

SESSION OF 2013

**SUPPLEMENTAL NOTE ON SENATE SUBSTITUTE FOR
HOUSE BILL NO. 2093**

As Recommended by
Senate Committee on Judiciary

Brief*

Senate Sub. for HB 2093 would add a new section named the "Wayne Owen Law" stating the conduct outlined in the definitions of the crimes of identity theft and identity fraud would constitute unconscionable acts or practices prohibited by the Kansas Consumer Protection Act (KCPA), and any person who engaged in such conduct would be subject to the remedies and penalties provided by the KCPA.

Background

HB 2093 would have amended the statutes governing computer crimes and the crimes of identity theft and identity fraud to address conduct related to social networking sites.

In the House Committee on Corrections and Juvenile Justice, Representative Gail Finney and representatives of the Kansas Bureau of Investigation and Kansas Oath Keepers appeared in support of the bill. No others offered testimony.

The House Committee amended the bill to add a new section applying remedies and penalties under the KCPA to the crimes of identity theft and identity fraud.

The House Committee of the Whole amended the bill to name the new section added to the KCPA the "Wayne Owen Law."

*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>

In the Senate Committee on Judiciary, representatives of the Kansas Bureau of Investigation, Kansas Association of Chiefs of Police, Kansas Peace Officers' Association, and Kansas Sheriffs' Association appeared in support of the bill.

The Senate Committee expressed concerns that the House's addition of the KCPA language would violate the single-subject rule and agreed to strike the criminal provisions and recommend the KCPA section as a substitute bill.

The fiscal note prepared by the Division of the Budget for the bill, as introduced, does not address the changes made by the substitute bill.