

SESSION OF 2006

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2912**

As Recommended by House Committee on  
Federal and State Affairs

**Brief\***

HB 2912 would strike the words “or sexually provocative aspect” from K.S.A. 21-4301.

**Background**

K.S.A. 21-4301 is the statute that makes promoting obscenity a crime. A district court judge recently dismissed a criminal prosecution pursuant to the promoting obscenity statute because of language found in *State v. Hughes*, 246 Kan. 607 (1990). The Kansas Supreme Court in *Hughes*, 246 Kan. 607 (1990), criticized the use of the words “or sexually provocative aspect” in the statute as overbroad.

The proponents of the bill who testified were a concerned citizen and an attorney.

There were no opponents who testified on the bill.

There was no fiscal note on the bill.

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\*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>