

SESSION OF 2007

**CONFERENCE COMMITTEE REPORT BRIEF
SENATE BILL NO. 324**

As Agreed to April 2, 2007

Brief*

SB 324 would amend the crime of unlawful sexual relations with a person not married to the offender by adding volunteers of the Department of Corrections and contractors of services within the Department of Corrections, including parole officers, to the list of offenders who engage in illegal acts enumerated in the law. The bill also would clarify that the definition of teacher would include those listed professional school employees of any grades kindergarten through 12.

In addition, the bill would amend the provision of law regarding mistreatment of a dependent adult so that taking unfair advantage of a dependent adult's financial resources in the amount of \$100,000 or more would be a severity level 6, person felony. If the amount involved is at least \$25,000 but less than \$100,000 the penalty would be a severity level 7, person felony.

Conference Committee Action

The Conference Committee agreed to:

- Strike the original provisions of the bill dealing with updating penalty provisions in criminal statutes and insert the provisions into SB 166;
- Strike the Alexa's Law provisions and insert the provisions into HB 2062, as amended by the Conference Committee (delete domestic battery, add KSA 21-3442 involuntary manslaughter DUI, and repeal injury to a pregnant woman and injury to a pregnant woman by vehicle; and

- Add the provisions of HB 2191 (voluntary sexual relations with a volunteer or teacher and amend the provision of law regarding mistreatment of a dependent adult) as it passed the House.

Background

The Senate Committee amended the bill, as introduced which updated the penalty provisions in three statutes, to:

- Update the penalty provisions in KSA 65-28,107. A person convicted of willfully concealing, canceling, defacing, obliterating or damaging the declaration of another without consent, or forges a revocation of the declaration of another is subject to a class A, person misdemeanor. A person convicted of falsifying or forging the declaration of another is subjected to a severity level 7, person felony; and
- Update the penalty provision in KSA 17-1311a, regarding misuse of the permanent maintenance fund of cemetery corporations, to a severity level 7, nonperson felony.

The Senate Committee of the Whole amended the bill to update the penalty provision in KSA 47-604, regarding violation of a quarantine affecting domestic animals, to a severity level 7, nonperson felony.

The House Committee amended the bill to delete the repeal of KSA 21-3727, dealing with injury to a domestic animal.

The House Committee of the Whole amended the bill to add provisions of 2007 HB 2006, also known as Alexa's Law as it passed the House Committee of the Whole.

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unlawful sexual relations

*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>