

**HOUSE BILL No. 2018**

By Representative Finney

1-6

1 AN ACT concerning the Kansas standard asset forfeiture act; relating to  
2 offenses giving rise to forfeiture; amending K.S.A. 2016 Supp. 60-4104  
3 and repealing the existing section.  
4

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

6 Section 1. K.S.A. 2016 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 2016 Supp. 21-5701 through 21-5717, and amendments thereto;

13 (c) theft, as defined in K.S.A. 2016 Supp. 21-5801, and amendments  
14 thereto;

15 (d) criminal discharge of a firearm, as defined in K.S.A. 2016 Supp.  
16 21-6308(a)(1) and (a)(2), and amendments thereto;

17 (e) gambling, as defined in K.S.A. 2016 Supp. 21-6404, and  
18 amendments thereto, and commercial gambling, as defined in K.S.A. 2016  
19 Supp. 21-6406(a)(1), and amendments thereto;

20 (f) counterfeiting, as defined in K.S.A. 2016 Supp. 21-5825, and  
21 amendments thereto;

22 (g) unlawful possession or use of a scanning device or reencoder, as  
23 described in K.S.A. 2016 Supp. 21-6108, and amendments thereto;

24 (h) medicaid fraud, as described in K.S.A. 2016 Supp. 21-5925  
25 through 21-5934, and amendments thereto;

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

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

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

36 (l) terrorism, as defined in K.S.A. 2016 Supp. 21-5421, and

- 1 amendments thereto, illegal use of weapons of mass destruction, as  
2 defined in K.S.A. 2016 Supp. 21-5422, and amendments thereto, and  
3 furtherance of terrorism or illegal use of weapons of mass destruction, as  
4 described in K.S.A. 2016 Supp. 21-5423, and amendments thereto;
- 5 (m) unlawful conduct of dog fighting and unlawful possession of dog  
6 fighting paraphernalia, as defined in K.S.A. 2016 Supp. 21-6414(a) and  
7 (b), and amendments thereto;
- 8 (n) unlawful conduct of cockfighting and unlawful possession of  
9 cockfighting paraphernalia, as defined in K.S.A. 2016 Supp. 21-6417(a)  
10 and (b), and amendments thereto;
- 11 (o) selling sexual relations, as defined in K.S.A. 2016 Supp. 21-6419,  
12 and amendments thereto, promoting the sale of sexual relations, as defined  
13 in K.S.A. 2016 Supp. 21-6420, and amendments thereto, and buying  
14 sexual relations, as defined in K.S.A. 2016 Supp. 21-6421, and  
15 amendments thereto;
- 16 (p) human trafficking and aggravated human trafficking, as defined in  
17 K.S.A. 2016 Supp. 21-5426, and amendments thereto;
- 18 (q) violations of the banking code, as described in K.S.A. 9-2012, and  
19 amendments thereto;
- 20 (r) mistreatment of a dependent adult, as defined in K.S.A. 2016  
21 Supp. 21-5417, and amendments thereto;
- 22 (s) giving a worthless check, as defined in K.S.A. 2016 Supp. 21-  
23 5821, and amendments thereto;
- 24 (t) forgery, as defined in K.S.A. 2016 Supp. 21-5823, and  
25 amendments thereto;
- 26 (u) making false information, as defined in K.S.A. 2016 Supp. 21-  
27 5824, and amendments thereto;
- 28 (v) criminal use of a financial card, as defined in K.S.A. 2016 Supp.  
29 21-5828, and amendments thereto;
- 30 (w) unlawful acts concerning computers, as described in K.S.A. 2016  
31 Supp. 21-5839, and amendments thereto;
- 32 (x) identity theft and identity fraud, as defined in K.S.A. 2016 Supp.  
33 21-6107(a) and (b), and amendments thereto;
- 34 (y) electronic solicitation, as defined in K.S.A. 2016 Supp. 21-5509,  
35 and amendments thereto;
- 36 (z) felony violations of fleeing or attempting to elude a police officer,  
37 as described in K.S.A. 8-1568, and amendments thereto;
- 38 (aa) commercial sexual exploitation of a child, as defined in K.S.A.  
39 2016 Supp. 21-6422, and amendments thereto;
- 40 (bb) violations of the Kansas racketeer influenced and corrupt  
41 organization act, as described in K.S.A. 2016 Supp. 21-6329, and  
42 amendments thereto;
- 43 (cc) indecent solicitation of a child and aggravated indecent

1 solicitation of a child, as defined in K.S.A. 2016 Supp. 21-5508, and  
2 amendments thereto;

3 (dd) sexual exploitation of a child, as defined in K.S.A. 2016 Supp.  
4 21-5510, and amendments thereto; and

5 (ee) violation of a consumer protection order as defined in K.S.A.  
6 2016 Supp. 21-6423, and amendments thereto.

7 Sec. 2. K.S.A. 2016 Supp. 60-4104 is hereby repealed.

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