

As Amended by Senate Committee

Session of 2007

SENATE BILL No. 184

By Senator Reitz

1-25

10 AN ACT concerning sexually violent predators; relating to costs of de-
11 termination; amending K.S.A. 59-29a04 and repealing the existing
12 section.
13

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

15 Section 1. K.S.A. 59-29a04 is hereby amended to read as follows: 59-
16 29a04. (a) When it appears that the person presently confined may be a
17 sexually violent predator and the prosecutor's review committee ap-
18 pointed as provided in subsection (e) of K.S.A. 59-29a03, and amend-
19 ments thereto, has determined that the person meets the definition of a
20 sexually violent predator, the attorney general, within 75 days of the date
21 the attorney general received the written notice by the agency of juris-
22 diction as provided in subsection (a) of K.S.A. 59-29a03, and amendments
23 thereto, may file a petition in the county where the person was convicted
24 of or charged with a sexually violent offense alleging that the person is a
25 sexually violent predator and stating sufficient facts to support such
26 allegation.

27 (b) The provisions of this section are not jurisdictional, and failure to
28 comply with such provisions in no way prevents the attorney general from
29 proceeding against a person otherwise subject to the provision of K.S.A.
30 59-29a01 et seq., and amendments thereto.

31 (c) *Whenever a determination is made regarding whether a person*
32 *may be a sexually violent predator, the ~~department of corrections shall~~*
33 ***pay the county office of the attorney general shall be responsible** for*
34 *all costs incurred, including, but not limited to costs of investigation, pros-*
35 *ecution, defense, juries, witness fees and expenses, expert fees and expenses*
36 *and other expenses related to determining whether a person may be a*
37 *sexually violent predator.*

38 Sec. 2. K.S.A. 59-29a04 is hereby repealed.

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