

SESSION OF 2025

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2173**

As Recommended by House Committee on  
Judiciary

**Brief\***

HB 2173 would amend the Kansas Offender Registration Act to permit certain registered offenders to file a relief petition from registration requirements.

The bill would allow certain offenders registered for a period of at least 10 years after the most recent date of parole, discharge, or release, or if not confined, 10 years from the date of conviction or adjudication to file a verified petition for relief from registration requirements.

[*Note:* 2011 House Sub. for SB 37 made several amendments to the Kansas Offender Registration Act by, among other changes, requiring registration by certain offenders for terms of 15 years, 25 years, or for the offender's lifetime. These changes were applied retroactively, resulting in some offenders whose registration terms were extended.]

Under the bill, offenders allowed to petition for relief would include persons who were:

- Convicted of an offense prior to July 1, 2011, that at the time of conviction or adjudication were not required to register, but became required to register due to retroactive application of the 2011 bill; or
- Required to register for 10 years for an offense committed prior to July 1, 2011, but were required

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\*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 <https://klrd.gov/>

to register for a longer period due to retroactive application of the 2011 bill.

Offenders required to register in Kansas due to an out-of-state conviction or adjudication would be excluded from this bill.

The bill would be in effect upon publication in the *Kansas Register*.

### **Background**

The bill was introduced by the House Committee on Judiciary at the request of Representative Schreiber.

### ***House Committee on Judiciary***

In the House Committee hearing, **proponent** testimony was provided by Representative Sutton on behalf of a constituent, a representative of the State Board of Indigents' Defense Services (BIDS), and two private citizens. The proponents generally stated the bill would provide opportunities for those who had been subject to retroactive application of the 2011 bill on the offender registry, who have been rehabilitated, the opportunity to get off the registry.

Written-only proponent testimony was provided by a representative of the Kansas Judicial Council and five private citizens.

Neutral testimony was provided by a representative of the Kansas Bureau of Investigation (KBI). The testimony generally stated the bill could jeopardize the State's compliance with the requirements of the federal Adam Walsh Sex Offender Registration and Notice Act (SORNA) and lose a portion of its federal justice assistance grant funds.

No other testimony was provided.

## **Fiscal Information**

According to the fiscal note prepared by the Division of the Budget on the bill, the KBI indicates enactment of the bill would increase expenditures by \$159,266 from the State General Fund in FY 2026 and FY 2027 for 2.00 Administrative Officer positions.

The KBI states that there are currently 25,409 sex, drug, and violent offenders on the registry. Of those, there are over 5,500 sex offenders that were convicted of an offense that, prior to July 1, 2011, would have required ten years of registration and could petition for relief. There are approximately 1,500 violent offenders that were convicted of an offense that, prior to July 1, 2011, would have required ten years of registration and could petition for relief. The KBI notes that drug offenders already have the ability to apply for relief within five years, and the bill would have no fiscal effect for those offenders.

The KBI indicates it cannot estimate the number of offenders that will apply for relief from registration and would be approved; however, it takes the KBI approximately 75 minutes per offender to end their registration. If all 7,000 offenders applied and were approved immediately upon enactment of the bill, it would take 4.0 Administrative Officers working full time for approximately 55 weeks to remove the offenders from the registry.

The KBI states the cost per Administrative Officer position is \$79,633 for salaries and wages. The KBI indicates it is unlikely that all offenders would apply for and be approved at once, so the KBI would only require 2.0 Administrative Officer positions to end the registrations. The KBI also notes that local sheriff's offices collect \$20 per quarter per offender and would see an approximate loss in revenue totaling \$560,000.

The Office of Judicial Administration indicates enactment of the bill could increase expenditures for the Judicial Branch

because it would allow more offenders to file a verified petition for relief from registration requirements. This would increase the time spent by district court judicial and nonjudicial personnel in processing these petitions. However, the Office states that until the courts have had an opportunity to operate under the provisions of the bill, an accurate estimate of the fiscal effect cannot be estimated. The Office notes that enactment of the bill could reduce revenues to local law enforcement agencies due to fewer offenders paying registration fees. Any fiscal effect associated with the bill is not reflected in *The FY 2026 Governor's Budget Report*.

According to the Prison Bed Impact Statement prepared by the Kansas Sentencing Commission (Commission) on the bill, enactment will decrease prison admissions, prison beds, and the workload of the Commission but the total cannot be determined.

Offender registration; petition for relief; SORNA