

HOUSE BILL No. 2382

By Committee on Corrections and Juvenile Justice

2-9

9 AN ACT concerning offender registration; relating to registration
10 requirements; amending K.S.A. 2004 Supp. 22-4904 and repealing the
11 existing section.
12

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

14 Section 1. K.S.A. 2004 Supp. 22-4904 is hereby amended to read as
15 follows: 22-4904. (a) (1) Except as provided in subsection (a)(2), within
16 10 days of the offender coming into any county in which the offender
17 resides or is temporarily domiciled for more than 10 days, the offender
18 shall register with the sheriff of the county.

19 (2) Within 10 days of the offender coming into any county in which
20 the offender resides or temporarily resides for more than 10 days, any
21 offender who has provided the information and completed and signed
22 the registration form as required in K.S.A. 22-4905 and amendments
23 thereto, shall verify with the sheriff of the county that the sheriff has
24 received such offender's information and registration form.

25 (3) Upon registration with a school or educational institution, a non-
26 resident student attending such school or educational institution shall
27 register with the sheriff within 10 days of the commencement of the
28 school term.

29 (4) Upon commencement of employment, a nonresident worker shall
30 register with the sheriff within 10 days of the commencement date of
31 employment.

32 (5) For persons required to register as provided in subsections (a)(1),
33 (a)(3) and (a)(4), the sheriff shall: (A) Explain the duty to register and the
34 procedure for registration;

35 (B) obtain the information required for registration as provided in
36 K.S.A. 22-4907 and amendments thereto;

37 (C) inform the offender that the offender must give written notice of
38 any change of address within 10 days of a change in residence to the law
39 enforcement agency where last registered and the Kansas bureau of
40 investigation;

41 (D) inform the nonresident student offender that the offender must
42 give written notice to the sheriff and the Kansas bureau of investigation
43 of any change or termination of attendance at the school or educational

1 institution the offender is attending, within 10 days of such change or
2 termination;

3 (E) inform the nonresident worker offender that the offender must
4 give written notice to the sheriff and the Kansas bureau of investigation
5 of any termination of employment at the offender's place of employment,
6 within 10 days of such termination;

7 (F) inform the offender that if the offender changes residence to
8 another state, the offender must inform the law enforcement agency
9 where last registered and the Kansas bureau of investigation of such
10 change in residence and must register in the new state within 10 days of
11 such change in residence;

12 (G) inform the offender that the offender must also register in any
13 state or county where the offender is employed, carries on a vocation or
14 is a student;

15 (H) inform the offender that if the offender expects to or subse-
16 quently becomes enrolled in any institution of higher education in the
17 state of Kansas on a full-time or part-time basis or have any full-time or
18 part-time employment at an institution of higher education in the state
19 of Kansas, with or without compensation, for more than 14 days, or for
20 an aggregate period exceeding 30 days in one calendar year, the offender
21 must provide written notice to the Kansas bureau of investigation within
22 10 days upon commencement of enrollment or employment;

23 (I) inform the offender that if there is any change or termination in
24 attendance or employment at an institution of higher education, the of-
25 fender must provide written notice to the Kansas bureau of investigation
26 within 10 days of the change or termination; and

27 (J) require the offender to read and sign the registration form which
28 shall include a statement that the requirements provided in this subsec-
29 tion have been explained to the offender.

30 (6) Such sheriff, within three days of receipt of the initial registration
31 shall forward this information to the Kansas bureau of investigation.

32 (7) Notwithstanding any other provision of law, if a diversionary
33 agreement or probation order, either adult or juvenile, or a juvenile of-
34 fender sentencing order, requires registration under the Kansas offender
35 registration act then all provisions of that act shall apply, except that the
36 term of registration shall be controlled by such diversionary agreement,
37 probation order or juvenile offender sentencing order.

38 (b) (1) If any person required to register as provided in this act
39 changes the address of the person's residence, the offender, within 10
40 days, shall inform in writing the Kansas bureau of investigation of the new
41 address.

42 (2) After receipt of the change of address, the Kansas bureau of in-
43 vestigation shall forward this information to the law enforcement agency

1 having jurisdiction of the new place of residence within 10 days of such
2 receipt of the change of address.

3 (c) For any person required to register as provided in this act, every
4 90 days after the person's initial registration date during the period the
5 person is required to register, the following applies:

6 (1) The Kansas bureau of investigation shall mail a nonforwardable
7 verification form to the last reported address of the person.

8 (2) The person shall mail the verification form to the Kansas bureau
9 of investigation within 10 days after receipt of the form.

10 (3) The verification form shall be signed by the person and shall pro-
11 vide the following information, as applicable, to the Kansas bureau of
12 investigation: (A) Whether the person still resides at the address last re-
13 ported; (B) whether the person still attends the school or educational
14 institution last reported; (C) whether the person is still employed at the
15 place of employment last reported; and (D) whether the person's vehicle
16 registration information is the same as last reported.

17 (4) If the person fails to mail the verification form to the Kansas
18 bureau of investigation within 10 days after receipt of the form, the person
19 shall be in violation of the Kansas offender registration act.

20 (5) Nothing contained in this section shall be construed to alleviate
21 any person required to register as provided in this act from meeting the
22 requirements prescribed in subsections (a)(1), (a)(2) and (b)(1).

23 (d) *The registration requirements of the Kansas offender registration*
24 *act shall apply to offenders who are 16 years of age or older. Those persons*
25 *who meet the definition of offender but are under 16 years of age shall*
26 *not be required to be registered.*

27 Sec. 2. K.S.A. 2004 Supp. 22-4904 is hereby repealed.

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