

**HOUSE BILL No. 2271**

By Committee on Corrections and Juvenile Justice

2-9

1 AN ACT concerning the Kansas standard asset seizure and forfeiture act;  
2 relating to offenses giving rise to forfeiture; amending K.S.A. 2014  
3 Supp. 60-4104 and repealing the existing section.

4  
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2014 Supp. 60-4104 is hereby amended to read as  
7 follows: 60-4104. Conduct and offenses giving rise to forfeiture under this  
8 act, ~~whether or not there is a prosecution or~~ *only after a conviction* related  
9 to the offense, are:

10 (a) All offenses which statutorily and specifically authorize forfeiture;

11 (b) violations involving controlled substances, as described in K.S.A.  
12 2014 Supp. 21-5701 through 21-5717, and amendments thereto;

13 (c) theft, as defined in K.S.A. 2014 Supp. 21-5801, and amendments  
14 thereto;

15 (d) criminal discharge of a firearm, as defined in ~~subsections (a)(1)~~  
16 ~~and (a)(2)~~ of K.S.A. 2014 Supp. 21-6308(a)(1) and (a)(2), and  
17 amendments thereto;

18 (e) gambling, as defined in K.S.A. 2014 Supp. 21-6404, and  
19 amendments thereto, and commercial gambling, as defined in ~~subsection~~  
20 ~~(a)(1)~~ of K.S.A. 2014 Supp. 21-6406(a)(1), and amendments thereto;

21 (f) counterfeiting, as defined in K.S.A. 2014 Supp. 21-5825, and  
22 amendments thereto;

23 (g) unlawful possession or use of a scanning device or reencoder, as  
24 described in K.S.A. 2014 Supp. 21-6108, and amendments thereto;

25 (h) medicaid fraud, as described in K.S.A. 2014 Supp. 21-5925  
26 through 21-5934, and amendments thereto;

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

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

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

- 1 (l) terrorism, as defined in K.S.A. 2014 Supp. 21-5421, and  
2 amendments thereto, illegal use of weapons of mass destruction, as  
3 defined in K.S.A. 2014 Supp. 21-5422, and amendments thereto, and  
4 furtherance of terrorism or illegal use of weapons of mass destruction, as  
5 described in K.S.A. 2014 Supp. 21-5423, and amendments thereto;
- 6 (m) unlawful conduct of dog fighting and unlawful possession of dog  
7 fighting paraphernalia, as defined in ~~subsections (a) and (b) of~~ K.S.A.  
8 2014 Supp. 21-6414(a) and (b), and amendments thereto;
- 9 (n) unlawful conduct of cockfighting and unlawful possession of  
10 cockfighting paraphernalia, as defined in ~~subsections (a) and (b) of~~ K.S.A.  
11 2014 Supp. 21-6417(a) and (b), and amendments thereto;
- 12 (o) selling sexual relations, as defined in K.S.A. 2014 Supp. 21-6419,  
13 and amendments thereto, promoting the sale of sexual relations, as defined  
14 in K.S.A. 2014 Supp. 21-6420, and amendments thereto, and buying  
15 sexual relations, as defined in K.S.A. 2014 Supp. 21-6421, and  
16 amendments thereto;
- 17 (p) human trafficking and aggravated human trafficking, as defined in  
18 K.S.A. 2014 Supp. 21-5426, and amendments thereto;
- 19 (q) violations of the banking code, as described in K.S.A. 9-2012, and  
20 amendments thereto;
- 21 (r) mistreatment of a dependent adult, as defined in K.S.A. 2014  
22 Supp. 21-5417, and amendments thereto;
- 23 (s) giving a worthless check, as defined in K.S.A. 2014 Supp. 21-  
24 5821, and amendments thereto;
- 25 (t) forgery, as defined in K.S.A. 2014 Supp. 21-5823, and  
26 amendments thereto;
- 27 (u) making false information, as defined in K.S.A. 2014 Supp. 21-  
28 5824, and amendments thereto;
- 29 (v) criminal use of a financial card, as defined in K.S.A. 2014 Supp.  
30 21-5828, and amendments thereto;
- 31 (w) unlawful acts concerning computers, as described in K.S.A. 2014  
32 Supp. 21-5839, and amendments thereto;
- 33 (x) identity theft and identity fraud, as defined in ~~subsections (a) and~~  
34 ~~(b) of~~ K.S.A. 2014 Supp. 21-6107(a) and (b), and amendments thereto;
- 35 (y) electronic solicitation, as defined in K.S.A. 2014 Supp. 21-5509,  
36 and amendments thereto;
- 37 (z) felony violations of fleeing or attempting to elude a police officer,  
38 as described in K.S.A. 8-1568, and amendments thereto;
- 39 (aa) commercial sexual exploitation of a child, as defined in K.S.A.  
40 2014 Supp. 21-6422, and amendments thereto;
- 41 (bb) violations of the Kansas racketeer influenced and corrupt  
42 organization act, as described in K.S.A. 2014 Supp. 21-6329, and  
43 amendments thereto;

1 (cc) indecent solicitation of a child and aggravated indecent  
2 solicitation of a child, as defined in K.S.A. 2014 Supp. 21-5508, and  
3 amendments thereto; and

4 (dd) sexual exploitation of a child, as defined in K.S.A. 2014 Supp.  
5 21-5510, and amendments thereto.

6 Sec. 2. K.S.A. 2014 Supp. 60-4104 is hereby repealed.

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