

Substitute for SENATE BILL No. 282

By Committee on Judiciary

2-20

1 AN ACT concerning covered offenses and conduct giving rise to
2 forfeiture; relating to fleeing or eluding; amending K.S.A. 2011 Supp.
3 60-4104 and repealing the existing section.
4

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

6 Section 1. K.S.A. 2011 Supp. 60-4104 is hereby amended to read as
7 follows: 60-4104. Conduct and offenses giving rise to forfeiture under this
8 act, whether or not there is a prosecution or conviction related to the
9 offense, are:

10 (a) All offenses which statutorily and specifically authorize forfeiture;

11 (b) violations of *involving controlled substances, as described in*
12 K.S.A. 2011 Supp. 21-5701 through 21-5717, and amendments thereto;

13 (c) theft, *as defined in* K.S.A. 2011 Supp. 21-5801, and amendments
14 thereto;

15 (d) criminal discharge of a firearm, as defined in subsections (a)(1)
16 and (a)(2) of K.S.A. 2011 Supp. 21-6308, and amendments thereto;

17 (e) gambling, *as defined in* K.S.A. 2011 Supp. 21-6404, and
18 amendments thereto, and commercial gambling, as defined in subsection
19 (a)(1) of K.S.A. 2011 Supp. 21-6406, and amendments thereto;

20 (f) counterfeiting, *as defined in* K.S.A. 2011 Supp. 21-5825, and
21 amendments thereto;

22 (g) ~~violations of~~ *unlawful possession of a scanning device or*
23 *reencoder, as described in* K.S.A. 2011 Supp. 21-6108, and amendments
24 thereto;

25 (h) medicaid fraud, *as described in* K.S.A. 2011 Supp. 21-5925
26 through 21-5934, and amendments thereto;

27 (i) an act or omission occurring outside this state, which would be a
28 violation in the place of occurrence and would be described in this section
29 if the act occurred in this state, whether or not it is prosecuted in any state;

30 (j) an act or omission committed in furtherance of any act or omission
31 described in this section including any inchoate or preparatory offense,
32 whether or not there is a prosecution or conviction related to the act or
33 omission;

34 (k) any solicitation or conspiracy to commit any act or omission
35 described in this section, whether or not there is a prosecution or
36 conviction related to the act or omission;

1 (l) ~~violations of~~ *furtherance of terrorism or illegal use of weapons of*
2 *mass destruction, as described in K.S.A. 2011 Supp. 21-5423, and*
3 *amendments thereto;*

4 (m) *unlawful conduct of dog fighting and unlawful possession of dog*
5 *fighting paraphernalia, as defined in subsections (a) and (b) of K.S.A.*
6 *2011 Supp. 21-6414, and amendments thereto;*

7 (n) *unlawful conduct of cockfighting and unlawful possession of*
8 *cockfighting paraphernalia, as defined in subsections (a) and (b) of K.S.A.*
9 *2011 Supp. 21-6417, and amendments thereto;*

10 (o) *prostitution, as defined in K.S.A. 2011 Supp. 21-6419, and*
11 *amendments thereto, promoting prostitution, as defined in K.S.A. 2011*
12 *Supp. 21-6420, and amendments thereto, and patronizing a prostitute, as*
13 *defined in K.S.A. 2011 Supp. 21-6421, and amendments thereto;*

14 (p) *human trafficking and aggravated human trafficking, as defined in*
15 *K.S.A. 2011 Supp. 21-5426, and amendments thereto;*

16 (q) *violations of the banking code, as described in K.S.A. 9-2012,*
17 *and amendments thereto;*

18 (r) *mistreatment of a dependent adult, as defined in K.S.A. 2011*
19 *Supp. 21-5417, and amendments thereto;*

20 (s) *giving a worthless check, as defined in K.S.A. 2011 Supp. 21-*
21 *5821, and amendments thereto;*

22 (t) *forgery, as defined in K.S.A. 2011 Supp. 21-5823, and*
23 *amendments thereto;*

24 (u) *making false information, as defined in K.S.A. 2011 Supp. 21-*
25 *5824, and amendments thereto;*

26 (v) *criminal use of a financial card, as defined in K.S.A. 2011 Supp.*
27 *21-5828, and amendments thereto;*

28 (w) ~~violations of~~ *unlawful acts concerning computers, as described*
29 *in K.S.A. 2011 Supp. 21-5839, and amendments thereto;*

30 (x) *identity theft and identity fraud, as defined in subsections (a) and*
31 *(b) of K.S.A. 2011 Supp. 21-6107, and amendments thereto; and*

32 (y) *electronic solicitation, as defined in K.S.A. 2011 Supp. 21-5509,*
33 *and amendments thereto; and*

34 (z) *felony violations of fleeing or attempting to elude a police officer,*
35 *as described in K.S.A. 8-1568, and amendments thereto.*

36 Sec. 2. K.S.A. 2011 Supp. 60-4104 is hereby repealed.

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