

SESSION OF 2007

**CONFERENCE COMMITTEE REPORT BRIEF  
HOUSE BILL NO. 2727**

As Agreed to April 4, 2008

**Brief\***

HB 2727 would amend current law regarding sexual assault and specifically, sexual assault kits. Under provisions of the bill, a victim could request a sexual assault examination. All sexual assault kits would be sealed and kept in Kansas Bureau of Investigation (KBI) storage units for five years. Rule and regulation authority would be granted to the KBI, as necessary to implement provisions of the bill.

Another provision would allow that if an examination was conducted solely upon the request of the victim, the medical facility could not notify a law enforcement agency without the written consent of the victim, unless otherwise required by law. Immunity would be allowed for a medical facility as a result of notifying or failing to notify any law enforcement agency if an examination has occurred solely upon the request of the victim and notification is not otherwise required by law.

In addition, the bill would provide that the fee for conducting an examination of a victim would not be charged or billed to the victim or to the victim's insurance carrier. However, a county would be required to charge the defendant for those costs, which would be assessed as court costs. The bill would clarify that costs of the examination fees would be reimbursed to the county.

---

\*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>

## **Conference Committee Action**

The Conference Committee reached an agreement that costs of the examination fees that are collected would be reimbursed to the county.

## **Background**

The House Committee amendments included the following:

- KBI storage of the sexual assault kits for five years;
- Rule and regulation authority;
- Non-notification of any law enforcement agency without the written consent of the victim;
- Immunity for a medical facility; and
- Fee restriction for a victim or the victim's insurance carrier.

The Senate Committee amended the bill to require a county to charge a defendant for costs of conducting a sexual assault examination on a victim. The cost would be assessed as court costs.

sexual assault; kits; storage;