before the committee:

Senator Jay Emler  
Alan Hazlett, Attorney, Topeka  
Jim Ruble, Lindsborg  
Rodney Durr, Wichita  
Paul Davis, Kansas Bar Association (KBA)

Others attending: see attached list

The minutes of the February 22<sup>nd</sup>, 2002 meeting were approved on a motion by Senator Adkins, seconded by Senator Goodwin. Carried.

**SB 585—establishing a putative father registry**

Conferee Senator Emler testified in support of **SB 585**, a bill he introduced which amends current law by establishing a registry whereby a putative father may register with the SRS and be placed on a list which entitles him to receive, in addition to any other notice, a notice of termination of parental rights proceedings for the purpose of adoption. (no attachment) He briefly discussed the purpose of the bill and its provisions and answered Committee members inquiries.

Conferee Hazlett testified in support of **SB 585**. He shared from his experience as an adoption litigator discussing the bill and answering several questions from Committee members, for example, on inquiry by Committee regarding the father's rights, he stated, "if a putative father doesn't register that he's the father after a certain amount of time, he loses his parental rights." (no attachment) Discussion followed.

Conferee Ruble testified in support of **SB 585**. He shared personal testimony as an adoptive father and stated that this bill will result in an improved adoption process. (attachment 1)

Conferee Durr testified in support of **SB 585**. He shared personal testimony as an adoptive father, discussed several of the bill's provisions and summarized the bill as one which "shifts the responsibility of the mother for her having to track down the father and for him to step up to the plate and take responsibility." (no attachment) Lengthy discussion followed.

Final Action:

**SB 453—arrest for violation of condition of sentence**

Following a review of **SB 453** by the Chair and discussion by Committee, Senator Schmidt moved to pass the bill out favorably, Senator Goodwin seconded. Carried.

**SB 474—protection from stalking act**

The Chair reviewed **SB 474** and upon his request, Paul Davis, KBA, explained the amendments offered by the KBA. (attachment 2) Following discussion Senator Oleen moved to strike the language in the bill where it states "no docket fee", Senator Vratil seconded. Upon further discussion Senator Oleen withdrew her motion and Senator Vratil withdrew his second. Senator Adkins moved to adopt the amendment offered by the KBA and report the bill out favorably as amended, Senator Schmidt seconded. Carried with Senator Pugh requesting his nay vote be recorded.

The meeting adjourned at 10:31 a.m. The next scheduled meeting is February 26, 2002.

# SENATE JUDICIARY COMMITTEE GUEST LIST

DATE: Feb 25, 2002

NAME	REPRESENTING
Draine Albert	KDOR - DMV
Scott Heidner	Intrust Bank
Mark Gleeson	Judicial Branch
Mike Taylor	City of Wichita
Sandy Jacquot	LKM
Tiffany Muller	KCSDV
Sandy Barnett	KCSDV
MURRY FEIGHNY	Att. General
Julienne Mackin	AG office
Kelly Fetrow	AG office
Don Jordan	SRS
Rodney Durr	Myself
Jim Ruble	Adoptive Parent
Charles Simmons	Dept. of Corrections
Doug Smith	Dept of Darr
Arcan D. Bichard	KFDAA
Jason Moore	KU Pharmacy Student / KPHA
Bob Williams	KS Pharmacists Assoc.
JAMES FRAZIER	JJA

Sheila S. Walker      KDOR-DMV  
 Greg A. Poly      KDA  
 Janet McPherson      Ks Farm Bureau

# SENATE JUDICIARY COMMITTEE GUEST LIST

DATE: 2-25-02

NAME	REPRESENTING
Luis Ruble	Spectator
Mayjany Schaefer	Spectator
Edward E. Schenker	Spectator
James H. Bullock	Spectator
Donna Ruble	Em. Co.
Chileen Hamell	KCC
<del>XXXXXXXXXX</del>	ATTORNEY
Tara Jensen	Rep. Pottorff
Jeff Bottenberg	State Farm
Paul Davis	KBA
SEYED PERIGO	Governor's Office
Jan Brashe	KSC
Brenda Hamon	KSC
Joe Herold	KSC
Mike Roacht	Ks Unit Counseling
Joe Lieber	KS Co-Op Council
STEVE KARRICK	ATTORNEY GENERAL
KEITH R. LANDIS	CHRISTIAN SCIENCE COMMITTEE ON PUBLICATION FOR KANSAS
Bruce Dimmitt	Independent

# SENATE JUDICIARY COMMITTEE GUEST LIST

DATE: Feb 25, 2002

NAME	REPRESENTING
Greg Krissick	KCGA / KGSRA
Doug Wareham	Kansas Agribusiness Retailers Assn.
Connie Burns	Whitney B Dameron, PA
<del>Tommy Hargrave</del>	KTLA
<del>Darryl White</del>	KTLA
Kathy Pulte	Judicial Branch

Monday February 25, 2002  
Senate Judiciary Committee  
SB 585  
Putative Father Registry Act

Good morning. My name is Jim Ruble from Lindsborg, Ks. I want to thank you for the opportunity to talk with you today and to express my support for SB 585, the putative father registry act. My wife, Donna, and I are the parents of two boys, Timothy and Isaiah, both of whom are adopted. I want to share with you some of the our experiences with the adoption process in hopes that it will shed some light on the need for this legislation.

We adopted Timothy in May of 1997. His birth mother was 17 years old at the time and still in high school. Realizing that she was unable to support a baby, she had chosen us as the adoptive parents. Over the course of several months, we had come to know each other and had worked out an adoptive plan which included our presence for the birth. Twelve hours after Timothy was born, she signed the necessary paper work terminating her parental rights and giving us custody of our son.

The birth father was 18 years old. An unemployed high school drop out, he didn't have a car or even a drivers license. He lived with a friend after being kicked out of his parents home. There had been very little contact with him during the pregnancy and he had provided no financial support to the birth mother. Our attorney had made numerous attempts to contact him prior to and after the birth regarding his intentions; but, we received no response. As required, we sent him notice of the final adoption hearing which was scheduled almost two months after the birth. Much to our surprise and dismay, he showed up at the court house. You can't even begin to imagine the emotions of that day. He had no home or means of supporting a child. He had done nothing to support the child or the birth mother during the pregnancy. He had not responded to any of our attempts to contact him, yet here he was coming in at the last minute because "he had rights." We were devastated! Why would someone who had shown no interest in the whole process do this? The only thing we could do was go to court, hope, and pray for a positive outcome.

In a custody situation such as this, everyone must have legal representation. However, since he could not afford an attorney, we had to hire one for him. Please think about this for a moment. Here we are fighting for custody of our son and we have to hire an attorney to oppose us. It was absolutely crazy.

We were, however, very fortunate in the final outcome. With the help of an adoption facilitator, provided by a non-profit group called Miriam Ministries, we were able to work out a solution outside of court. The birth father signed a voluntary termination of his parental rights and the adoption was finalized in August of 1997, but only after a great deal of emotional turmoil for us and the birth mother and added legal expenses, all of which was unnecessary.

STJ  
2-25-02  
att

Isaiah, our youngest son, was adopted in October of 2000. His birth mother was 22 years old, unmarried, and had 3 other children. She could not financially or emotionally care for another child. With the help of Miriam Ministries, she had chosen us as adoptive parents for her baby. We met her in August of that year and developed a very close relationship over the next two months. We were in contact weekly, attended doctors appointments, and helped provide day care for her children during the final weeks of her pregnancy. Her birth plan included our participation in the delivery. Twenty four hours after Isaiah was born, she signed the paper work terminating her parental rights and giving us custody of our son.

The birth father was unemployed and had been in and out of jail during the previous year. He had provided no financial or emotional support during the pregnancy. Our attorney had been in contact with him over the previous two months discussing the adoption. After the baby was born, he voluntarily signed the order terminating his parental rights.

The final adoption hearing was scheduled for early December. Although the birth father had voluntarily terminated his rights, we were still required to send him notice of the final hearing. We arrived at the court house for what we hoped would be a short, uneventful process. However, it was not to be. The birth father showed up. He was apparently trying to recant his voluntary termination signed some two months earlier.

So once again, we had an unemployed birth father who had provided no support during the pregnancy, had signed a voluntary termination of his parental rights, and who had voiced no objection to the adoption, coming forward at the last minute. He also could not afford legal counsel, so once again, we got the privilege of hiring an attorney to represent him against us. I wish someone would explain the logic of this to me!

Again, we were very fortunate. With the help of an adoption facilitator, we were able to work out a solution without going to court, but not without an unbelievable amount of stress and expense that was completely unnecessary.

If the putative father registry had been in place prior to our two adoptions, I believe we would have avoided the emotional turmoil and needless legal expenses that resulted from the appearance of "last minute birth fathers." Neither of them had a good case for claiming custody of our children based on their actions over the previous 9 months; however, they could still show up and cause problems.

Adoptive couples expend a considerable amount of time, effort and money in preparing for an adoption; taking MAPP classes, getting home studies, completing applications, contacting agencies and attorneys, meeting birth mothers, the list goes on and on. It is not a short term effort. Many couples wait for years for the opportunity to adopt. They take an active role in the process physically, emotionally, and financially.

All that SB 585 requires is that a putative father register. That's it. It does not change his rights or responsibilities with respect to the child or the birth mother. He must simply take responsibility for his actions and make his intentions known in a reasonable amount of time. Passage of this bill will result in an improved adoption process; this process will achieve the ultimate goal of finding good homes for children in need. All children have the right to a good home with loving, caring, and involved parents. I strongly urge your support of this bill. Thank you for allowing me to talk with you today.



State of Kansas  
Office of the Attorney General

120 S.W. 10TH AVENUE, 2ND FLOOR, TOPEKA, KANSAS 66612-1597

CARLA J. STOVALL  
ATTORNEY GENERAL

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FAX: (785) 296-6296

February 21, 2002

Sen. John Vratil  
Chair, Senate Judiciary Committee  
120-S, Capitol Building  
Topeka, KS 66612

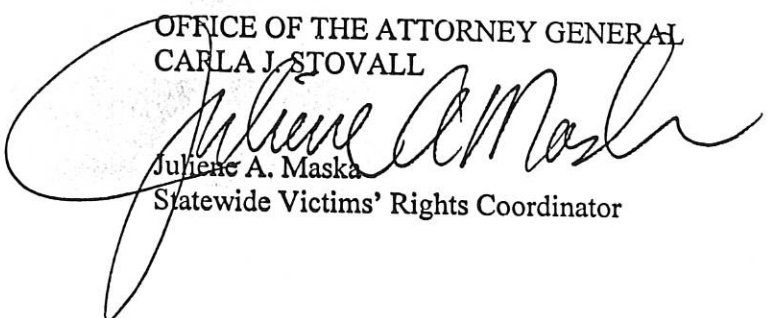
RE: Senate Bill 474

Dear Sen. Vratil:

Attached please find the balloon for SB 474. The Kansas Bar Association, the Kansas Coalition Against Sexual and Domestic Violence and this office met and decided on these changes to the bill. If you have any questions, please do not hesitate to contact me.

Sincerely,

OFFICE OF THE ATTORNEY GENERAL  
CARLA J. STOVALL

  
Julie A. Maska  
Statewide Victims' Rights Coordinator

Attachment  
cc: Sen. David Adkins  
KCSDV  
KBA

5/14/02  
2/25/02  
att



# SENATE BILL No. 474

By Senators Adkins, Vratil and Goodwin

1-31

9 AN ACT enacting the protection from stalking act; amending K.S.A.  
10 2001 Supp. 21-3438; 21-3721 and 21-3843 and repealing the existing  
11 sections.

12  
13 *Be it enacted by the Legislature of the State of Kansas:*

14 New Section 1. (a) Sections 1 through 9, and amendments thereto,  
15 shall be known and may be cited as the protection from stalking act.

16 (b) This act shall be liberally construed to promote the protection of  
17 victims of stalking from harassment and to facilitate access to judicial  
18 protection for stalking victims, whether represented by counsel or pro-  
19 ceedings *pro se*.

20 New Sec. 2. As used in the protection from stalking act:

21 (a) "Stalking" means intentional harassment of another person.

22 (b) "Harassment" means a knowing and intentional course of conduct  
23 directed at a specific person that seriously alarms, annoys, torments or  
24 terrorizes the person, and that serves no legitimate purpose.

25 (c) "Course of conduct" means a pattern of conduct composed of a  
26 series of acts over a period of time, however short, evidencing a continuity  
27 of purpose and which would cause a reasonable person to suffer substan-  
28 tial emotional distress. Constitutionally protected activity is not included  
29 within the meaning of "course of conduct."

30 New Sec. 3. The district courts shall have jurisdiction over all pro-  
31 ceedings under the protection from stalking act.

32 New Sec. 4. (a) A person may seek relief under the protection from  
33 stalking act by filing a verified petition with the district judge or clerk of  
34 the court in the county where the stalking occurred. A verified petition  
35 must allege facts sufficient to show the following:

36 (1) The name of the stalking victim;

37 (2) the name of the defendant; and

38 (3) that the defendant has engaged in stalking.

39 (b) A parent or an adult residing with a minor child may seek relief  
40 under the protection from stalking act on behalf of the minor child by  
41 filing a verified petition with the district judge or with the clerk of the  
42 court in the county where the stalking occurred.

43 (c) The clerk of the court shall supply the forms for the petition and

an  
that places the other person in reasonable  
fear for that person's own personal safety.

which is directed at a specific person that  
(i) causes that other person to have a  
reasonable fear for personal safety, or  
(ii) serves no legitimate purpose, and is  
intended either to seriously alarm,  
threaten or torment another person.

consisting of two or more separate

the dates on which the alleged stalking  
behavior occurred; and  
(4) the acts committed by the defendant  
that are alleged to constitute stalking.

22

25x

23

25

1 orders, which shall be prescribed by the ~~supreme court.~~

2 (d) Service of process served under this section shall be by personal

3 service. No docket fee shall be required for proceedings under the pro-

4 tection from stalking act.

5 (e) The ~~plaintiff's~~ address and telephone number shall not be dis-

6 closed to the defendant or to the public, but only to authorize court or

7 law enforcement personnel.

8 New Sec. 5. (a) Within 20 days of the filing of a petition under the

9 protection from stalking act a hearing shall be held at which the plaintiff

10 must prove the allegation of stalking by a preponderance of the evidence

11 and the defendant shall have an opportunity to present evidence on the

12 defendant's behalf. Upon the filing of the petition, the court shall set the

13 case for hearing. At the hearing, the court shall advise the parties of the

14 right to be represented by counsel.

15 (b) Prior to the hearing on the petition and upon a finding of good

16 cause shown, the court on motion of a party may enter such temporary

17 relief orders in accordance with section 6 and amendments thereto, or

18 any combination thereof, as it deems necessary to protect the ~~plaintiff or~~

19 ~~minor children from being stalked.~~ Temporary orders may be granted ~~ex~~

20 ~~parte.~~ Immediate and present danger of stalking shall constitute good

21 cause for the purposes of this section.

22 (c) If a hearing under subsection (a) is continued, the court may make

23 or extend such temporary orders under subsection (b) as it deems

24 necessary.

25 New Sec. 6. (a) The court shall be empowered to issue a protection

26 from stalking order to bring about the cessation of stalking of the plaintiff

27 or grant any of the following orders:

28 (1) Restraining the defendant from following, harassing, telephoning,

29 contacting or otherwise communicating with the plaintiff or any minor

30 children of the plaintiff. Such order shall contain a statement that if such

31 order is violated such violation may constitute stalking as provided in

32 K.S.A. 21-3438, and amendments thereto, and violation of a protective

33 order as provided in K.S.A. 2001 Supp. 21-3843, and amendments

34 thereto.

35 (2) Restraining the defendant from abusing, molesting or interfering

36 with the privacy rights of the plaintiff or of any minor children of the

37 plaintiff. Such order shall contain a statement that if such order is violated,

38 such violation may constitute stalking as provided in K.S.A. 21-3438, and

39 amendments thereto, assault as provided in K.S.A. 21-3408, and amend-

40 ments thereto, battery as provided in K.S.A. 21-3412, and amendments

41 thereto, and violation of a protective order as provided in K.S.A. 2001

42 Supp. 21-3843, and amendments thereto.

43 (3) Restraining the defendant from entering upon or in the plaintiff's

judicial council

victim's

victim

on presentation of a verified petition by the victim supporting a prima facie case of stalking.

victim

victim

victim

victim's

the immediate vicinity thereof.

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1 residence or household. Such order shall contain a statement that if such  
2 order is violated, such violation shall constitute criminal trespass as pro-  
3 vided in subsection (a)(1)(C) of K.S.A. 21-3721, and amendments thereto,  
4 and violation of a protective order as provided in K.S.A. 2001 Supp. 21-  
5 3843; and amendments thereto.

6 (4) Awarding costs and attorney fees to either party.

7 (5) Ordering or restraining any other acts deemed necessary to pro-  
8 mote the safety of the plaintiff or the plaintiff's minor children

victim.

9 (b) A protection from stalking order shall remain in effect until mod-  
10 ified or dismissed by the court and shall be for a fixed period of time not  
11 to exceed one year, except that, on motion of the plaintiff, such period  
12 may be extended for one additional year.

13 (c) The court may amend its order at any time upon motion filed by  
14 either party.

Before the expiration of an order for protection from stalking, a victim, or a parent on behalf of the victim, may request an extension of the protection from stalking order for up to one additional year on showing of continuing threat of stalking.

15 (d) If a person follows, harasses, telephones, contacts or otherwise  
16 communicates with another violating an order issued pursuant to subsec-  
17 tion (a)(1), such violation may constitute stalking as provided in K.S.A.  
18 21-3438, and amendments thereto, and violation of a protective order as  
19 provided in K.S.A. 2001 Supp. 21-3843, and amendments thereto. If a  
20 person abuses, molests or interferes with the privacy or rights of another  
21 violating an order issued pursuant to subsection (a)(2), such violation may  
22 constitute stalking as provided in K.S.A. 21-3438, and amendments  
23 thereto, assault as provided in K.S.A. 21-3408, and amendments thereto,  
24 battery as provided in K.S.A. 21-3412, and amendments thereto, and vi-  
25 olation of a protective order as provided in K.S.A. 2001 Supp. 21-3843,  
26 and amendments thereto. If a person enters on premises or property  
27 violating an order issued pursuant to subsection (a)(3), such violation shall  
28 constitute criminal trespass as provided in subsection (a)(1)(C) of K.S.A.  
29 21-3721, and amendments thereto, and violation of a protective order as  
30 provided in K.S.A. 2001 Supp. 21-3843; and amendments thereto.

31 New Sec. 7. A copy of any order under the protection from stalking  
32 act shall be issued to the plaintiff, the defendant and the police depart-  
33 ment of the city where the plaintiff resides. If the plaintiff does not reside  
34 in a city or resides in a city with no police department, a copy of the order  
35 shall be issued to the sheriff of the county where the order is issued.

victim  
victim  
victim

36 New Sec. 8. Except of otherwise provided in the protection from  
37 stalking act, any proceedings under this act shall be in accordance with  
38 chapter 60 of the Kansas Statutes Annotated and shall be in addition to  
39 any other available civil or criminal remedies.

40 New Sec. 9. If upon hearing, the court finds a violation of any order  
41 under the protection from stalking act, the court may find the defendant  
42 in contempt pursuant to K.S.A. 20-1204a, and amendments thereto.

43 Sec. 10. K.S.A. 2001 Supp. 21-3438 is hereby amended to read as

1 follows: 21-3438. (a) Stalking is an intentional, malicious and repeated  
2 following or harassment of another person and making a credible threat  
3 with the intent to place such person in reasonable fear for such person's  
4 safety.

5 Stalking is a severity level 10, person felony.

6 (b) Any person who violates subsection (a) when there is an order  
7 issued pursuant to the protection from stalking act, sections 1 through 9,  
8 and amendments thereto, a temporary restraining order or an injunction;  
9 or both, in effect prohibiting the behavior described in subsection (a)  
10 against the same person, is guilty of a severity level 9, person felony.

11 (c) Any person who has a second or subsequent conviction occurring  
12 against such person, within seven years of a prior conviction under sub-  
13 section (a) involving the same victim, is guilty of a severity level 8, person  
14 felony.

15 (d) For the purposes of this section: (1) "Course of conduct" means  
16 a pattern of conduct composed of a series of acts over a period of time,  
17 however short, evidencing a continuity of purpose and which would cause  
18 a reasonable person to suffer substantial emotional distress, and must  
19 actually cause substantial emotional distress to the person. Constitution-  
20 ally protected activity is not included within the meaning of "course of  
21 conduct."

22 (2) "Harassment" means a knowing and intentional course of conduct  
23 directed at a specific person that seriously alarms, annoys, torments or  
24 terrorizes the person, and that serves no legitimate purpose.

25 (3) "Credible threat" means a verbal or written threat, including that  
26 which is communicated via electronic means, or a threat implied by a  
27 pattern of conduct or a combination of verbal or written statements and  
28 conduct made with the intent and the apparent ability to carry out the  
29 threat so as to cause the person who is the target of the threat to reason-  
30 ably fear for such person's safety. The present incarceration of a person  
31 making the threat shall not be a bar to prosecution under this section.

32 (4) "Electronic means" includes, but is not limited to, telephones,  
33 cellular phones, computers, video recorders, fax machines, pagers and  
34 computer networks.

35 Sec. 11. K.S.A. 2001 Supp. 21-3721 is hereby amended to read as  
36 follows; 21-3721. (a) Criminal trespass is:

37 (1) Entering or remaining upon or in any land, nonnavigable body of  
38 water, structure, vehicle, aircraft or watercraft other than railroad prop-  
39 erty as defined in K.S.A. 2001 Supp. 21-3761 and amendments thereto  
40 by a person who knows such person is not authorized or privileged to do  
41 so, and:

42 (A) Such person enters or remains therein in defiance of an order  
43 not to enter or to leave such premises or property personally communi-

26

26

1 cated to such person by the owner thereof or other authorized person;  
2 or

3 (B) such premises or property are posted in a manner reasonably  
4 likely to come to the attention of intruders, or are locked or fenced or  
5 otherwise enclosed, or shut or secured against passage or entry; or

6 (C) such person enters or remains therein in defiance of a restraining  
7 order issued pursuant to *section 5, section 6*, K.S.A. 60-1607, 60-3105,  
8 60-3106 or 60-3107 or K.S.A. 38-1542, 38-1543 or 38-1563, and amend-  
9 ments thereto and the restraining order has been personally served upon  
10 the person so restrained; or

11 (2) entering or remaining upon or in any public or private land or  
12 structure in a manner that interferes with access to or from any health  
13 care facility by a person who knows such person is not authorized or  
14 privileged to do so and such person enters or remains thereon or therein  
15 in defiance of an order not to enter or to leave such land or structure  
16 personally communicated to such person by the owner of the health care  
17 facility or other authorized person.

18 (b) As used in this section:

19 (1) "Health care facility" means any licensed medical care facility,  
20 certificated health maintenance organization, licensed mental health cen-  
21 ter, or mental health clinic, licensed psychiatric hospital or other facility  
22 or office where services of a health care provider are provided directly to  
23 patients.

24 (2) "Health care provider" means any person: (A) Licensed to prac-  
25 tice a branch of the healing arts; (B) licensed to practice psychology; (C)  
26 licensed to practice professional or practical nursing; (D) licensed to prac-  
27 tice dentistry; (E) licensed to practice optometry; (F) licensed to practice  
28 pharmacy; (G) registered to practice podiatry; (H) licensed as a social  
29 worker; or (I) registered to practice physical therapy.

30 (c) (1) Criminal trespass is a class B nonperson misdemeanor.

31 (2) Upon a conviction of a violation of subsection (a)(1)(C), a person  
32 shall be sentenced to not less than 48 consecutive hours of imprisonment  
33 which must be served either before or as a condition of any grant of  
34 probation or suspension, reduction of sentence or parole.

35 Sec. 12. K.S.A. 2001 Supp. 21-3843 is hereby amended to read as  
36 follows: 21-3843. (a) Violation of a protective order is knowingly or in-  
37 tentiously violating:

38 (1) A protection from abuse order issued pursuant to K.S.A. 60-3105,  
39 60-3106 and 60-3107, and amendments thereto;

40 (2) a protective order issued by a court of any state or Indian tribe  
41 that is consistent with the provisions of 18 U.S.C. 2265, and amendments  
42 thereto;

43 (3) a restraining order issued pursuant to K.S.A. 38-1542, 38-1543,

- 1 38-1563 and 60-1607, and amendments thereto;  
2 (4) an order issued as a condition of pretrial release, diversion, pro-  
3 bation, suspended sentence or postrelease supervision that orders the  
4 person to refrain from having any direct or indirect contact with another  
5 person; or  
6 (5) an order issued as a condition of release after conviction or as a  
7 condition of a supersedeas bond pending disposition of an appeal, that  
8 orders the person to refrain from having any direct or indirect contact  
9 with another person; or  
10 (6) a protection from stalking order issued pursuant to section 5 or  
11 6, and amendments thereto.  
12 (b) As used in this section, "order" includes any order issued by a  
13 municipal or district court.  
14 (c) Violation of a protective order is a class A person misdemeanor.  
15 (d) This section shall be part of and supplemental to the Kansas crim-  
16 inal code.  
17 Sec. 13. K.S.A. 2001 Supp. 21-3438, 21-3721 and 21-3843 are hereby  
18 repealed.  
19 Sec. 14. This act shall take effect and be in force from and after its  
20 publication in the statute book.