

SENATE BILL No. 179

By Committee on Judiciary

2-10

1 AN ACT concerning human trafficking and related crimes; creating the
2 crimes of unlawful use of a communication facility, promoting travel
3 for child exploitation, internet trading in child pornography and
4 aggravated internet trading in child pornography; relating to training for
5 commercial driver's license applicants; sexual exploitation of a child;
6 buying sexual relations; commercial sexual exploitation of a child;
7 offender registration; expungement of juvenile adjudications; victim
8 compensation; amending K.S.A. 2016 Supp. 12-4120, 21-5426, 21-
9 5510, 21-6421, 21-6422, 22-4902, **22-4906**, 38-2312, 74-7305 and 75-
10 759 and repealing the existing sections.

11

12 *Be it enacted by the Legislature of the State of Kansas:*

13 New Section 1. (a) It shall be unlawful for any person to knowingly
14 or intentionally use any communication facility:

15 (1) In committing, causing, or facilitating the commission of any
16 felony under K.S.A. 2016 Supp. 21-5426, 21-6422 or 21-6420, and
17 amendments thereto;

18 (2) in any attempt to commit, any conspiracy to commit, or any
19 criminal solicitation of any felony under K.S.A. 2016 Supp. 21-5426, 21-
20 6422 or 21-6420, and amendments thereto; or

21 (3) in committing, causing, or facilitating the commission of any
22 felony or misdemeanor under K.S.A. 2016 Supp. 21-6421, and
23 amendments thereto, or in any attempt to commit, any conspiracy to
24 commit, or any criminal solicitation of any felony or misdemeanor under
25 K.S.A. 2016 Supp. 21-6421, and amendments thereto.

26 Each separate use of a communication facility may be charged as a
27 separate offense under this subsection.

28 (b) (1) Violation of subsection (a)(1) or (a)(2) is a severity level 7,
29 person felony.

30 (2) Violation of subsection (a)(3) is a class A person misdemeanor.

31 (c) As used in this section, "communication facility" means any and
32 all public and private instrumentalities used or useful in the transmission
33 of writing, signs, signals, pictures or sounds of all kinds and includes
34 telephone, wire, radio, computer, computer networks, beepers, pagers and
35 all other means of communication.

36 (d) It shall be an affirmative defense to any prosecution under this

1 section that the defendant committed the violation of this section because
2 such defendant was subjected to human trafficking or aggravated human
3 trafficking, as defined by K.S.A. 2016 Supp. 21-5426, and amendments
4 thereto, or commercial sexual exploitation of a child, as defined by K.S.A.
5 2016 Supp. 21-6422, and amendments thereto.

6 (e) This section shall be part of and supplemental to the Kansas
7 criminal code.

8 New Sec. 2. (a) Promoting travel for child exploitation is knowingly
9 selling or offering to sell travel services that include or facilitate travel for
10 the purpose of any person engaging in conduct that would constitute a
11 violation of K.S.A. 2016 Supp. ~~21-5426(b)(4) or (5) or 21-5510 or 21-~~
12 ~~6422~~, and amendments thereto, if such conduct occurred in this state.

13 (b) Promoting travel for child exploitation is a severity level 5, person
14 felony.

15 (c) As used in this section, "travel services" means transportation by
16 air, sea or ground, hotel or any lodging accommodations, package tours, or
17 vouchers or coupons to be redeemed for future travel or accommodations
18 for a fee, commission or other valuable consideration.

19 (d) This section shall be part of and supplemental to the Kansas
20 criminal code.

21 New Sec. 3. (a) Internet trading in child pornography is sexual
22 exploitation of a child, as defined in K.S.A. 2016 Supp. 21-5510(a)(2), and
23 amendments thereto, when the offender is 18 years of age or older, and the
24 offender knowingly causes or permits the visual depiction to be viewed, by
25 use of any electronic device connected to the internet, by any person other
26 than the offender or a person depicted in the visual depiction.

27 (b) Aggravated internet trading in child pornography is sexual
28 exploitation of a child, as defined in K.S.A. 2016 Supp. 21-5510(a)(1) or
29 (4), and amendments thereto, when the offender is 18 years of age or older
30 and the offender knowingly causes or permits the performance to be
31 viewed, by use of any electronic device connected to the internet, by any
32 person other than the offender or a person depicted in the performance.

33 (c) (1) Internet trading in child pornography is a severity level 5,
34 person felony.

35 (2) Aggravated internet trading in child pornography is a severity
36 level 3, person felony, except as provided in subsection (c)(3).

37 (3) Aggravated internet trading in child pornography or attempt,
38 conspiracy or criminal solicitation to commit aggravated internet trading in
39 child pornography is an off-grid person felony when the child is under 14
40 years of age.

41 (d) If the child is under 14 years of age, the provisions of:

42 (1) K.S.A. 2016 Supp. 21-5301(c), and amendments thereto, shall not
43 apply to a violation of attempting to commit the crime of aggravated

1 internet trading in child pornography pursuant to this section;

2 (2) K.S.A. 2016 Supp. 21-5302(e) *(d)*, and amendments thereto, shall
3 not apply to a violation of conspiracy to commit the crime of aggravated
4 internet trading in child pornography pursuant to this section; and

5 (3) K.S.A. 2016 Supp. 21-5303(d), and amendments thereto, shall not
6 apply to a violation of criminal solicitation to commit the crime of
7 aggravated internet trading in child pornography pursuant to this section.

8 (e) In addition to the venue provided for under any other provision of
9 law, a prosecution for internet trading in child pornography or aggravated
10 internet trading in child pornography may be brought in the county where
11 the visual depiction or performance may be viewed by any person other
12 than the offender using any electronic device connected to the internet and
13 is viewed by a law enforcement officer using an electronic device
14 connected to the internet while engaged in such officer's official duties.

15 (f) As used in this section, "the internet" has the meaning as provided
16 in K.S.A. 66-2011, and amendments thereto.

17 (g) This section shall be part of and supplemental to the Kansas
18 criminal code.

19 ~~New Sec. 4. Not later than January 1, 2018, the secretary of revenue~~
20 ~~shall, in consultation with the attorney general and the director of vehicles,~~
21 ~~promulgate rules and regulations requiring that~~ An applicant for issuance
22 or renewal of a commercial driver's license, prior to such issuance or
23 renewal, *shall* complete training approved by the attorney general in
24 human trafficking identification and prevention and provide satisfactory
25 proof of such completion *to the division of vehicles of the department of*
26 *revenue* prior to such issuance or renewal. *Not later than January 1,*
27 *2018, the attorney general shall, in consultation with the director of*
28 *vehicles, promulgate rules and regulations to implement the provisions*
29 *of this section.*

30 Sec. 5. K.S.A. 2016 Supp. 12-4120 is hereby amended to read as
31 follows: 12-4120. (a) On and after July 1, 2012, the amount of \$250 from
32 each fine imposed for a violation of a city ordinance prohibiting the acts
33 prohibited by K.S.A. 8-1567 or 8-2,144 or K.S.A. 2016 Supp. 8-1025, and
34 amendments thereto, shall be remitted by the judge or clerk of the
35 municipal court to the state treasurer in accordance with the provisions of
36 K.S.A. 75-4215, and amendments thereto. Upon receipt of each such
37 remittance, the state treasurer shall credit the entire amount to the
38 community corrections supervision fund established by K.S.A. 2016 Supp.
39 75-52,113, and amendments thereto.

40 ~~(b) On and after July 1, 2013, the amount of \$2,500 from~~ *One-half of*
41 each fine imposed for a violation of a city ordinance prohibiting the acts
42 prohibited by K.S.A. 2016 Supp. 21-6421, and amendments thereto, shall
43 be remitted by the judge or clerk of the municipal court to the state

1 treasurer in accordance with the provisions of K.S.A. 75-4215, and
2 amendments thereto, *and the remainder shall be remitted as otherwise*
3 *provided by law.* Upon receipt of each such remittance, the state treasurer
4 shall credit the entire amount to the human trafficking victim assistance
5 fund established by K.S.A. 2016 Supp. 75-758, and amendments thereto.

6 Sec. 6. K.S.A. 2016 Supp. 21-5426 is hereby amended to read as
7 follows: 21-5426. (a) Human trafficking is:

8 (1) *Except as provided in subsection (b)(4) and (5),* the intentional
9 recruitment, harboring, transportation, provision or obtaining of a person
10 for labor or services, through the use of force, fraud or coercion for the
11 purpose of subjecting the person to involuntary servitude or forced labor;

12 (2) intentionally benefitting financially or by receiving anything of
13 value from participation in a venture that the person has reason to know
14 has engaged in acts set forth in subsection (a)(1);

15 (3) knowingly coercing employment by obtaining or maintaining
16 labor or services that are performed or provided by another person through
17 any of the following:

18 (A) Causing or threatening to cause physical injury to any person;

19 (B) physically restraining or threatening to physically restrain another
20 person;

21 (C) abusing or threatening to abuse the law or legal process;

22 (D) threatening to withhold food, lodging or clothing; or

23 (E) knowingly destroying, concealing, removing, confiscating or
24 possessing any actual or purported government identification document of
25 another person; or

26 (4) knowingly holding another person in a condition of peonage in
27 satisfaction of a debt owed the person who is holding such other person.

28 (b) Aggravated human trafficking is ~~human trafficking, as defined in~~
29 ~~subsection (a):~~

30 (1) *Human trafficking, as defined in subsection (a),* involving the
31 commission or attempted commission of kidnapping, as defined in
32 ~~subsection (a) of K.S.A. 2016 Supp. 21-5408(a),~~ and amendments thereto;

33 (2) *human trafficking, as defined in subsection (a),* committed in
34 whole or in part for the purpose of the sexual gratification of the defendant
35 or another;

36 (3) *human trafficking, as defined in subsection (a),* resulting in a
37 death; ~~or~~

38 (4) ~~involving~~ recruiting, harboring, transporting, providing or
39 ~~obtaining~~ ~~inducing~~ **obtaining**, by any means, a ~~person under 18 years of~~
40 ~~age~~ **child** knowing that the ~~person~~ **child**, with or without force, fraud,
41 threat or coercion, will be used to engage in: (A) Forced labor; (B)
42 involuntary servitude; or (C) sexual gratification of the defendant or
43 another *involving the exchange of anything of value; or*

1 ***(5) hiring a child by giving, or offering or agreeing to give,***
2 ***anything of value to any person, to engage in manual or other bodily***
3 ***contact stimulation of the genitals of any person with the intent to***
4 ***arouse or gratify the sexual desires of the offender or another, sexual***
5 ***intercourse, sodomy or any unlawful sexual act, and the offender knows,***
6 ***should have known, is deliberately indifferent to, is willfully blind to, or***
7 ***recklessly disregards the age of the child.***

8 (c) (1) Human trafficking is a severity level 2, person felony.

9 (2) Aggravated human trafficking is a severity level 1, person felony,
10 except as provided in subsection (c)(3).

11 (3) Aggravated human trafficking or attempt, conspiracy or criminal
12 solicitation to commit aggravated human trafficking is an off-grid person
13 felony, when the offender is 18 years of age or older and the victim is less
14 than 14 years of age.

15 (4) *In addition to any other sentence imposed, a person convicted*
16 *under subsection (c)(1) shall be fined not less than \$2,500 nor more than*
17 *\$5,000. In addition to any other sentence imposed, a person convicted*
18 *under subsection (c)(2) or (c)(3) shall be fined not less than \$5,000. All*
19 *finest collected pursuant to this section shall be remitted to the human*
20 *trafficking victim assistance fund created by K.S.A. 2016 Supp. 75-758,*
21 *and amendments thereto.*

22 (5) *In addition to any other sentence imposed, for any conviction*
23 *under this section, the court may order the person convicted to enter into*
24 *and complete a suitable educational or treatment program regarding*
25 *commercial sexual exploitation of a child.*

26 (d) If the offender is 18 years of age or older and the victim is less
27 than 14 years of age, the provisions of:

28 (1) ~~Subsection (e) of K.S.A. 2016 Supp. 21-5301(c), and amendments~~
29 ~~thereto, shall not apply to a violation of attempting to commit the crime of~~
30 ~~aggravated human trafficking pursuant to this section;~~

31 (2) ~~subsection (e) of K.S.A. 2016 Supp. 21-5302(e)~~ ***(d)***, and
32 amendments thereto, shall not apply to a violation of conspiracy to commit
33 the crime of aggravated human trafficking pursuant to this section; and

34 (3) ~~subsection (d) of K.S.A. 2016 Supp. 21-5303(d), and amendments~~
35 ~~thereto, shall not apply to a violation of criminal solicitation to commit the~~
36 ~~crime of aggravated human trafficking pursuant to this section.~~

37 (e) ***It shall be an affirmative defense to any prosecution under***
38 ***subsection (b)(4) or (5) that the defendant: (1) Was under 18 years of***
39 ***age at the time of the violation; and (2) committed the violation because***
40 ***such defendant, at the time of the violation, was subjected to human***
41 ***trafficking or aggravated human trafficking, as defined by this section.***

42 (f) ***It shall not be a defense to a charge of aggravated human***
43 ***trafficking, as defined in subsection (b)(4) or (5), that the victim***

1 *consented or willingly participated in the forced labor, involuntary*
2 *servitude or sexual gratification of the defendant or another.*

3 *(g) A person who violates the provisions of this section may also be*
4 *prosecuted for, convicted of, and punished for commercial sexual*
5 *exploitation of a child, as defined by K.S.A. 2016 Supp. 21-6422, and*
6 *amendments thereto, or for any form of homicide.*

7 *(h)* The provisions of this section shall not apply to the use of the
8 labor of any person incarcerated in a state or county correctional facility or
9 city jail.

10 ~~(f)~~ *(i)* As used in this section,:

11 *(1) "Child" means a person under 18 years of age; and*

12 *(2) "peonage" means a condition of involuntary servitude in which*
13 *the victim is forced to work for another person by the use or threat of*
14 *physical restraint or physical injury, or by the use or threat of coercion*
15 *through law or the legal process.*

16 ~~*(g) It shall not be a defense to a charge of aggravated human-*~~
17 ~~*trafficking, as defined in subsection (b)(4), that the victim consented or*~~
18 ~~*willingly participated in the forced labor, involuntary servitude or sexual*~~
19 ~~*gratification of the defendant or another.*~~

20 Sec. 7. K.S.A. 2016 Supp. 21-5510 is hereby amended to read as
21 follows: 21-5510. (a) Except as provided in K.S.A. 2016 Supp. 21-5610
22 and 21-5611, and amendments thereto, sexual exploitation of a child is:

23 (1) Employing, using, persuading, inducing, enticing or coercing a
24 child under 18 years of age, or a person whom the offender believes to be a
25 child under 18 years of age, to engage in sexually explicit conduct with the
26 intent to promote any performance;

27 (2) possessing any visual depiction of a child under 18 years of age
28 shown or heard engaging in sexually explicit conduct with intent to arouse
29 or satisfy the sexual desires or appeal to the prurient interest of the
30 offender or any other person;

31 (3) being a parent, guardian or other person having custody or control
32 of a child under 18 years of age and knowingly permitting such child to
33 engage in, or assist another to engage in, sexually explicit conduct for any
34 purpose described in subsection (a)(1) or (2); or

35 (4) promoting any performance that includes sexually explicit
36 conduct by a child under 18 years of age, or a person whom the offender
37 believes to be a child under 18 years of age, knowing the character and
38 content of the performance.

39 (b) (1) Sexual exploitation of a child as defined in:

40 (A) Subsection (a)(2) or (a)(3) is a severity level 5, person felony;
41 and

42 (B) subsection (a)(1) or (a)(4) is a severity level-5 3, person felony,
43 except as provided in subsection (b)(2).

1 (2) Sexual exploitation of a child as defined in subsection (a)(1) or (a)
2 (4) or attempt, conspiracy or criminal solicitation to commit sexual
3 exploitation of a child as defined in subsection (a)(1) or (a)(4) is an off-
4 grid person felony, when the offender is 18 years of age or older and the
5 child is under 14 years of age.

6 (c) If the offender is 18 years of age or older and the child is under 14
7 years of age, the provisions of:

8 (1) K.S.A. 2016 Supp. 21-5301(c), and amendments thereto, shall not
9 apply to a violation of attempting to commit the crime of sexual
10 exploitation of a child as defined in subsection (a)(1) or (a)(4);

11 (2) K.S.A. 2016 Supp. 21-5302(~~e~~) (*d*), and amendments thereto, shall
12 not apply to a violation of conspiracy to commit the crime of sexual
13 exploitation of a child as defined in subsection (a)(1) or (a)(4); and

14 (3) K.S.A. 2016 Supp. 21-5303(d), and amendments thereto, shall not
15 apply to a violation of criminal solicitation to commit the crime of sexual
16 exploitation of a child as defined in subsection (a)(1) or (a)(4).

17 (d) As used in this section:

18 (1) "Sexually explicit conduct" means actual or simulated: Exhibition
19 in the nude; sexual intercourse or sodomy, including genital-genital, oral-
20 genital, anal-genital or oral-anal contact, whether between persons of the
21 same or opposite sex; masturbation; sado-masochistic abuse with the intent
22 of sexual stimulation; or lewd exhibition of the genitals, female breasts or
23 pubic area of any person;

24 (2) "promoting" means procuring, transmitting, distributing,
25 circulating, presenting, producing, directing, manufacturing, issuing,
26 publishing, displaying, exhibiting or advertising:

27 (A) For pecuniary profit; or

28 (B) with intent to arouse or gratify the sexual desire or appeal to the
29 prurient interest of the offender or any other person;

30 (3) "performance" means any film, photograph, negative, slide, book,
31 magazine or other printed or visual medium, any audio tape recording or
32 any photocopy, video tape, video laser disk, computer hardware, software,
33 floppy disk or any other computer related equipment or computer
34 generated image that contains or incorporates in any manner any film,
35 photograph, negative, photocopy, video tape or video laser disk or any
36 play or other live presentation;

37 (4) "nude" means any state of undress in which the human genitals,
38 pubic region, buttock or female breast, at a point below the top of the
39 areola, is less than completely and opaquely covered; and

40 (5) "visual depiction" means any photograph, film, video picture,
41 digital or computer-generated image or picture, whether made or produced
42 by electronic, mechanical or other means.

43 (e) The provisions of this section shall not apply to possession of a

1 visual depiction of a child in a state of nudity if the person possessing such
2 visual depiction is the child who is the subject of such visual depiction.

3 Sec. 8. K.S.A. 2016 Supp. 21-6421 is hereby amended to read as
4 follows: 21-6421. (a) Buying sexual relations is knowingly:

5 (1) Entering or remaining in a place where sexual relations are being
6 sold or offered for sale with intent to engage in manual or other bodily
7 contact stimulation of the genitals of any person with the intent to arouse
8 or gratify the sexual desires of the offender or another, sexual intercourse,
9 sodomy or any unlawful sexual act with a person selling sexual relations
10 who is 18 years of age or older; or

11 (2) hiring a person selling sexual relations who is 18 years of age or
12 older to engage in manual or other bodily contact stimulation of the
13 genitals of any person with the intent to arouse or gratify the sexual desires
14 of the offender or another, sexual intercourse, sodomy or any unlawful
15 sexual act.

16 (b) (1) Buying sexual relations is a:

17 (A) Class A person misdemeanor, except as provided in subsection
18 (b)(1)(B); and

19 (B) severity level 9, person felony when committed by a person who
20 has, prior to the commission of the crime, been convicted of a violation of
21 this section, or any prior version of this section.

22 (2) In addition to any other sentence imposed, a person convicted
23 ~~under subsection (b)(1)(A) shall be fined \$2,500. In addition to any other~~
24 ~~sentence imposed, a person convicted under subsection (b)(1)(B) this~~
25 *section shall be fined not less than \$1,200 nor more than \$5,000. One-half*
26 *of all fines collected pursuant to this section shall be remitted to the human*
27 *trafficking victim assistance fund created by K.S.A. 2016 Supp. 75-758,*
28 *and amendments thereto, and the remainder shall be remitted as otherwise*
29 *provided by law.*

30 (3) In addition to any other sentence imposed, for any conviction
31 under this section, the court may order the person convicted to enter into
32 and complete a suitable educational or treatment program regarding
33 commercial sexual exploitation.

34 (c) For the purpose of determining whether a conviction is a first,
35 second or subsequent conviction in sentencing under this section:

36 (1) Convictions for a violation of this section, or any prior version of
37 this section, or a violation of an ordinance of any city or resolution of any
38 county which prohibits the acts that this section prohibits, or entering into
39 a diversion agreement in lieu of further criminal proceedings on a
40 complaint alleging any such violations, shall be taken into account; and

41 (2) a person may enter into a diversion agreement in lieu of further
42 criminal proceedings for a violation of this section or an ordinance which
43 prohibits the acts of this section only once during the person's lifetime.

1 (d) (1) Nothing contained in this section shall be construed as
2 preventing any city from enacting ordinances, or any county from adopting
3 resolutions, declaring acts prohibited or made unlawful by this act as
4 unlawful or prohibited in such city or county and prescribing penalties for
5 violation thereof.

6 (2) The minimum penalty prescribed by any such ordinance or
7 resolution shall not be less than the minimum penalty prescribed by this
8 section for the same violation, and the maximum penalty in any such
9 ordinance or resolution shall not exceed the maximum penalty prescribed
10 for the same violation.

11 Sec. 9. K.S.A. 2016 Supp. 21-6422 is hereby amended to read as
12 follows: 21-6422. (a) Commercial sexual exploitation of a child is
13 knowingly:

14 (1) ~~Giving, receiving, offering or agreeing to give, or offering or~~
15 ~~agreeing to receive anything of value to perform any of the following acts:~~

16 (A) ~~Procuring, recruiting, inducing, soliciting, hiring or otherwise~~
17 ~~obtaining any person younger than 18 years of age to engage in sexual~~
18 ~~intercourse, sodomy or manual or other bodily contact stimulation of the~~
19 ~~genitals of any person with the intent to arouse or gratify the sexual desires~~
20 ~~of the offender or another; or~~

21 (B) ~~procuring, recruiting, inducing, soliciting, hiring or otherwise~~
22 ~~obtaining a patron where there is an exchange of value, for any person~~
23 ~~younger than 18 years of age to engage in sexual intercourse, sodomy, any~~
24 ~~unlawful sex act or manual or other bodily contact stimulation of the~~
25 ~~genitals of any person with the intent to arouse or gratify the sexual desires~~
26 ~~of the patron, the offender or another;~~

27 (2) ~~Establishing, owning, maintaining or managing any property,~~
28 ~~whether real or personal, where sexual relations are being sold or offered~~
29 ~~for sale by a person younger than 18 years of age, or participating in the~~
30 ~~establishment, ownership, maintenance or management thereof; or~~

31 (3) (2) ~~permitting any property, whether real or personal, partially or~~
32 ~~wholly owned or controlled by the defendant to be used as a place where~~
33 ~~sexual relations are being sold or offered for sale by a person who is~~
34 ~~younger than 18 years of age; or~~

35 (4) ~~procuring transportation for, paying for the transportation of or~~
36 ~~transporting any person younger than 18 years of age within this state with~~
37 ~~the intent of causing, assisting or promoting that person's engaging in~~
38 ~~selling sexual relations.~~

39 (b) (1) Commercial sexual exploitation of a child is a:

40 (A) Severity level—~~5~~ 4, person felony, except as provided in
41 subsections (b)(1)(B) and (b)(2); and

42 (B) severity level 2, person felony when committed by a person who
43 has, prior to the commission of the crime, been convicted of a violation of

1 this section, except as provided in subsection (b)(2).

2 (2) Commercial sexual exploitation of a child or attempt, conspiracy
3 or criminal solicitation to commit commercial sexual exploitation of a
4 child is an off-grid person felony when the offender is 18 years of age or
5 older and the victim is less than 14 years of age.

6 (3) In addition to any other sentence imposed, a person convicted
7 under subsection (b)(1)(A) shall be fined not less than \$2,500 nor more
8 than \$5,000. In addition to any other sentence imposed, a person convicted
9 under subsection (b)(1)(B) or ~~subsection (b)(2)~~ shall be fined not less than
10 \$5,000. All fines collected pursuant to this section shall be remitted to the
11 human trafficking victim assistance fund created by K.S.A. 2016 Supp. 75-
12 758, and amendments thereto.

13 (4) In addition to any other sentence imposed, for any conviction
14 under this section, the court may order the person convicted to enter into
15 and complete a suitable educational or treatment program regarding
16 commercial sexual exploitation of a child.

17 (c) If the offender is 18 years of age or older and the victim is less
18 than 14 years of age, the provisions of:

19 (1) ~~Subsection (e) of K.S.A. 2016 Supp. 21-5301(c)~~, and amendments
20 thereto, shall not apply to a violation of attempting to commit the crime of
21 commercial sexual exploitation of a child pursuant to this section;

22 (2) ~~subsection (e) of K.S.A. 2016 Supp. 21-5302(e)~~ (d), and
23 amendments thereto, shall not apply to a violation of conspiracy to commit
24 the crime of commercial sexual exploitation of a child pursuant to this
25 section; and

26 (3) ~~subsection (d) of K.S.A. 2016 Supp. 21-5303(d)~~, and amendments
27 thereto, shall not apply to a violation of criminal solicitation to commit the
28 crime of commercial sexual exploitation of a child pursuant to this section.

29 ~~(d) This section shall be part of and supplemental to the Kansas
30 criminal code.~~

31 Sec. 10. K.S.A. 2016 Supp. 22-4902 is hereby amended to read as
32 follows: 22-4902. As used in the Kansas offender registration act, unless
33 the context otherwise requires:

34 (a) "Offender" means:

35 (1) A sex offender;

36 (2) a violent offender;

37 (3) a drug offender;

38 (4) any person who has been required to register under out-of-state
39 law or is otherwise required to be registered; and

40 (5) any person required by court order to register for an offense not
41 otherwise required as provided in the Kansas offender registration act.

42 (b) "Sex offender" includes any person who:

43 (1) On or after April 14, 1994, is convicted of any sexually violent

1 crime;

2 (2) on or after July 1, 2002, is adjudicated as a juvenile offender for
3 an act which if committed by an adult would constitute the commission of
4 a sexually violent crime, unless the court, on the record, finds that the act
5 involved non-forcible sexual conduct, the victim was at least 14 years of
6 age and the offender was not more than four years older than the victim;

7 (3) has been determined to be a sexually violent predator;

8 (4) on or after July 1, 1997, is convicted of any of the following
9 crimes when one of the parties involved is less than 18 years of age:

10 (A) Adultery, as defined in K.S.A. 21-3507, prior to its repeal, or
11 K.S.A. 2016 Supp. 21-5511, and amendments thereto;

12 (B) criminal sodomy, as defined in K.S.A. 21-3505(a)(1), prior to its
13 repeal, or K.S.A. 2016 Supp. 21-5504(a)(1) or (a)(2), and amendments
14 thereto;

15 (C) promoting prostitution, as defined in K.S.A. 21-3513, prior to its
16 repeal, or K.S.A. 2016 Supp. 21-6420, prior to its amendment by section
17 17 of chapter 120 of the 2013 Session Laws of Kansas on July 1, 2013;

18 (D) patronizing a prostitute, as defined in K.S.A. 21-3515, prior to its
19 repeal, or K.S.A. 2016 Supp. 21-6421, prior to its amendment by section
20 18 of chapter 120 of the 2013 Session Laws of Kansas on July 1, 2013; or

21 (E) lewd and lascivious behavior, as defined in K.S.A. 21-3508, prior
22 to its repeal, or K.S.A. 2016 Supp. 21-5513, and amendments thereto;

23 (5) is convicted of sexual battery, as defined in K.S.A. 21-3517, prior
24 to its repeal, or ~~subsection (a) of~~ K.S.A. 2016 Supp. 21-5505(a), and
25 amendments thereto;

26 (6) is convicted of an attempt, conspiracy or criminal solicitation, as
27 defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or
28 K.S.A. 2016 Supp. 21-5301, 21-5302, 21-5303, and amendments thereto,
29 of an offense defined in this subsection; or

30 (7) has been convicted of an offense that is comparable to any crime
31 defined in this subsection, or any out-of-state conviction for an offense that
32 under the laws of this state would be an offense defined in this subsection.

33 (c) "Sexually violent crime" means:

34 (1) Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A.
35 2016 Supp. 21-5503, and amendments thereto;

36 (2) indecent liberties with a child, as defined in K.S.A. 21-3503, prior
37 to its repeal, or K.S.A. 2016 Supp. 21-5506(a), and amendments thereto;

38 (3) aggravated indecent liberties with a child, as defined in K.S.A.
39 21-3504, prior to its repeal, or K.S.A. 2016 Supp. 21-5506(b), and
40 amendments thereto;

41 (4) criminal sodomy, as defined in K.S.A. 21-3505(a)(2) or (a)(3),
42 prior to its repeal, or K.S.A. 2016 Supp. 21-5504(a)(3) or (a)(4), and
43 amendments thereto;

- 1 (5) aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior
2 to its repeal, or K.S.A. 2016 Supp. 21-5504(b), and amendments thereto;
- 3 (6) indecent solicitation of a child, as defined in K.S.A. 21-3510,
4 prior to its repeal, or K.S.A. 2016 Supp. 21-5508(a), and amendments
5 thereto;
- 6 (7) aggravated indecent solicitation of a child, as defined in K.S.A.
7 21-3511, prior to its repeal, or K.S.A. 2016 Supp. 21-5508(b), and
8 amendments thereto;
- 9 (8) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior
10 to its repeal, or K.S.A. 2016 Supp. 21-5510, and amendments thereto;
- 11 (9) aggravated sexual battery, as defined in K.S.A. 21-3518, prior to
12 its repeal, or K.S.A. 2016 Supp. 21-5505(b), and amendments thereto;
- 13 (10) aggravated incest, as defined in K.S.A. 21-3603, prior to its
14 repeal, or K.S.A. 2016 Supp. 21-5604(b), and amendments thereto;
- 15 (11) electronic solicitation, as defined in K.S.A. 21-3523, prior to its
16 repeal, and K.S.A. 2016 Supp. 21-5509, and amendments thereto;
- 17 (12) unlawful sexual relations, as defined in K.S.A. 21-3520, prior to
18 its repeal, or K.S.A. 2016 Supp. 21-5512, and amendments thereto;
- 19 (13) aggravated human trafficking, as defined in K.S.A. 21-3447,
20 prior to its repeal, or K.S.A. 2016 Supp. 21-5426(b), and amendments
21 thereto, if committed in whole or in part for the purpose of the sexual
22 gratification of the defendant or another;
- 23 (14) commercial sexual exploitation of a child, as defined in K.S.A.
24 2016 Supp. 21-6422, and amendments thereto;
- 25 (15) *promoting the sale of sexual relations, as defined in K.S.A. 2016*
26 *Supp. 21-6420, and amendments thereto;*
- 27 (16) any conviction or adjudication for an offense that is comparable
28 to a sexually violent crime as defined in this subsection, or any out-of-state
29 conviction or adjudication for an offense that under the laws of this state
30 would be a sexually violent crime as defined in this subsection;
- 31 ~~(16)~~(17) an attempt, conspiracy or criminal solicitation, as defined in
32 K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2016
33 Supp. 21-5301, 21-5302, 21-5303, and amendments thereto, of a sexually
34 violent crime, as defined in this subsection; or
- 35 ~~(17)~~(18) any act which has been determined beyond a reasonable
36 doubt to have been sexually motivated, unless the court, on the record,
37 finds that the act involved non-forcible sexual conduct, the victim was at
38 least 14 years of age and the offender was not more than four years older
39 than the victim. As used in this paragraph, "sexually motivated" means that
40 one of the purposes for which the defendant committed the crime was for
41 the purpose of the defendant's sexual gratification.
- 42 (d) "Sexually violent predator" means any person who, on or after
43 July 1, 2001, is found to be a sexually violent predator pursuant to K.S.A.

1 59-29a01 et seq., and amendments thereto.

2 (e) "Violent offender" includes any person who:

3 (1) On or after July 1, 1997, is convicted of any of the following
4 crimes:

5 (A) Capital murder, as defined in K.S.A. 21-3439, prior to its repeal,
6 or K.S.A. 2016 Supp. 21-5401, and amendments thereto;

7 (B) murder in the first degree, as defined in K.S.A. 21-3401, prior to
8 its repeal, or K.S.A. 2016 Supp. 21-5402, and amendments thereto;

9 (C) murder in the second degree, as defined in K.S.A. 21-3402, prior
10 to its repeal, or K.S.A. 2016 Supp. 21-5403, and amendments thereto;

11 (D) voluntary manslaughter, as defined in K.S.A. 21-3403, prior to its
12 repeal, or K.S.A. 2016 Supp. 21-5404, and amendments thereto;

13 (E) involuntary manslaughter, as defined in K.S.A. 21-3404, prior to
14 its repeal, or K.S.A. 2016 Supp. 21-5405(a)(1), (a)(2) or (a)(4), and
15 amendments thereto. The provisions of this paragraph shall not apply to
16 violations of K.S.A. 2016 Supp. 21-5405(a)(3), and amendments thereto,
17 which occurred on or after July 1, 2011, through July 1, 2013;

18 (F) kidnapping, as defined in K.S.A. 21-3420, prior to its repeal, or
19 K.S.A. 2016 Supp. 21-5408(a), and amendments thereto;

20 (G) aggravated kidnapping, as defined in K.S.A. 21-3421, prior to its
21 repeal, or K.S.A. 2016 Supp. 21-5408(b), and amendments thereto;

22 (H) criminal restraint, as defined in K.S.A. 21-3424, prior to its
23 repeal, or K.S.A. 2016 Supp. 21-5411, and amendments thereto, except by
24 a parent, and only when the victim is less than 18 years of age; or

25 (I) aggravated human trafficking, as defined in K.S.A. 21-3447, prior
26 to its repeal, or K.S.A. 2016 Supp. 21-5426(b), and amendments thereto, if
27 not committed in whole or in part for the purpose of the sexual
28 gratification of the defendant or another;

29 (2) on or after July 1, 2006, is convicted of any person felony and the
30 court makes a finding on the record that a deadly weapon was used in the
31 commission of such person felony;

32 (3) has been convicted of an offense that is comparable to any crime
33 defined in this subsection, any out-of-state conviction for an offense that
34 under the laws of this state would be an offense defined in this subsection;
35 or

36 (4) is convicted of an attempt, conspiracy or criminal solicitation, as
37 defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or
38 K.S.A. 2016 Supp. 21-5301, 21-5302 and 21-5303, and amendments
39 thereto, of an offense defined in this subsection.

40 (f) "Drug offender" includes any person who, on or after July 1, 2007:

41 (1) Is convicted of any of the following crimes:

42 (A) Unlawful manufacture or attempting such of any controlled
43 substance or controlled substance analog, as defined in K.S.A. 65-4159,

1 prior to its repeal, K.S.A. 2010 Supp. 21-36a03, prior to its transfer, or
2 K.S.A. 2016 Supp. 21-5703, and amendments thereto;

3 (B) possession of ephedrine, pseudoephedrine, red phosphorus,
4 lithium metal, sodium metal, iodine, anhydrous ammonia, pressurized
5 ammonia or phenylpropanolamine, or their salts, isomers or salts of
6 isomers with intent to use the product to manufacture a controlled
7 substance, as defined in K.S.A. 65-7006(a), prior to its repeal, K.S.A. 2010
8 Supp. 21-36a09(a), prior to its transfer, or K.S.A. 2016 Supp. 21-5709(a),
9 and amendments thereto;

10 (C) K.S.A. 65-4161, prior to its repeal, K.S.A. 2010 Supp. 21-
11 36a05(a)(1), prior to its transfer, or K.S.A. 2016 Supp. 21-5705(a)(1), and
12 amendments thereto. The provisions of this paragraph shall not apply to
13 violations of K.S.A. 2010 Supp. 21-36a05(a)(2) through (a)(6) or (b)
14 which occurred on or after July 1, 2009, through April 15, 2010;

15 (2) has been convicted of an offense that is comparable to any crime
16 defined in this subsection, any out-of-state conviction for an offense that
17 under the laws of this state would be an offense defined in this subsection;
18 or

19 (3) is or has been convicted of an attempt, conspiracy or criminal
20 solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to
21 their repeal, or K.S.A. 2016 Supp. 21-5301, 21-5302 and 21-5303, and
22 amendments thereto, of an offense defined in this subsection.

23 (g) Convictions or adjudications which result from or are connected
24 with the same act, or result from crimes committed at the same time, shall
25 be counted for the purpose of this section as one conviction or
26 adjudication. Any conviction or adjudication set aside pursuant to law is
27 not a conviction or adjudication for purposes of this section. A conviction
28 or adjudication from any out-of-state court shall constitute a conviction or
29 adjudication for purposes of this section.

30 (h) "School" means any public or private educational institution,
31 including, but not limited to, postsecondary school, college, university,
32 community college, secondary school, high school, junior high school,
33 middle school, elementary school, trade school, vocational school or
34 professional school providing training or education to an offender for three
35 or more consecutive days or parts of days, or for 10 or more
36 nonconsecutive days in a period of 30 consecutive days.

37 (i) "Employment" means any full-time, part-time, transient, day-labor
38 employment or volunteer work, with or without compensation, for three or
39 more consecutive days or parts of days, or for 10 or more nonconsecutive
40 days in a period of 30 consecutive days.

41 (j) "Reside" means to stay, sleep or maintain with regularity or
42 temporarily one's person and property in a particular place other than a
43 location where the offender is incarcerated. It shall be presumed that an

1 offender resides at any and all locations where the offender stays, sleeps or
2 maintains the offender's person for three or more consecutive days or parts
3 of days, or for ten or more nonconsecutive days in a period of 30
4 consecutive days.

5 (k) "Residence" means a particular and definable place where an
6 individual resides. Nothing in the Kansas offender registration act shall be
7 construed to state that an offender may only have one residence for the
8 purpose of such act.

9 (l) "Transient" means having no fixed or identifiable residence.

10 (m) "Law enforcement agency having initial jurisdiction" means the
11 registering law enforcement agency of the county or location of
12 jurisdiction where the offender expects to most often reside upon the
13 offender's discharge, parole or release.

14 (n) "Registering law enforcement agency" means the sheriff's office
15 or tribal police department responsible for registering an offender.

16 (o) "Registering entity" means any person, agency or other
17 governmental unit, correctional facility or registering law enforcement
18 agency responsible for obtaining the required information from, and
19 explaining the required registration procedures to, any person required to
20 register pursuant to the Kansas offender registration act. "Registering
21 entity" shall include, but not be limited to, sheriff's offices, tribal police
22 departments and correctional facilities.

23 (p) "Treatment facility" means any public or private facility or
24 institution providing inpatient mental health, drug or alcohol treatment or
25 counseling, but does not include a hospital, as defined in K.S.A. 65-425,
26 and amendments thereto.

27 (q) "Correctional facility" means any public or private correctional
28 facility, juvenile detention facility, prison or jail.

29 (r) "Out-of-state" means: the District of Columbia; any federal,
30 military or tribal jurisdiction, including those within this state; any foreign
31 jurisdiction; or any state or territory within the United States, other than
32 this state.

33 (s) "Duration of registration" means the length of time during which
34 an offender is required to register for a specified offense or violation.

35 (t) (1) Notwithstanding any other provision of this section, "offender"
36 shall not include any person who is:

37 (A) Convicted of unlawful transmission of a visual depiction of a
38 child, as defined in K.S.A. 2016 Supp. 21-5611(a), and amendments
39 thereto, aggravated unlawful transmission of a visual depiction of a child,
40 as defined in K.S.A. 2016 Supp. 21-5611(b), and amendments thereto, or
41 unlawful possession of a visual depiction of a child, as defined in K.S.A.
42 2016 Supp. 21-5610, and amendments thereto; or

43 (B) adjudicated as a juvenile offender for an act which if committed

1 by an adult would constitute the commission of a crime defined in
2 subsection (t)(1)(A).

3 (2) Notwithstanding any other provision of law, a court shall not
4 order any person to register under the Kansas offender registration act for
5 the offenses described in subsection (t)(1).

6 ***Sec. 11. K.S.A. 2016 Supp. 22-4906 is hereby amended to read as***
7 ***follows: 22-4906. (a) (1) Except as provided in subsection (c), if***
8 ***convicted of any of the following offenses, an offender's duration of***
9 ***registration shall be, if confined, 15 years after the date of parole,***
10 ***discharge or release, whichever date is most recent, or, if not confined,***
11 ***15 years from the date of conviction:***

12 ***(A) Sexual battery, as defined in K.S.A. 21-3517, prior to its repeal,***
13 ***or subsection (a) of K.S.A. 2016 Supp. 21-5505(a), and amendments***
14 ***thereto;***

15 ***(B) adultery, as defined in K.S.A. 21-3507, prior to its repeal, or***
16 ***K.S.A. 2016 Supp. 21-5511, and amendments thereto, when one of the***
17 ***parties involved is less than 18 years of age;***

18 ***(C) promoting the sale of sexual relations, as defined in K.S.A. 2016***
19 ***Supp. 21-6420, and amendments thereto;***

20 ***(D) patronizing a prostitute, as defined in K.S.A. 21-3515, prior to***
21 ***its repeal, or K.S.A. 2016 Supp. 21-6421, prior to its amendment by***
22 ***section 18 of chapter 120 of the 2013 Session Laws of Kansas on July 1,***
23 ***2013, when one of the parties involved is less than 18 years of age;***

24 ***(E) lewd and lascivious behavior, as defined in K.S.A. 21-3508,***
25 ***prior to its repeal, or K.S.A. 2016 Supp. 21-5513, and amendments***
26 ***thereto, when one of the parties involved is less than 18 years of age;***

27 ***(F) capital murder, as defined in K.S.A. 21-3439, prior to its***
28 ***repeal, or K.S.A. 2016 Supp. 21-5401, and amendments thereto;***

29 ***(G) murder in the first degree, as defined in K.S.A. 21-3401,***
30 ***prior to its repeal, or K.S.A. 2016 Supp. 21-5402, and amendments***
31 ***thereto;***

32 ***(H) murder in the second degree, as defined in K.S.A. 21-3402,***
33 ***prior to its repeal, or K.S.A. 2016 Supp. 21-5403, and amendments***
34 ***thereto;***

35 ***(I) voluntary manslaughter, as defined in K.S.A. 21-3403, prior***
36 ***to its repeal, or K.S.A. 2016 Supp. 21-5404, and amendments thereto;***

37 ***(J) involuntary manslaughter, as defined in K.S.A. 21-3404, prior***
38 ***to its repeal, or subsections (a)(1), (a)(2) or (a)(4) of K.S.A. 2016 Supp.***
39 ***21-5405(a)(1), (a)(2) or (a)(4), and amendments thereto;***

40 ***(K) criminal restraint, as defined in K.S.A. 21-3424, prior to its***
41 ***repeal, or K.S.A. 2016 Supp. 21-5411, and amendments thereto, except***
42 ***by a parent, and only when the victim is less than 18 years of age;***

43 ***(L) any act which has been determined beyond a reasonable***

1 *doubt to have been sexually motivated, unless the court, on the record,*
 2 *finds that the act involved non-forcible sexual conduct, the victim was at*
 3 *least 14 years of age and the offender was not more than four years*
 4 *older than the victim;*

5 ~~(M)~~(M) *conviction of any person required by court order to register*
 6 *for an offense not otherwise required as provided in the Kansas offender*
 7 *registration act;*

8 ~~(N)~~(N) *conviction of any person felony and the court makes a*
 9 *finding on the record that a deadly weapon was used in the commission*
 10 *of such person felony;*

11 ~~(O)~~(O) *unlawful manufacture or attempting such of any controlled*
 12 *substance or controlled substance analog, as defined in K.S.A. 65-4159,*
 13 *prior to its repeal, K.S.A. 2010 Supp. 21-36a03, prior to its transfer, or*
 14 *K.S.A. 2016 Supp. 21-5703, and amendments thereto;*

15 ~~(P)~~(P) *possession of ephedrine, pseudoephedrine, red phosphorus,*
 16 *lithium metal, sodium metal, iodine, anhydrous ammonia, pressurized*
 17 *ammonia or phenylpropanolamine, or their salts, isomers or salts of*
 18 *isomers with intent to use the product to manufacture a controlled*
 19 *substance, as defined by ~~subsection (a) of K.S.A. 65-7006(a), prior to its~~*
 20 *repeal, ~~subsection (a) of K.S.A. 2010 Supp. 21-36a09(a), prior to its~~*
 21 *transfer, or ~~subsection (a) of K.S.A. 2016 Supp. 21-5709(a), and~~*
 22 *amendments thereto;*

23 ~~(Q)~~(Q) *K.S.A. 65-4161, prior to its repeal, ~~subsection (a)(1) of K.S.A.~~*
 24 *2010 Supp. 21-36a05(a)(1), prior to its transfer, or ~~subsection (a)(1) of~~*
 25 *K.S.A. 2016 Supp. 21-5705(a)(1), and amendments thereto; or*

26 ~~(R)~~(R) *any attempt, conspiracy or criminal solicitation, as defined*
 27 *in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A.*
 28 *2016 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of*
 29 *an offense defined in this subsection.*

30 (2) *Except as otherwise provided by the Kansas offender*
 31 *registration act, the duration of registration terminates, if not confined,*
 32 *at the expiration of 15 years from the date of conviction. Any period of*
 33 *time during which any offender is incarcerated in any jail or*
 34 *correctional facility or during which the offender does not comply with*
 35 *any and all requirements of the Kansas offender registration act shall*
 36 *not count toward the duration of registration.*

37 (b) (1) *Except as provided in subsection (c), if convicted of any of*
 38 *the following offenses, an offender's duration of registration shall be, if*
 39 *confined, 25 years after the date of parole, discharge or release,*
 40 *whichever date is most recent, or, if not confined, 25 years from the date*
 41 *of conviction:*

42 (A) *Criminal sodomy, as defined in ~~subsection (a)(1) of K.S.A. 21-~~*
 43 *3505(a)(1), prior to its repeal, or ~~subsection (a)(1) or (a)(2) of K.S.A.~~*

1 *2016 Supp. 21-5504(a)(1) or (a)(2), and amendments thereto, when one*
2 *of the parties involved is less than 18 years of age;*

3 *(B) indecent solicitation of a child, as defined in K.S.A. 21-3510,*
4 *prior to its repeal, or ~~subsection (a) of K.S.A. 2016 Supp. 21-5508(a), and~~*
5 *amendments thereto;*

6 *(C) electronic solicitation, as defined in K.S.A. 21-3523, prior to its*
7 *repeal, or K.S.A. 2016 Supp. 21-5509, and amendments thereto;*

8 *(D) aggravated incest, as defined in K.S.A. 21-3603, prior to its*
9 *repeal, or ~~subsection (b) of K.S.A. 2016 Supp. 21-5604(b), and~~*
10 *amendments thereto;*

11 *(E) indecent liberties with a child, as defined in K.S.A. 21-3503,*
12 *prior to its repeal, or ~~subsection (a) of K.S.A. 2016 Supp. 21-5506(a), and~~*
13 *amendments thereto;*

14 *(F) unlawful sexual relations, as defined in K.S.A. 21-3520, prior to*
15 *its repeal, or K.S.A. 2016 Supp. 21-5512, and amendments thereto;*

16 *(G) sexual exploitation of a child, as defined in K.S.A. 21-3516,*
17 *prior to its repeal, or K.S.A. 2016 Supp. 21-5510, and amendments*
18 *thereto, if the victim is 14 or more years of age but less than 18 years of*
19 *age;*

20 *(H) aggravated sexual battery, as defined in K.S.A. 21-3518, prior*
21 *to its repeal, or ~~subsection (b) of K.S.A. 2016 Supp. 21-5505(b), and~~*
22 *amendments thereto;*

23 *(I) promoting prostitution, as defined in K.S.A. 21-3513, prior to its*
24 *repeal, or K.S.A. 2016 Supp. 21-6420, prior to its amendment by section*
25 *17 of chapter 120 of the 2013 Session Laws of Kansas on July 1, 2013, if*
26 *the person selling sexual relations is 14 or more years of age but less*
27 *than 18 years of age; or*

28 *(J) any attempt, conspiracy or criminal solicitation, as defined in*
29 *K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2016*
30 *Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of an*
31 *offense defined in this subsection.*

32 *(2) Except as otherwise provided by the Kansas offender*
33 *registration act, the duration of registration terminates, if not confined,*
34 *at the expiration of 25 years from the date of conviction. Any period of*
35 *time during which any offender is incarcerated in any jail or*
36 *correctional facility or during which the offender does not comply with*
37 *any and all requirements of the Kansas offender registration act shall*
38 *not count toward the duration of registration.*

39 *(c) Upon a second or subsequent conviction of an offense requiring*
40 *registration, an offender's duration of registration shall be for such*
41 *offender's lifetime.*

42 *(d) The duration of registration for any offender who has been*
43 *convicted of any of the following offenses shall be for such offender's*

1 *lifetime:*

2 (1) *Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A.*
3 *2016 Supp. 21-5503, and amendments thereto;*

4 (2) *aggravated indecent solicitation of a child, as defined in K.S.A.*
5 *21-3511, prior to its repeal, or ~~subsection (b)~~ of K.S.A. 2016 Supp. 21-*
6 *5508(b), and amendments thereto;*

7 (3) *aggravated indecent liberties with a child, as defined in K.S.A.*
8 *21-3504, prior to its repeal, or ~~subsection (b)~~ of K.S.A. 2016 Supp. 21-*
9 *5506(b), and amendments thereto;*

10 (4) *criminal sodomy, as defined in ~~subsection (a)(2) or (a)(3)~~ of*
11 *K.S.A. 21-3505(a)(2) or (a)(3), prior to its repeal, or ~~subsection (a)(3) or~~*
12 *(a)(4) of K.S.A. 2016 Supp. 21-5504(a)(3) or (a)(4), and amendments*
13 *thereto;*

14 (5) *aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior*
15 *to its repeal, or ~~subsection (b)~~ of K.S.A. 2016 Supp. 21-5504(b), and*
16 *amendments thereto;*

17 (6) *aggravated human trafficking, as defined in K.S.A. 21-3447,*
18 *prior to its repeal, or ~~subsection (b)~~ of K.S.A. 2016 Supp. 21-5426(b), and*
19 *amendments thereto;*

20 (7) *sexual exploitation of a child, as defined in K.S.A. 21-3516,*
21 *prior to its repeal, or K.S.A. 2016 Supp. 21-5510, and amendments*
22 *thereto, if the victim is less than 14 years of age;*

23 (8) *promoting prostitution, as defined in K.S.A. 21-3513, prior to its*
24 *repeal, or K.S.A. 2016 Supp. 21-6420, prior to its amendment by section*
25 *17 of chapter 120 of the 2013 Session Laws of Kansas on July 1, 2013, if*
26 *the person selling sexual relations is less than 14 years of age;*

27 (9) *kidnapping, as defined in K.S.A. 21-3420, prior to its repeal, or*
28 *~~subsection (a)~~ of K.S.A. 2016 Supp. 21-5408(a), and amendments*
29 *thereto;*

30 (10) *aggravated kidnapping, as defined in K.S.A. 21-3421, prior to*
31 *its repeal, or ~~subsection (b)~~ of K.S.A. 2016 Supp. 21-5408(b), and*
32 *amendments thereto;*

33 (11) *commercial sexual exploitation of a child, as defined in K.S.A.*
34 *2016 Supp. 21-6422, and amendments thereto; or*

35 (12) *any attempt, conspiracy or criminal solicitation, as defined in*
36 *K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2016*
37 *Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of an*
38 *offense defined in this subsection.*

39 (e) *Any person who has been declared a sexually violent predator*
40 *pursuant to K.S.A. 59-29a01 et seq., and amendments thereto, shall*
41 *register for such person's lifetime.*

42 (f) *Notwithstanding any other provisions of this section, for an*
43 *offender less than 14 years of age who is adjudicated as a juvenile*

1 *offender for an act which if committed by an adult would constitute a*
2 *sexually violent crime set forth in ~~subsection (e) of K.S.A. 22-4902(c),~~*
3 *and amendments thereto, the court shall:*

4 *(1) Require registration until such offender reaches 18 years of age,*
5 *at the expiration of five years from the date of adjudication or, if*
6 *confined, from release from confinement, whichever date occurs later.*
7 *Any period of time during which the offender is incarcerated in any jail,*
8 *juvenile facility or correctional facility or during which the offender*
9 *does not comply with any and all requirements of the Kansas offender*
10 *registration act shall not count toward the duration of registration;*

11 *(2) not require registration if the court, on the record, finds*
12 *substantial and compelling reasons therefor; or*

13 *(3) require registration, but such registration information shall not*
14 *be open to inspection by the public or posted on any internet website, as*
15 *provided in K.S.A. 22-4909, and amendments thereto. If the court*
16 *requires registration but such registration is not open to the public, such*
17 *offender shall provide a copy of such court order to the registering law*
18 *enforcement agency at the time of registration. The registering law*
19 *enforcement agency shall forward a copy of such court order to the*
20 *Kansas bureau of investigation.*

21 *If such offender violates a condition of release during the term of the*
22 *conditional release, the court may require such offender to register*
23 *pursuant to paragraph (1).*

24 *(g) Notwithstanding any other provisions of this section, for an*
25 *offender 14 years of age or more who is adjudicated as a juvenile*
26 *offender for an act which if committed by an adult would constitute a*
27 *sexually violent crime set forth in ~~subsection (e) of K.S.A. 22-4902(c),~~*
28 *and amendments thereto, and such crime is not an off-grid felony or a*
29 *felony ranked in severity level 1 of the nondrug grid as provided in*
30 *K.S.A. 21-4704, prior to its repeal, or K.S.A. 2016 Supp. 21-6804, and*
31 *amendments thereto, the court shall:*

32 *(1) Require registration until such offender reaches 18 years of age,*
33 *at the expiration of five years from the date of adjudication or, if*
34 *confined, from release from confinement, whichever date occurs later.*
35 *Any period of time during which the offender is incarcerated in any jail,*
36 *juvenile facility or correctional facility or during which the offender*
37 *does not comply with any and all requirements of the Kansas offender*
38 *registration act shall not count toward the duration of registration;*

39 *(2) not require registration if the court, on the record, finds*
40 *substantial and compelling reasons therefor; or*

41 *(3) require registration, but such registration information shall not*
42 *be open to inspection by the public or posted on any internet website, as*
43 *provided in K.S.A. 22-4909, and amendments thereto. If the court*

1 *requires registration but such registration is not open to the public, such*
2 *offender shall provide a copy of such court order to the registering law*
3 *enforcement agency at the time of registration. The registering law*
4 *enforcement agency shall forward a copy of such court order to the*
5 *Kansas bureau of investigation.*

6 *If such offender violates a condition of release during the term of the*
7 *conditional release, the court may require such offender to register*
8 *pursuant to paragraph (1).*

9 *(h) Notwithstanding any other provisions of this section, an*
10 *offender 14 years of age or more who is adjudicated as a juvenile*
11 *offender for an act which if committed by an adult would constitute a*
12 *sexually violent crime set forth in ~~subsection (e) of K.S.A. 22-4902(c),~~*
13 *and amendments thereto, and such crime is an off-grid felony or a*
14 *felony ranked in severity level 1 of the nondrug grid as provided in*
15 *K.S.A. 21-4704, prior to its repeal, or K.S.A. 2016 Supp. 21-6804, and*
16 *amendments thereto, shall be required to register for such offender's*
17 *lifetime.*

18 *(i) Notwithstanding any other provision of law, if a diversionary*
19 *agreement or probation order, either adult or juvenile, or a juvenile*
20 *offender sentencing order, requires registration under the Kansas*
21 *offender registration act for an offense that would not otherwise require*
22 *registration as provided in ~~subsection (a)(5) of K.S.A. 22-4902(a)(5), and~~*
23 *amendments thereto, then all provisions of the Kansas offender*
24 *registration act shall apply, except that the duration of registration shall*
25 *be controlled by such diversionary agreement, probation order or*
26 *juvenile offender sentencing order.*

27 *(j) The duration of registration does not terminate if the convicted*
28 *or adjudicated offender again becomes liable to register as provided by*
29 *the Kansas offender registration act during the required period of*
30 *registration.*

31 *(k) For any person moving to Kansas who has been convicted or*
32 *adjudicated in an out-of-state court, or who was required to register*
33 *under an out-of-state law, the duration of registration shall be the length*
34 *of time required by the out-of -state jurisdiction or by the Kansas*
35 *offender registration act, whichever length of time is longer. The*
36 *provisions of this subsection shall apply to convictions or adjudications*
37 *prior to June 1, 2006, and to persons who moved to Kansas prior to June*
38 *1, 2006, and to convictions or adjudications on or after June 1, 2006, and*
39 *to persons who moved to Kansas on or after June 1, 2006.*

40 *(l) For any person residing, maintaining employment or attending*
41 *school in this state who has been convicted or adjudicated by an out-of-*
42 *state court of an offense that is comparable to any crime requiring*
43 *registration pursuant to the Kansas offender registration act, but who*

1 *was not required to register in the jurisdiction of conviction or*
2 *adjudication, the duration of registration shall be the duration required*
3 *for the comparable offense pursuant to the Kansas offender registration*
4 *act.*

5 Sec. ~~11~~ 12. K.S.A. 2016 Supp. 38-2312 is hereby amended to read as
6 follows: 38-2312. (a) Except as provided in ~~subsection~~ *subsections* (b) and
7 (c), any records or files specified in this code concerning a juvenile may be
8 expunged upon application to a judge of the court of the county in which
9 the records or files are maintained. The application for expungement may
10 be made by the juvenile, if 18 years of age or older or, if the juvenile is
11 less than 18 years of age, by the juvenile's parent or next friend.

12 (b) There shall be no expungement of records or files concerning acts
13 committed by a juvenile which, if committed by an adult, would constitute
14 a violation of K.S.A. 21-3401, prior to its repeal, or K.S.A. 2016 Supp. 21-
15 5402, and amendments thereto, murder in the first degree; K.S.A. 21-3402,
16 prior to its repeal, or K.S.A. 2016 Supp. 21-5403, and amendments
17 thereto, murder in the second degree; K.S.A. 21-3403, prior to its repeal,
18 or K.S.A. 2016 Supp. 21-5404, and amendments thereto, voluntary
19 manslaughter; K.S.A. 21-3404, prior to its repeal, or K.S.A. 2016 Supp.
20 21-5405, and amendments thereto, involuntary manslaughter; K.S.A. 21-
21 3439, prior to its repeal, or K.S.A. 2016 Supp. 21-5401, and amendments
22 thereto, capital murder; K.S.A. 21-3442, prior to its repeal, or K.S.A. 2016
23 Supp. 21-5405(a)(3), and amendments thereto, involuntary manslaughter
24 while driving under the influence of alcohol or drugs; K.S.A. 21-3502,
25 prior to its repeal, or K.S.A. 2016 Supp. 21-5503, and amendments
26 thereto, rape; K.S.A. 21-3503, prior to its repeal, or K.S.A. 2016 Supp. 21-
27 5506(a), and amendments thereto, indecent liberties with a child; K.S.A.
28 21-3504, prior to its repeal, or K.S.A. 2016 Supp. 21-5506(b), and
29 amendments thereto, aggravated indecent liberties with a child; K.S.A. 21-
30 3506, prior to its repeal, or K.S.A. 2016 Supp. 21-5504(b), and
31 amendments thereto, aggravated criminal sodomy; K.S.A. 21-3510, prior
32 to its repeal, or K.S.A. 2016 Supp. 21-5508(a), and amendments thereto,
33 indecent solicitation of a child; K.S.A. 21-3511, prior to its repeal, or
34 K.S.A. 2016 Supp. 21-5508(b), and amendments thereto, aggravated
35 indecent solicitation of a child; K.S.A. 21-3516, prior to its repeal, or
36 K.S.A. 2016 Supp. 21-5510, and amendments thereto, sexual exploitation
37 of a child; K.S.A. 21-3603, prior to its repeal, or K.S.A. 2016 Supp. 21-
38 5604(b), and amendments thereto, aggravated incest; K.S.A. 21-3608,
39 prior to its repeal, or K.S.A. 2016 Supp. 21-5601(a), and amendments
40 thereto, endangering a child; K.S.A. 21-3609, prior to its repeal, or K.S.A.
41 2016 Supp. 21-5602, and amendments thereto, abuse of a child; or which
42 would constitute an attempt to commit a violation of any of the offenses
43 specified in this subsection.

1 (c) Notwithstanding any other law to the contrary, for any offender
2 who is required to register as provided in the Kansas offender registration
3 act, K.S.A. 22-4901 et seq., and amendments thereto, there shall be no
4 expungement of any conviction or any part of the offender's criminal
5 record while the offender is required to register as provided in the Kansas
6 offender registration act.

7 (d) When a petition for expungement is filed, the court shall set a date
8 for a hearing on the petition and shall give notice thereof to the county or
9 district attorney. The petition shall state: (1) The juvenile's full name; (2)
10 the full name of the juvenile as reflected in the court record, if different
11 than (1); (3) the juvenile's sex and date of birth; (4) the offense for which
12 the juvenile was adjudicated; (5) the date of the trial; and (6) the identity
13 of the trial court. Except as otherwise provided by law, a petition for
14 expungement shall be accompanied by a docket fee in the amount of \$176.
15 On and after July 1, 2015, through June 30, 2017, the supreme court may
16 impose a charge, not to exceed \$19 per case, to fund the costs of non-
17 judicial personnel. All petitions for expungement shall be docketed in the
18 original action. Any person who may have relevant information about the
19 petitioner may testify at the hearing. The court may inquire into the
20 background of the petitioner.

21 (e) (1) After hearing, the court shall order the expungement of the
22 records and files if the court finds that:

23 (A) (i) The juvenile has reached 23 years of age or that two years
24 have elapsed since the final discharge; ~~or~~

25 (ii) one year has elapsed since the final discharge for an adjudication
26 concerning acts committed by a juvenile which, if committed by an adult,
27 would constitute a violation of K.S.A. 2016 Supp. 21-6419, and
28 amendments thereto; *or*

29 (iii) *the juvenile is a victim of human trafficking, aggravated human*
30 *trafficking or commercial sexual exploitation of a child, the adjudication*
31 *concerned acts committed by the juvenile as a result of such victimization,*
32 *including, but not limited to, acts which, if committed by an adult, would*
33 *constitute a violation of K.S.A. 2016 Supp. 21-6203 or 21-6419, and*
34 *amendments thereto, and the hearing on expungement occurred on or*
35 *after the date of final discharge. The provisions of this clause shall not*
36 *allow an expungement of records or files concerning acts described in*
37 *subsection (b);*

38 (B) since the final discharge of the juvenile, the juvenile has not been
39 convicted of a felony or of a misdemeanor other than a traffic offense or
40 adjudicated as a juvenile offender under the revised Kansas juvenile justice
41 code and no proceedings are pending seeking such a conviction or
42 adjudication; and

43 (C) the circumstances and behavior of the petitioner warrant

1 expungement.

2 (2) The court may require that all court costs, fees and restitution
3 shall be paid.

4 (f) Upon entry of an order expunging records or files, the offense
5 which the records or files concern shall be treated as if it never occurred,
6 except that upon conviction of a crime or adjudication in a subsequent
7 action under this code the offense may be considered in determining the
8 sentence to be imposed. The petitioner, the court and all law enforcement
9 officers and other public offices and agencies shall properly reply on
10 inquiry that no record or file exists with respect to the juvenile. Inspection
11 of the expunged files or records thereafter may be permitted by order of
12 the court upon petition by the person who is the subject thereof. The
13 inspection shall be limited to inspection by the person who is the subject of
14 the files or records and the person's designees.

15 (g) A certified copy of any order made pursuant to subsection (a) or
16 (d) shall be sent to the Kansas bureau of investigation, which shall notify
17 every juvenile or criminal justice agency which may possess records or
18 files ordered to be expunged. If the agency fails to comply with the order
19 within a reasonable time after its receipt, such agency may be adjudged in
20 contempt of court and punished accordingly.

21 (h) The court shall inform any juvenile who has been adjudicated a
22 juvenile offender of the provisions of this section.

23 (i) Nothing in this section shall be construed to prohibit the
24 maintenance of information relating to an offense after records or files
25 concerning the offense have been expunged if the information is kept in a
26 manner that does not enable identification of the juvenile.

27 (j) Nothing in this section shall be construed to permit or require
28 expungement of files or records related to a child support order registered
29 pursuant to the revised Kansas juvenile justice code.

30 (k) Whenever the records or files of any adjudication have been
31 expunged under the provisions of this section, the custodian of the records
32 or files of adjudication relating to that offense shall not disclose the
33 existence of such records or files, except when requested by:

34 (1) The person whose record was expunged;

35 (2) a private detective agency or a private patrol operator, and the
36 request is accompanied by a statement that the request is being made in
37 conjunction with an application for employment with such agency or
38 operator by the person whose record has been expunged;

39 (3) a court, upon a showing of a subsequent conviction of the person
40 whose record has been expunged;

41 (4) the secretary for aging and disability services, or a designee of the
42 secretary, for the purpose of obtaining information relating to employment
43 in an institution, as defined in K.S.A. 76-12a01, and amendments thereto,

1 of the Kansas department for aging and disability services of any person
2 whose record has been expunged;

3 (5) a person entitled to such information pursuant to the terms of the
4 expungement order;

5 (6) the Kansas lottery, and the request is accompanied by a statement
6 that the request is being made to aid in determining qualifications for
7 employment with the Kansas lottery or for work in sensitive areas within
8 the Kansas lottery as deemed appropriate by the executive director of the
9 Kansas lottery;

10 (7) the governor or the Kansas racing commission, or a designee of
11 the commission, and the request is accompanied by a statement that the
12 request is being made to aid in determining qualifications for executive
13 director of the commission, for employment with the commission, for
14 work in sensitive areas in parimutuel racing as deemed appropriate by the
15 executive director of the commission or for licensure, renewal of licensure
16 or continued licensure by the commission;

17 (8) the Kansas sentencing commission; or

18 (9) the Kansas bureau of investigation, for the purposes of:

19 (A) Completing a person's criminal history record information within
20 the central repository in accordance with K.S.A. 22-4701 et seq., and
21 amendments thereto; or

22 (B) providing information or documentation to the federal bureau of
23 investigation, in connection with the national instant criminal background
24 check system, to determine a person's qualification to possess a firearm.

25 (l) The provisions of subsection (k)(9) shall apply to all records
26 created prior to, on and after July 1, 2011.

27 ~~Sec. 12.~~ **13.** K.S.A. 2016 Supp. 74-7305 is hereby amended to read as
28 follows: 74-7305. (a) An application for compensation shall be made in the
29 manner and form prescribed by the board.

30 (b) Compensation may not be awarded unless an application has been
31 filed with the board within two years of the reporting of the incident to law
32 enforcement officials if the victim was less than 16 years of age and the
33 injury or death is the result of any of the following crimes: (1) Indecent
34 liberties with a child as defined in K.S.A. 21-3503, prior to its repeal, or
35 K.S.A. 2016 Supp. 21-5506(a), and amendments thereto; (2) aggravated
36 indecent liberties with a child as defined in K.S.A. 21-3504, prior to its
37 repeal, or K.S.A. 2016 Supp. 21-5506(b), and amendments thereto; (3)
38 aggravated criminal sodomy as defined in K.S.A. 21-3506, prior to its
39 repeal, or K.S.A. 2016 Supp. 21-5504(b), and amendments thereto; (4)
40 enticement of a child as defined in K.S.A. 21-3509 prior to its repeal; (5)
41 indecent solicitation of a child as defined in K.S.A. 21-3510, prior to its
42 repeal, or K.S.A. 2016 Supp. 21-5508(a), and amendments thereto; (6)
43 aggravated indecent solicitation of a child as defined in K.S.A. 21-3511,

1 prior to its repeal, or K.S.A. 2016 Supp. 21-5508(b), and amendments
2 thereto; (7) sexual exploitation of a child as defined in K.S.A. 21-3516,
3 prior to its repeal, or K.S.A. 2016 Supp. 21-5510, and amendments
4 thereto; (8) aggravated incest as defined in K.S.A. 21-3603, prior to its
5 repeal, or K.S.A. 2016 Supp. 21-5604(b), and amendments thereto; (9)
6 human trafficking as defined in K.S.A. 21-3446, prior to its repeal, or
7 K.S.A. 2016 Supp. 21-5426(a), and amendments thereto; (10) aggravated
8 human trafficking as defined in K.S.A. 21-3447, prior to its repeal, or
9 K.S.A. 2016 Supp. 21-5426(b), and amendments thereto; or (11)
10 commercial sexual exploitation of a child as defined in K.S.A. 2016 Supp.
11 21-6422, and amendments thereto. Compensation for mental health
12 counseling may be awarded, if a claim is filed within two years of
13 testimony, to a claimant who is, or will be, required to testify in a sexually
14 violent predator commitment, pursuant to article 29a of chapter 59 of the
15 Kansas Statutes Annotated, and amendments thereto, of an offender who
16 victimized the claimant or the victim on whose behalf the claim is made.
17 For all other incidents of criminally injurious conduct, compensation may
18 not be awarded unless the claim has been filed with the board within two
19 years after the injury or death upon which the claim is based.
20 Compensation may not be awarded to a claimant who was the offender or
21 an accomplice of the offender and may not be awarded to another person if
22 the award would unjustly benefit the offender or accomplice.

23 (c) Compensation otherwise payable to a claimant shall be reduced or
24 denied, to the extent, if any that the:

25 (1) Economic loss upon which the claimant's claim is based is
26 recouped from other persons, including collateral sources;

27 (2) board deems reasonable because of the contributory misconduct
28 of the claimant or of a victim through whom the claimant claims; or

29 (3) board deems reasonable, because the victim was likely engaging
30 in, or attempting to engage in, unlawful activity at the time of the crime
31 upon which the claim for compensation is based. This subsection shall not
32 be construed to reduce or deny compensation to a victim of domestic
33 abuse or sexual assault.

34 (d) Compensation may be awarded only if the board finds that unless
35 the claimant is awarded compensation the claimant will suffer financial
36 stress as the result of economic loss otherwise reparable. A claimant
37 suffers financial stress only if the claimant cannot maintain the claimant's
38 customary level of health, safety and education for self and dependents
39 without undue financial hardship. In making its determination of financial
40 stress, the board shall consider all relevant factors, including:

41 (1) The number of claimant's dependents;

42 (2) the usual living expenses of the claimant and the claimant's
43 family;

- 1 (3) the special needs of the claimant and the claimant's dependents;
2 (4) the claimant's income and potential earning capacity; and
3 (5) the claimant's resources.

4 (e) Compensation may not be awarded unless the criminally injurious
5 conduct resulting in injury or death was reported to a law enforcement
6 officer within 72 hours after its occurrence or the board finds there was
7 good cause for the failure to report within that time.

8 (f) The board, upon finding that the claimant or victim has not fully
9 cooperated with appropriate law enforcement agencies, may deny,
10 withdraw or reduce an award of compensation.

11 (g) Except in K.S.A. 21-3602 or 21-3603, prior to their repeal, or
12 K.S.A. 2016 Supp. 21-5604, and amendments thereto, or cases of sex
13 offenses established in article 35 of chapter 21, of the Kansas Statutes
14 Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas
15 Statutes Annotated, and amendments thereto, K.S.A. 2016 Supp. 21-6419
16 through 21-6422, and amendments thereto, or human trafficking or
17 aggravated human trafficking, as defined in K.S.A. 21-3446 or 21-3447,
18 prior to their repeal, or K.S.A. 2016 Supp. 21-5426, and amendments
19 thereto, compensation may not be awarded if the economic loss is less than
20 \$100.

21 (h) Compensation for work loss, replacement services loss,
22 dependent's economic loss and dependent's replacement service loss may
23 not exceed \$400 per week or actual loss, whichever is less.

24 (i) Compensation payable to a victim and to all other claimants
25 sustaining economic loss because of injury to or death of that victim may
26 not exceed \$25,000 in the aggregate.

27 *(j) Nothing in subsections (c)(2), (c)(3), (e) and (f) shall be construed*
28 *to reduce or deny compensation to a victim of human trafficking or*
29 *aggravated human trafficking, as defined in K.S.A. 2016 Supp. 21-5426,*
30 *and amendments thereto, or commercial sexual exploitation of a child, as*
31 *defined in K.S.A. 2016 Supp. 21-6422, and amendments thereto, who was*
32 *18 years of age or younger at the time the crime was committed and is*
33 *otherwise qualified for compensation.*

34 ~~Sec. 13.~~ **14.** K.S.A. 2016 Supp. 75-759 is hereby amended to read as
35 follows: 75-759. (a) A notice offering help to victims of human trafficking
36 shall be accessible on the official website of the attorney general, the
37 official website of the department for children and families and the official
38 website of the department of labor, and may be posted in a prominent and
39 accessible location in workplaces.

40 (b) The notice shall provide such information as the attorney general
41 determines appropriate to help and support victims of human trafficking,
42 including, but not limited to, information regarding the national human
43 trafficking resource center (NHTRC) hotline as follows:

1 "If you or someone you know is being forced to engage in any activity
2 and cannot leave — whether it is commercial sex, housework, farm work
3 or any other activity — call the toll-free National Human Trafficking
4 ~~Resource Center~~ Hotline at 1-888-373-7888 to access help and services.

5 The toll-free hotline is:

- 6 • Available 24 hours a day, 7 days a week
- 7 • Operated by a nonprofit, nongovernmental organization
- 8 • Anonymous and confidential
- 9 • Accessible in 170 languages
- 10 • Able to provide help, referral to services, training, and general
11 information."

12 (c) The notice described in this section shall be made available in
13 English, Spanish, and, if requested by an employer, another language.

14 (d) The secretary of labor, in consultation with the attorney general,
15 shall develop and implement an education plan to raise awareness among
16 Kansas employers about the problem of human trafficking, about the
17 hotline described in this section, and about other resources that may be
18 available to employers, employees, and potential victims of human
19 trafficking. On or before February 1, 2014, the secretary shall report to the
20 standing committees on judiciary in the senate and the house of
21 representatives, respectively, on the progress achieved in developing and
22 implementing the notice requirement and education plan required by this
23 section.

24 ~~Sec. 14.~~ **15.** K.S.A. 2016 Supp. 12-4120, 21-5426, 21-5510, 21-6421,
25 21-6422, 22-4902, ~~22-4906~~, 38-2312, 74-7305 and 75-759 are hereby
26 repealed.

27 ~~Sec. 15.~~ **16.** This act shall take effect and be in force from and after
28 its publication in the statute book.