

SESSION OF 2007

**CONFERENCE COMMITTEE REPORT BRIEF
SENATE BILL NO. 204**

As Agreed to April 2, 2007

Brief*

The bill would amend the Kansas Offender Registration Act by expanding the list of offenders who are required to register pursuant to the Act and amending the requirements for registration.

Aggravated Trafficking and Registration Requirements

SB 204 would amend the Kansas Offender Registration Act by:

- Adding the attempt, conspiracy or solicitation to commit the new crime of aggravated trafficking to the list of crimes that require registration on the Kansas Offender Registry;
- Expanding the definition of “offender” to include a person convicted of aggravated trafficking;
- Clarifying that jurisdiction for the prosecution of an offender’s failure to register or report would lie with the county of residence of the offender or the county where the non-resident offender is required to register;
- Requiring written notification of a change of address also be given to the Kansas Bureau of Investigation (KBI);
- Eliminating the requirement that the KBI send letters to offenders every 90 days to verify the offender’s information of residence, employment, school of attendance, and vehicle registration;
- Requiring the offender to update his or her information and photograph, in person at the sheriff’s office, at least

three times a year, instead of twice a year, and would require the offender to verify:

- Whether the person still resides at the address last reported;
- Whether the person still attends the school or educational institution last reported;
- Whether the person is still employed at the place last reported; and
- Whether the person's vehicle registration information is the same as last reported;
- Requiring that the updated information and photograph of the offender be sent to the KBI;
- Requiring the money collected from the statutory fee required to be paid by the offender each time he or she reports to the sheriff's office would be used solely by the sheriff's office for law enforcement and criminal prosecution purposes;
- Requiring an offender, convicted in another state, who is moving to Kansas to register for the same length of time required by that state or Kansas, whichever length of time is longer. This provision would apply to convictions prior to June 1, 2006 and to persons who moved to Kansas prior to June 1, 2006;
- Requiring offenders to provide the registration number of each license plate assigned to a motor vehicle normally operated by the offender;
- Requiring the offender to provide any email addresses and online identities; and
- Inserting a retroactive provision regarding the discretion of a court to not require a juvenile to register.

Methamphetamine

The bill would require the following persons to register:

- Offenders convicted of unlawful manufacture or attempt to manufacture methamphetamine, unless the Court makes a finding on the record that the manufacturing or attempt to manufacture methamphetamine was for personal use;
- Offenders convicted of possession of precursor chemicals with the intent to use the product to manufacture methamphetamine, unless the Court makes a finding on the record that the possession of the precursor chemicals was intended to be used to manufacture methamphetamine for personal use; and
- Offenders convicted of sale or distribution of opiate or narcotic drugs within 1,000 feet of school property, to register.

The bill also would amend the statute which requires the offender to pay a fee for registration on the Kansas offender registry. The amendment would clarify the money collected from the statutory fee would be used solely by the sheriff's office.

Conference Committee Action

The Conference Committee agreed to adopt House position with the additions to:

- Strike the requirement that the Kansas Bureau of Investigation provide the public with sex offender safety and education resources on the KBI website;
- Amend in Sec. 1 from HB 2359, regarding registration for certain crimes involving methamphetamine;

- Grant the Court discretion to not require the offender to register if the Court makes a finding in the record that the manufacture or attempt to manufacture methamphetamine, or to possess precursor chemicals used to manufacture methamphetamine was for person use; and
- Make technical amendments.

Background

The Senate Committee amended the bill, as introduced, to:

- Add the attempt, conspiracy or solicitation to commit the new crime of aggravated trafficking to the list of crimes that require registration on the Kansas Offender Registry; and
- Repeal the statute that was designed for a few “Romeo and Juliet” cases to petition the court for relief from the requirement to register pursuant to the Kansas Offender Registration Act.

The Senate Committee of the Whole amended the bill to strike the language that would repeal the statute that was designed for a few “Romeo and Juliet” cases to petition the court for relief from the requirement to register pursuant to the Kansas Offender Registration Act.

The House Committee amended the bill to do the following:

- Remove the 3-day time period for registration and updating information;
- Delete the provision regarding a juvenile from another state to register;

- Delete the retroactive provision regarding persons convicted in another state; and
- Insert a retroactive provision regarding the discretion of a court to not require a juvenile to register;

The House Committee of the Whole amended the bill to reinsert the retroactive provision regarding persons convicted in another state who then move to Kansas.

The Conference Committee agreed to adopt House position with the additions to:

- Strike the requirement that the Kansas Bureau of Investigation provide the public with sex offender safety and education resources on the KBI website;
- Amend in Sec. 1 from HB 2359, regarding registration for certain crimes involving methamphetamine;
- Grant the Court discretion to not require the offender to register if the Court makes a finding in the record that the manufacture or attempt to manufacture methamphetamine, or to possess precursor chemicals used to manufacture methamphetamine was for person use; and
- Make technical amendments.

aggravated trafficking; offender registration

*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <http://www.kslegislature.org/kldr>