

HOUSE BILL No. 2010

AN ACT concerning civil procedure; relating to covered offenses and conduct giving rise to forfeiture; amending K.S.A. 2010 Supp. 60-4104 and repealing the existing section; also repealing K.S.A. 2010 Supp. 60-4104, as amended by section 223 of 2011 House Bill No. 2339.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2010 Supp. 60-4104 is hereby amended to read as follows: 60-4104. Conduct and offenses giving rise to forfeiture under this act, whether or not there is a prosecution or conviction related to the offense, are:

(a) All offenses which statutorily and specifically authorize forfeiture;
(b) violations of K.S.A. 2010 Supp. 21-36a01 through 21-36a17, and amendments thereto;

~~(c) theft which is classified as a felony violation pursuant to K.S.A. 21-3701, section 87 of chapter 136 of the 2010 Session Laws of Kansas, and amendments thereto; in which the property taken was livestock;~~

~~(d) unlawful criminal discharge of a firearm, K.S.A. 21-4219 as defined in subsections (a)(1) and (a)(2) of section 193 of chapter 136 of the 2010 Session Laws of Kansas, and amendments thereto;~~

~~(e) violations of K.S.A. 2010 Supp. 21-36a16, and amendments thereto;~~

~~(f) (e) gambling, K.S.A. 21-4303 section 215 of chapter 136 of the 2010 Session Laws of Kansas, and amendments thereto, and commercial gambling, K.S.A. 21-4304 as defined in subsection (a)(1) of section 217 of chapter 136 of the 2010 Session Laws of Kansas, and amendments thereto;~~

~~(g) (f) counterfeiting, K.S.A. 21-3763 section 111 of chapter 136 of the 2010 Session Laws of Kansas, and amendments thereto;~~

~~(h) (g) violations of K.S.A. 21-4019 section 178 of chapter 136 of the 2010 Session Laws of Kansas, and amendments thereto;~~

~~(i) (h) medicaid fraud, K.S.A. 21-3844 et seq. sections 150 through 161 of chapter 136 of the 2010 Session Laws of Kansas, and amendments thereto;~~

~~(j) (i) an act or omission occurring outside this state, which would be a violation in the place of occurrence and would be described in this section if the act occurred in this state, whether or not it is prosecuted in any state;~~

~~(k) (j) an act or omission committed in furtherance of any act or omission described in this section including any inchoate or preparatory offense, whether or not there is a prosecution or conviction related to the act or omission;~~

~~(l) (k) any solicitation or conspiracy to commit any act or omission described in this section, whether or not there is a prosecution or conviction related to the act or omission;~~

~~(m) (l) furtherance of terrorism or illegal use of weapons of mass destruction, K.S.A. 21-3451 violations of section 58 of chapter 136 of the 2010 Session Laws of Kansas, and amendments thereto;~~

~~(n) (m) unlawful conduct of dog fighting and unlawful possession of dog fighting paraphernalia, K.S.A. 21-4315 as defined in subsections (a) and (b) of section 225 of chapter 136 of the 2010 Session Laws of Kansas, and amendments thereto;~~

~~(o) (n) unlawful conduct of cockfighting and unlawful possession of cockfighting paraphernalia, K.S.A. 21-4319 as defined in subsections (a) and (b) of section 228 of chapter 136 of the 2010 Session Laws of Kansas, and amendments thereto;~~

~~(p) (o) prostitution, K.S.A. 21-3512 section 229 of chapter 136 of the 2010 Session Laws of Kansas, and amendments thereto, promoting prostitution, K.S.A. 21-3513 section 230 of chapter 136 of the 2010 Session Laws of Kansas, and amendments thereto, and patronizing a prostitute, K.S.A. 21-3515 section 231 of chapter 136 of the 2010 Session Laws of Kansas, and amendments thereto; and~~

~~(q) (p) human trafficking, K.S.A. 21-3446, and amendments thereto; and aggravated human trafficking, K.S.A. 21-3447 section 61 of chapter 136 of the 2010 Session Laws of Kansas, and amendments thereto;~~

~~(r) (q) violations of K.S.A. 9-2012, and amendments thereto;~~

~~(s) (r) mistreatment of a dependent adult, section 52 of chapter 136 of the 2010 Session Laws of Kansas, and amendments thereto;~~

~~(t) (s) giving a worthless check, section 107 of chapter 136 of the 2010 Session Laws of Kansas, and amendments thereto;~~

~~(u) (t) forgery, section 109 of chapter 136 of the 2010 Session Laws of Kansas, and amendments thereto;~~

(u) making false information, section 110 of chapter 136 of the 2010 Session Laws of Kansas, and amendments thereto;

(v) criminal use of a financial card, section 114 of chapter 136 of the 2010 Session Laws of Kansas, and amendments thereto;

(w) violations of section 125 of chapter 136 of the 2010 Session Laws of Kansas, and amendments thereto;

(x) identity theft and identity fraud, as defined in subsections (a) and (b) of section 177 of chapter 136 of the 2010 Session Laws of Kansas, and amendments thereto; and

(y) electronic solicitation, section 73 of chapter 136 of the 2010 Session Laws of Kansas, and amendments thereto.

Sec. 2. K.S.A. 2010 Supp. 60-4104 and 60-4104, as amended by section 223 of 2011 House Bill No. 2339 are hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the HOUSE, and passed that body

HOUSE adopted
Conference Committee Report _____

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE
as amended _____

SENATE adopted
Conference Committee Report _____

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.