

HOUSE BILL No. 2010

By Representative Kinzer

1-13

1 AN ACT concerning civil procedure; relating to covered offenses and
2 conduct giving rise to forfeiture; amending K.S.A. 2010 Supp. 60-
3 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. 2010 Supp. 60-4104 is hereby amended to read as
7 follows: 60-4104. Conduct and offenses giving rise to forfeiture under
8 this act, whether or not there is a prosecution or conviction related to the
9 offense, are:

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

12 (b) violations of K.S.A. 2010 Supp. 21-36a01 through 21-36a17, and
13 amendments thereto;

14 (c) ~~theft which is classified as a felony violation pursuant to K.S.A.~~
15 ~~21-3701~~, *section 87 of chapter 136 of the 2010 Session Laws of Kansas,*
16 *and amendments thereto, in which the property taken was livestock;*

17 (d) ~~unlawful criminal~~ discharge of a firearm, ~~K.S.A. 21-4219~~ *as*
18 *defined in subsections (a)(1) and (a)(2) of section 193 of chapter 136 of*
19 *the 2010 Session Laws of Kansas,* and amendments thereto;

20 (e) violations of K.S.A. 2010 Supp. 21-36a16, and amendments
21 thereto;

22 (f) gambling, ~~K.S.A. 21-4303~~ *section 215 of chapter 136 of the*
23 *2010 Session Laws of Kansas,* and amendments thereto, and commercial
24 gambling, ~~K.S.A. 21-4304~~ *as defined in subsection (a)(1) of section 217*
25 *of chapter 136 of the 2010 Session Laws of Kansas,* and amendments
26 thereto;

27 (g) counterfeiting, ~~K.S.A. 21-3763~~ *section 111 of chapter 136 of the*
28 *2010 Session Laws of Kansas,* and amendments thereto;

29 (h) violations of ~~K.S.A. 21-4019~~ *section 178 of chapter 136 of the*
30 *2010 Session Laws of Kansas,* and amendments thereto;

31 (i) medicaid fraud, ~~K.S.A. 21-3844 et seq.~~ *sections 150 through 161*
32 *of chapter 136 of the 2010 Session Laws of Kansas,* and amendments
33 thereto;

34 (j) an act or omission occurring outside this state, which would be a
35 violation in the place of occurrence and would be described in this section
36 if the act occurred in this state, whether or not it is prosecuted in any

1 state;

2 (k) an act or omission committed in furtherance of any act or
3 omission described in this section including any inchoate or preparatory
4 offense, whether or not there is a prosecution or conviction related to the
5 act or omission;

6 (l) any solicitation or conspiracy to commit any act or omission
7 described in this section, whether or not there is a prosecution or
8 conviction related to the act or omission;

9 ~~(m) furtherance of terrorism or illegal use of weapons of mass~~
10 ~~destruction, K.S.A. 21-3451~~ *violations of section 58 of chapter 136 of the*
11 *2010 Session Laws of Kansas, and amendments thereto;*

12 (n) unlawful conduct of dog fighting and unlawful possession of dog
13 fighting paraphernalia, ~~K.S.A. 21-4315~~ *as defined in subsections (a) and*
14 *(b) of section 225 of chapter 136 of the 2010 Session Laws of Kansas, and*
15 *amendments thereto;*

16 (o) unlawful conduct of cockfighting and unlawful possession of
17 cockfighting paraphernalia, ~~K.S.A. 21-4319~~ *as defined in subsections (a)*
18 *and (b) of section 228 of chapter 136 of the 2010 Session Laws of*
19 *Kansas, and amendments thereto;*

20 (p) prostitution, ~~K.S.A. 21-3512~~ *section 229 of chapter 136 of the*
21 *2010 Session Laws of Kansas, and amendments thereto, promoting*
22 *prostitution, K.S.A. 21-3513* *section 230 of chapter 136 of the 2010*
23 *Session Laws of Kansas, and amendments thereto, and patronizing a*
24 *prostitute, K.S.A. 21-3515* *section 231 of chapter 136 of the 2010 Session*
25 *Laws of Kansas, and amendments thereto; and*

26 (q) human trafficking, ~~K.S.A. 21-3446, and amendments thereto,~~
27 *and aggravated human trafficking, K.S.A. 21-3447* *section 61 of chapter*
28 *136 of the 2010 Session Laws of Kansas, and amendments thereto;*

29 (r) *violations of K.S.A. 9-2012, and amendments thereto;*

30 (s) *mistreatment of a dependent adult, section 52 of chapter 136 of*
31 *the 2010 Session Laws of Kansas, and amendments thereto;*

32 (t) *giving a worthless check, section 107 of chapter 136 of the 2010*
33 *Session Laws of Kansas, and amendments thereto;*

34 (u) *forgery, section 109 of chapter 136 of the 2010 Session Laws of*
35 *Kansas, and amendments thereto;*

36 (v) *making false information, section 110 of chapter 136 of the 2010*
37 *Session Laws of Kansas, and amendments thereto;*

38 (w) *criminal use of a financial card, section 114 of chapter 136 of*
39 *the 2010 Session Laws of Kansas, and amendments thereto;*

40 (x) *violations of section 125 of chapter 136 of the 2010 Session*
41 *Laws of Kansas, and amendments thereto; and*

42 (y) *identity theft and identity fraud, as defined in subsections (a) and*
43 *(b) of section 177 of chapter 136 of the 2010 Session Laws of Kansas,*

1 *and amendments thereto.*

2 Sec. 2. K.S.A. 2010 Supp. 60-4104 is hereby repealed.

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