

CHAPTER 98

Substitute for SENATE BILL No. 28
(Amended by Chapter 143)

AN ACT concerning civil procedure; relating to covered offenses and conduct giving rise to forfeiture; amending K.S.A. 2008 Supp. 60-4104 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2008 Supp. 60-4104 is hereby amended to read as follows: 60-4104. Conduct and offenses giving rise to forfeiture under this act, whether or not there is a prosecution or conviction related to the offense, are:

- (a) All offenses which statutorily and specifically authorize forfeiture;
- (b) violations of the uniform controlled substances act, K.S.A. 65-4101 et seq., and amendments thereto;
- (c) theft which is classified as a felony violation pursuant to K.S.A. 21-3701, and amendments thereto, in which the property taken was live-stock;
- (d) unlawful discharge of a firearm, K.S.A. 21-4219, and amendments thereto;
- (e) money laundering, K.S.A. 65-4142, and amendments thereto;
- (f) gambling, K.S.A. 21-4303, and amendments thereto, and commercial gambling, K.S.A. 21-4304, and amendments thereto;
- (g) counterfeiting, K.S.A. 21-3763, and amendments thereto;
- (h) violations of K.S.A. 21-4019, and amendments thereto;
- (i) medicaid fraud, K.S.A. 21-3844 et seq., and amendments thereto;
- (j) an act or omission occurring outside this state, which would be a violation in the place of occurrence and would be described in this section if the act occurred in this state, whether or not it is prosecuted in any state;
- (k) an act or omission committed in furtherance of any act or omission described in this section including any inchoate or preparatory offense, whether or not there is a prosecution or conviction related to the act or omission;
- (l) any solicitation or conspiracy to commit any act or omission described in this section, whether or not there is a prosecution or conviction related to the act or omission;
- (m) furtherance of terrorism or illegal use of weapons of mass destruction, K.S.A. 21-3451, and amendments thereto;
- (n) *unlawful conduct of dog fighting and unlawful possession of dog fighting paraphernalia*, K.S.A. 21-4315, and amendments thereto;
- (o) *unlawful conduct of cockfighting and unlawful possession of cock-fighting paraphernalia*, K.S.A. 21-4319, and amendments thereto; and
- (p) *prostitution*, K.S.A. 21-3512, and amendments thereto, *promoting prostitution*, K.S.A. 21-3513, and amendments thereto, and *patronizing a prostitute*, K.S.A. 21-3515, and amendments thereto.

Sec. 2. K.S.A. 2008 Supp. 60-4104 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 17, 2009.
