

SESSION OF 2005

SUPPLEMENTAL NOTE ON SENATE BILL NO. 179

As Amended by Senate Committee on
Judiciary

Brief*

SB 179 would increase the severity levels of the crimes of indecent solicitation of a child from a level 7 to a level 6 person felony and the crime of aggravated indecent solicitation of a child from a level 6 to a level 5 person felony.

The bill also would amend the crime of sexual exploitation of a child to allow one count of sexual exploitation of a child to be filed for each individual image of child pornography an offender possesses and would make other language changes to update the language of the crime.

The Senate Committee deleted language from the bill dealing with the crime of sexual exploitation of a child which would have extended the crime to cover visual depiction which "appears to be" of a child under 18 years old and deleted language dealing with an affirmative defense which could have been asserted in such cases.

Background

The bill was supported by the Kansas Attorney General as a way to enhance penalties for sex predators who actively prey on Kansas children.

The fiscal note states that the Kansas Sentencing Commission estimates that the passage of SB 179 would result in an additional 19 prison admissions in FY 2006, and ongoing annual admissions, up to 22 admissions by FY 2015. The bill would require 23 additional prison beds in FY 2006 and 123 additional beds by FY 2015. The Juvenile Justice Authority also stated that the bill would have a fiscal effect on

*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>

its agency, although no specific dollar amount is listed in the fiscal note.