

February 13, 2013

The Honorable John Rubin, Chairperson
House Committee on Corrections and Juvenile Justice
Statehouse, Room 151-S
Topeka, Kansas 66612

Dear Representative Rubin:

SUBJECT: Fiscal Note for HB 2209 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2209 is respectfully submitted to your committee.

HB 2209 would amend several areas of the Kansas Offender Registration Act. First, the bill would change the effective date from April 14, 1994, to July 1, 2002, under which an adjudicated juvenile offender would be considered a sex offender for an act, if committed by an adult, would constitute the commission of a sexually violent crime, unless the court finds that the act involved non-forcible sexual conduct, the victim was at least 14 years of age and the offender was not more than four years older than the victim.

Under current law, offenders may be convicted of electronic solicitation if the violation was committed on or after April 17, 2008. HB 2209 would remove the date requirement. Also, a person would be considered a drug offender if the person is convicted of certain drug crimes on or after July 1, 2007.

Current law also requires offenders, who must register under the Act and are in the custody of a correctional facility, to register with the facility within three business days of initial custody. Existing law further stipulates that offenders are not required to update their registration until they are released from custody, granted work release, or otherwise allowed to leave the grounds of the facility. HB 2209 would instead require that registrations be updated in the event an offender is discharged, paroled, furloughed, or released on work or school release.

Requirements for DNA sampling would be amended by directing offenders to provide biological samples for DNA analysis to the registering law enforcement agency. The samples, which must be sent to the Kansas Bureau of Investigation (KBI), must be in a form using a DNA databank kit authorized by the Bureau.

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Enactment of HB 2209 would have no fiscal effect. According to the KBI, the bill would make changes that are technical in nature.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven J. Anderson", with a long horizontal flourish extending to the right.

Steven J. Anderson, CPA, MBA
Director of the Budget

cc: Mary Rinehart, Judiciary
Jeremy Barclay, KDOC
Scott Schultz, Sentencing Commission
Linda Durand, KBI
Larry Baer, LKM
Marcy Watson, JJA