

SENATE BILL No. 74

By Committee on Judiciary

1-31

1 AN ACT concerning civil procedure; relating to covered offenses and
2 conduct giving rise to forfeiture; electronic solicitation; sexual
3 exploitation of a child; amending K.S.A. 2010 Supp. 60-4104 and
4 repealing the existing section.

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

7 Section 1. K.S.A. 2010 Supp. 60-4104 is hereby amended to read as
8 follows: 60-4104. Conduct and offenses giving rise to forfeiture under
9 this act, whether or not there is a prosecution or conviction related to the
10 offense, are:

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

13 (b) violations of K.S.A. 2010 Supp. 21-36a01 through 21-36a17, and
14 amendments thereto;

15 (c) theft which is classified as a felony violation pursuant to ~~K.S.A.~~
16 ~~21-3701~~ *section 87 of chapter 136 of the 2010 Session Laws of Kansas*,
17 and amendments thereto, in which the property taken was livestock;

18 (d) ~~unlawful~~ *criminal discharge of a firearm, K.S.A. 21-4219 as*
19 *defined in subsections (a)(1) and (a)(2) of section 193 of chapter 136 of*
20 *the 2010 Session Laws of Kansas*, and amendments thereto;

21 (e) violations of K.S.A. 2010 Supp. 21-36a16, and amendments
22 thereto;

23 (f) ~~gambling, K.S.A. 21-4303~~ *section 215 of chapter 136 of the*
24 *2010 Session Laws of Kansas*, and amendments thereto, and commercial
25 ~~gambling, K.S.A. 21-4304~~ *as defined in subsection (a)(1) of section 217*
26 *of chapter 136 of the 2010 Session Laws of Kansas*, and amendments
27 thereto;

28 (g) ~~counterfeiting, K.S.A. 21-3763~~ *section 111 of chapter 136 of the*
29 *2010 Session Laws of Kansas*, and amendments thereto;

30 (h) violations of ~~K.S.A. 21-4019~~ *section 178 of chapter 136 of the*
31 *2010 Session Laws of Kansas*, and amendments thereto;

32 (i) ~~medicaid fraud, K.S.A. 21-3844 et seq.~~ *sections 150 through 161*
33 *of chapter 136 of the 2010 Session Laws of Kansas*, and amendments
34 thereto;

35 (j) an act or omission occurring outside this state, which would be a
36 violation in the place of occurrence and would be described in this section

1 if the act occurred in this state, whether or not it is prosecuted in any
2 state;

3 (k) an act or omission committed in furtherance of any act or
4 omission described in this section including any inchoate or preparatory
5 offense, whether or not there is a prosecution or conviction related to the
6 act or omission;

7 (l) any solicitation or conspiracy to commit any act or omission
8 described in this section, whether or not there is a prosecution or
9 conviction related to the act or omission;

10 (m) ~~furtherance of terrorism or illegal use of weapons of mass~~
11 ~~destruction, K.S.A. 21-3451~~ *violations of section 58 of chapter 136 of the*
12 *2010 Session Laws of Kansas, and amendments thereto;*

13 (n) unlawful conduct of dog fighting and unlawful possession of dog
14 fighting paraphernalia, ~~K.S.A. 21-4315~~ *as defined in subsections (a) and*
15 *(b) of section 225 of chapter 136 of the 2010 Session Laws of Kansas, and*
16 *amendments thereto;*

17 (o) unlawful conduct of cockfighting and unlawful possession of
18 cockfighting paraphernalia, ~~K.S.A. 21-4319~~ *as defined in subsections (a)*
19 *and (b) of section 228 of chapter 136 of the 2010 Session Laws of*
20 *Kansas, and amendments thereto;*

21 (p) prostitution, ~~K.S.A. 21-3512~~ *section 229 of chapter 136 of the*
22 *2010 Session Laws of Kansas, and amendments thereto, promoting*
23 *prostitution, ~~K.S.A. 21-3513~~ section 230 of chapter 136 of the 2010*
24 *Session Laws of Kansas, and amendments thereto, and patronizing a*
25 *prostitute, ~~K.S.A. 21-3515~~ section 231 of chapter 136 of the 2010 Session*
26 *Laws of Kansas, and amendments thereto; and*

27 (q) human trafficking, ~~K.S.A. 21-3446, and amendments thereto,~~
28 ~~and aggravated human trafficking, K.S.A. 21-3447~~ *section 61 of chapter*
29 *136 of the 2010 Session Laws of Kansas, and amendments thereto; ;*

30 (r) *electronic solicitation, section 73 of chapter 136 of the 2010*
31 *Session Laws of Kansas, and amendments thereto; and*

32 (s) *sexual exploitation of a child, section 74 of chapter 136 of the*
33 *2010 Session Laws of Kansas, and amendments thereto.*

34 Sec. 2. K.S.A. 2010 Supp. 60-4104 is hereby repealed.

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

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