

SESSION OF 2014

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2501

As Amended by House Committee on
Corrections and Juvenile Justice

Brief*

HB 2501 would amend law related to human trafficking.

The bill would amend municipal court reporting requirements to add the crimes of buying sexual relations and selling sexual relations to the list of cases required to be reported (including electronic reporting after July 1, 2014) to the Kansas Bureau of Investigation (KBI) Central Repository.

For diversion agreements in municipal or district proceedings involving the crime of buying sexual relations, the bill would require that such agreements include the payment of the fine imposed for a conviction of this crime. The bill would allow any such agreement to include a requirement that the defendant enter into and complete a suitable educational or treatment program regarding commercial sexual exploitation. A person would be limited to one diversion agreement for this crime within the person's lifetime.

The bill would specify that, in determining whether a conviction of the crime of buying sexual relations is a first, second, or subsequent conviction, previous convictions under the statute or a violation of an ordinance prohibiting the same conduct would be counted, as well as any diversion agreement.

The bill would direct the KBI to adopt rules and regulations by July 1, 2014, requiring district courts to

*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>

electronically report filings and dispositions in cases involving the crimes of human trafficking, aggravated human trafficking, selling sexual relations, promoting the sale of sexual relations, buying sexual relations, or commercial sexual exploitation of a child, to the KBI Central Repository.

The bill would eliminate specific requirements related to law enforcement observation of staff secure facility entrances and exits.

Finally, the bill would make technical amendments to statutory references and a treatment program provision.

Background

The bill was introduced by the House Committee on Corrections and Juvenile Justice at the request of the Attorney General's Office. In the House Committee, a representative of the Attorney General's Office testified, stating the bill was requested as a follow-up to 2013 Senate Sub. for HB 2034, which created or amended various provisions related to human trafficking issues. A representative of the Kansas National Organization for Women also testified in support of the bill. There was no opponent testimony.

The House Committee adopted an amendment suggested by the Attorney General's Office removing specific statutory requirements related to law enforcement observation of staff secure facility entrances and exits.

According to the fiscal note prepared by the Division of the Budget on the original bill, the Office of the Attorney General indicates the bill would increase revenue to the human Trafficking Victim Assistance Fund, although a specific fiscal effect cannot be determined.

The Office of Judicial Administration indicates the bill could increase costs due to increased time required by court

service officers researching municipal ordinances and resolutions. Local governments could incur additional expenses if they must provide certified copies of convictions. Local governments that are not currently remitting fines for diversions could experience a reduction in revenue. However, a precise fiscal effect cannot be determined.

Any fiscal effect associated with the bill is not reflected in *The FY 2015 Governor's Budget Report*.