

SESSION OF 2005

SUPPLEMENTAL NOTE ON SENATE BILL NO. 147

As Amended by House Committee of the Whole

Brief*

SB 147 would extend the Kansas statute of limitations for the majority of felony and misdemeanor crimes from the current two-year limit to a five-year limit. The Senate Committee made a technical amendment.

The House Committee inserted the provision that the statute of limitations for a misdemeanor would be two years after the misdemeanor is committed.

The House Committee of the Whole did the following:

- ! Deleted the two year statute of limitation for misdemeanor, and inserted the five year statutes of limitation for any crime.
- ! Raised the penalty for indecent solicitation of a child from a severity level 7 person felony to a severity level 6 person felony.
- ! Amended the crime of sexual exploitation of a child to include possessing any visual depiction, including any photograph, film, video picture, digital or computer generated image or picture, whether made or produced by electronic, mechanical or other means, where such visual depiction of a child under 18 years of age is shown or heard engaging in sexually explicit conduct with intent to arouse or satisfy the sexual desires or appeal to the prurient interest of the offender, the child, or another.

Background

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

The bill was supported by the Kansas Attorney General, the Kansas Bureau of Investigation and the Pratt County Sheriff.

Currently, Kansas has no statute of limitations for the crime of murder; fraud or theft involving the Kansas Public Employee Retirement System (KPERs) have a 10-year statute of limitations; rape and various other crimes have a five-year statute of limitations.

Proponents said the change was needed to aid the prosecution of all crimes especially those that require complicated and multi state investigations.

The House Committee inserted the provisions dealing with the statute of limitation for misdemeanors.

The bill has no fiscal impact.