

SESSION OF 2013

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2209**

As Amended by Senate Committee on Judiciary

**Brief\***

HB 2209 would make several amendments to the Kansas Offender Registration Act. Specifically, the bill would:

- Amend the effective dates for registration requirements to reflect when various types of offenses originally were codified;
- Correct an inaccurate statutory reference to the crime of aggravated incest;
- Specify that persons convicted of involuntary manslaughter while driving under the influence (DUI) are not required to register as this crime inadvertently was included when recodification of the criminal code placed the crime within the involuntary manslaughter section;
- Clarify registration requirements for offenders in the custody of a correctional facility and prior to the offender being discharged, paroled, furloughed, or released on work or school release;
- Strike language concerning “the duration of registration” that is unnecessary and has caused confusion as to how long an offender must register;
- Provide that registration would be completed even when the offender does not remit the registration fee and failure to remit full payment within 15 days

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\*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>

of registration would be a class A misdemeanor or, if within 15 days of the most recent registration two or more full payments have not been remitted, a severity level 9, person felony; and

- Amend requirements for providing DNA samples to the Kansas Bureau of Investigation (KBI) to align the requirements with current KBI practices.

## **Background**

In the House Committee on Corrections and Juvenile Justice, representatives of the KBI and the Kansas Department of Corrections (KDOC) appeared in support of the bill. No others offered testimony. Testimony described the changes as minor and clarifying.

The House Committee amended the bill by adopting additional minor amendments requested by the Office of the Revisor of Statutes, KBI, and KDOC.

In the Senate Committee on Judiciary, representatives of the KBI, KDOC, Kansas Sheriffs Association, and Coalition for Fair Sentencing appeared in support of the bill. A local defense attorney offered neutral testimony.

The Senate Committee adopted an amendment concerning registration requirements for offenders in KDOC custody requested by the KBI to ensure compliance with federal law. Additionally, the Senate Committee adopted language concerning penalties for failure to pay registration fees proposed by the Kansas Sheriffs Association.

The Division of the Budget's fiscal note for the bill, as introduced, indicates passage would have no fiscal effect.