

SESSION OF 2005

**CONFERENCE COMMITTEE REPORT BRIEF
HOUSE BILL NO. 2386**

As Agreed to April 1, 2005

Brief *

HB 2386 expands the provisions of the crime of unlawful sexual relations by adding Court Services Officers, Community Corrections Officers, employees of the Juvenile Justice Authority or Juvenile Community Supervision Agency, and employees of a contractor who provides supervision services for persons under Court Services or Community Corrections supervision to the list of offenders of this crime.

The bill requires the offender have knowledge that the person with whom the offender is engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy is currently under the supervision of Court Services or Community Corrections.

The bill also adds definition of "Community Corrections," "Court Services," "Law Enforcement Officer," and "Juvenile Community Supervision Agency."

Conference Committee Action

The Conference Committee agreed to the Senate amendments and also inserted provisions regarding the Juvenile Justice Authority, Juvenile Community Supervision Agency, and the definition of Juvenile Community Supervision Agency.

*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. The conference committee summary report may be accessed on the Internet at <http://www.kslegislature.org>

Background

Support for the bill was expressed by the Finney County Attorney, the Office of Judicial Administration and the Department of Corrections. Representatives of the Kansas Bureau of Investigation and the Attorney General also spoke in favor of the bill.

The Senate Committee added the knowledge requirement and the definition of “community services,” “court services,” and “law enforcement officer” and deleted a requirement the offender have “direct” supervision of the person.

The fiscal note indicates that because this bill would expand the definition of unlawful sexual relations more people could be found guilty of the crime. However, the number of people who may commit the crime cannot be estimated, but the number is expected to be negligible.