

SESSION OF 2007

SUPPLEMENTAL NOTE ON SENATE BILL NO. 87

As Recommended by Senate Committee on
Judiciary

Brief*

SB 87 would extend the moratorium on cities and counties on adopting and enforcing residential restrictions from June 30, 2008 to June 30, 2009, for offenders required to register under the Kansas Offender Registration Act.

Background

In 2006 SB 506, the Legislature created the Sex Offender Policy Board (Board). Members of the Board are: Donald Jordan, Chairperson, Acting Secretary of Social and Rehabilitation Services, Former Commissioner of Juvenile Justice Authority; Roger Werholtz, Secretary of Department of Corrections; Gary Daniels, Former Secretary of Social and Rehabilitation Services; Larry Welch, Director of the Kansas Bureau of Investigation; Justice Tyler Lockett, Retired, Designee for Chief Justice of Supreme Court; Scott Jackson, Executive Director, Family Life Center, Inc.; and Sandra Barnett, Executive Director, Kansas Coalition Against Sexual and Domestic Violence.

The Board was directed to study the issue of residential restrictions for sex offenders. The Board found that there is no positive correlation between residency restrictions and preventing reoffending behavior. Of greater concern to the Board was the detrimental effect of residential restrictions upon public safety. The research and expertise presented to the Board indicated that residential restriction zones were detrimental to the treatment and supervision of sex offenders and to law enforcement efforts. The Board recommends the Legislature make permanent the moratorium on residential restrictions. The Board recommends, however, that the moratorium not interfere with a locality's ability to regulate through zoning the location of congregate dwellings for offenders.

*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>

The proponent of the bill was Roger Werholtz, Secretary of the Kansas Department of Corrections.

There was no testimony in opposition to the bill.

The fiscal note from the Division of Budget states that passage of the bill would not have a fiscal effect.