

SESSION OF 2016

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2460

As Amended by House Committee on
Corrections and Juvenile Justice

Brief*

HB 2460, as amended, would make a violation or an aggravated violation of the Kansas Offender Registration Act a person offense if the underlying crime (for which registration is required) is a person crime. If the underlying crime is a nonperson crime, the registration offense would be a nonperson crime. If there are multiple underlying crimes, which include both a nonperson crime and a person crime that require compliance with the Kansas Offender Registration Act, the registration offense would be a person crime. Under current law, a violation or aggravated violation of the Kansas Offender Registration Act is a person crime regardless of the designation of the underlying crime.

Background

The House Committee on Corrections and Juvenile Justice introduced the bill at the request of the Kansas Sentencing Commission.

In the House Committee hearing, proponent testimony was provided by the director of the Kansas Sentencing Commission. Neutral testimony was provided by a representative of the Kansas Association of Criminal Defense Lawyers. There was no opponent testimony.

The House Committee adopted an amendment proposed by a representative of the Kansas Association of

*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>

Chiefs of Police, Kansas Sheriffs' Association, and Kansas Peace Officers Association to clarify that a violation of the Kansas Offender Registration Act would be a person crime if the underlying crimes include both a person crime and a nonperson crime that require registration.

According to the fiscal note prepared by the Division of the Budget, the Kansas Department of Corrections indicated it cannot provide a fiscal effect for the bill, as introduced, because the number of people who would be incarcerated or who would commit a registration violation is unknown. The Kansas Sentencing Commission indicated the bill, as introduced, would not have an effect on adult prison admissions or bed space.

Any fiscal effect associated with the bill is not reflected in *The FY 2017 Governor's Budget Report*.