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MEMORANDUM

To: Senate Committee on Judiciary
From: Jill Ann Wolters, Senior Assistant Revisor
Date: 21 March, 2011
Subject: House Bill No. 2339, Criminal Code trailer bill

During the 2010 Session, HB 2668 was enacted into law, making revisions to the Kansas criminal code. The revised code is the work product of the Criminal Justice Recodification, Rehabilitation and Restoration Project and the Criminal Code Recodification Commission.

The provisions of HB2339 fall into three categories

1. Errors and omissions in 2010 HB 2668. In reviewing the bill, some crimes were missing culpability terms, penalties or special sentencing rules. These omissions have been addressed. Example: Sec. 28, Blackmail. The culpability term assigned is 'intentional'.
2. Curing conflicts with other bills that were passed in the 2010 Session. Examples: House Sub. for SB 381, use of force; HB 2517, domestic violence designation; SB 67, mistreatment of dependent adults; Sub. SB 353, human trafficking; SB 434, traffic in contraband in a correctional institution or care and treatment facility;
3. Searching all the statutes outside of chapter 21, finding the references in those statutes, making a determination whether the prior law references need to be retained, and updating the references to the revised code.

The House floor amendment contained corrections to errors in the bill and corrections that were noticed after the bill had been printed.