

Statute of Limitations and Permissible Orders for Sentencing Juvenile Offenders; SB 329

SB 329 amends the statute of limitations for juvenile offenses and law regarding permissible orders when sentencing a juvenile offender.

The bill amends the statute of limitations for several offenses under the Kansas Juvenile Justice Code. Proceedings for rape, aggravated criminal sodomy, capital murder, terrorism, or illegal use of weapons of mass destruction can be commenced at any time.

Proceedings for an act that would constitute a sexually violent crime, if committed by an adult, can commence within 10 years when the victim is 18 years old or older. When the victim is younger than 18 years old, the bill allows for such proceedings to commence within 10 years of the date the victim turns 18 years of age. The bill does not affect existing law allowing a proceeding for such offenses to be brought within one year of the date the identity of the suspect is conclusively established through DNA testing, if such period is later than the limitation period otherwise provided.

The bill defines, for purposes of the statute of limitations, when an offense is considered to be committed and the limitation period starts to run, as well as when a proceeding is considered to have commenced.

Finally, the bill allows a court, when sentencing a juvenile offender, to order the offender's parent to participate in "any evidence-based program designed to rehabilitate the juvenile," including, but not limited to, programs listed in existing law. The revised Juvenile Justice Code currently allows a court to order the offender's parent to participate in counseling, mediation sessions, an alcohol and drug evaluation and treatment program, or parenting classes.