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Kansas Judicial Center
301 S.W. Tenth Avenue, Suite B2
Topeka, Kansas 66612-1507

Telephone (785) 296-2498

judicial.council@ks.gov
www.kansasjudicialcouncil.org

EXECUTIVE DIRECTOR
NANCY J. STROUSE

STAFF ATTORNEYS
LAURA E. NORDGREN
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TO: House Judiciary Committee

FROM: Nancy Strouse – Kansas Judicial Council

DATE: February 6, 2025

RE: Testimony in Support of 2025 HB 2173 – Regarding the Kansas Offender Registration Act and allowing certain offenders impacted by retroactive changes to registration requirements enacted in 2011 to petition for relief – WRITTEN ONLY

The Kansas Judicial Council recommends the passage of 2025 HB 2173. The bill is based on work of the Judicial Council's Advisory Committee on Sex Offenses and Registration (Committee). In response to study requests from Representatives Russell Jennings and Blaine Finch in 2018, the Judicial Council formed the ad hoc Committee to undertake a comprehensive review of the Kansas criminal code's sex offense structure and related registration requirements for both juveniles and adults.

The Committee's recommendations included adding to the Kansas Offender Registration Act an exit mechanism for all offenders. That mechanism was adapted to include only drug offenders in a bill introduced in 2022 by then Representative Stephen Owens. The exit mechanism for drug offenders ultimately passed and was enacted, effective May 12, 2022. See L. 2022, ch. 83, § 4. The Committee also recommended a specific exit mechanism provision for offenders affected by 2011 changes in the law that increased all 10-year registration terms to at least 15 years, and in many cases to 25 years or life. In addition, the 2011 changes required registration for some offenses that were not registrable under prior law, e.g. kidnapping with no restriction on age of the victim. See L. 2011, ch. 95.

The proposed exit mechanism in 2025 HB 2173 mirrors the recommendation in the Committee's final report, issued in December 2020, as to an exit mechanism for offenders impacted by the 2011 retroactive changes to registration requirements. The complete [report](#) containing all the Committee's recommendations is available online from the Judicial Council's website under the 2020 heading on the [Studies and Reports page](#).

The Judicial Council supports the passage of 2025 HB 2173.