

## MEMORANDUM

**To:** John Kirk, Division of the Budget  
**From:** Scott M. Schultz, Executive Director  
**Date:** January 24, 2022  
**Re:** Prison Bed Impact Assessment, **SB 368 – Requiring registration as a sex offender for violations of the crime of internet trading in child pornography or aggravated internet trading in child pornography.**

### IMPACT ASSESSMENT

- This bill **may** impact admissions and prison beds, but the impact would not be significant.
- This bill will have **no** impact on the workload of the Commission.

### SUMMARY OF THE BILL

**Section 1.** K.S.A. 2021 Supp. 22-4902 is amended to include that internet trading in child pornography or aggravated internet trading in child pornography is a registrable offense under the Kansas offender registration act.

**Section 2.** K.S.A. 2021 Supp. 22-4906 is amended to include internet trading in child pornography and aggravated internet trading in child pornography, if the victim is 14 or more years of age but less than 18 years of age, as offenses requiring a 25-year registration duration. The 25 years starts after the date of parole, discharge or release, whichever date is most recent, or, if not confined, 25 years from the date of conviction. If the victim is less than 14 years of age, then aggravated internet trading in child pornography is a lifetime registration offense.

### FINDINGS

- In FY 2021, there were **two convictions** for aggravated internet trading in child pornography and **zero** convictions for internet trading in child pornography under **K.S.A. 21-5514**.
  - Both cases were sentenced at **nondrug severity level three** and were sentenced to **prison**.
- In FY 2019 and FY 2020, there were **no convictions** under K.S.A. 21-5514.
- Requiring these offenders to register as sex offenders would most likely increase admissions or prison beds if offenders did not follow registration requirements after release from prison.

- Due to the low number of convictions under K.S.A. 21-5514, it is unlikely requiring future convicted offenders of this crime to register as sex offenders will have a significant impact on admissions, prison bed space, or the workload of the Commission.

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