

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

The Committee on **Judiciary** recommends **SB 487** be amended on page 1, in line 10, after "(a)" by inserting "(1) On and after July 1, 2028,"; in line 19, by striking "(b)" and inserting "(2)"; in line 21, by striking "ot Kansas bureau of investigation"; in line 24, by striking "(c)" by inserting "(b) On and after July 1, 2026,"; in line 25, after "fee" by inserting "of \$10"; in line 26, by striking all after the period; by striking all in line 27; in line 28, by striking all before "Such";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 2, following line 11, by inserting:

"Sec. 2. On and after July 1, 2028, section 1 of this act is hereby amended to read as follows: (a) (1) ~~On and after July 1, 2028,~~ The Kansas bureau of investigation shall provide a statewide offender registration system for registering law enforcement agencies to use when registering offenders under the Kansas offender registration act. Such system shall be used to maintain compliance with the Kansas offender registration act and ensure real-time delivery of offender relocation notifications. The Kansas bureau of investigation, in consultation with the Kansas sheriffs' association, shall provide each registering law enforcement agency and any state agency required to register offenders with access to the statewide offender registration system.

(2) Registering law enforcement agencies shall submit registration data collected pursuant to K.S.A. 22-4904, and amendments thereto, to the statewide offender registration system in a form and manner approved by the director of the Kansas bureau of investigation in consultation with the Kansas sheriffs' association.

(b) ~~On and after July 1, 2026,~~ Offenders who are required to register shall remit payment of a technology fee ~~of \$10~~ to the sheriff's office at the time of registration as provided in K.S.A. 22-4905, and amendments thereto. The amount of such fee shall be fixed by rules and regulations adopted by the director of the Kansas bureau of investigation, except that such fee shall not exceed \$10. Such technology fee shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the offender registration technology fund.

(c) There is hereby created in the state treasury the offender registration technology fund. The director of the Kansas bureau of investigation shall administer the fund. All expenditures from the fund shall be for the purpose of developing and maintaining the statewide offender registration system. All expenditures from the offender registration technology fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the director of the Kansas bureau of investigation.

(d) The Kansas bureau of investigation shall be responsible for the costs of administering, purchasing and maintaining the statewide offender registration system used by registering law enforcement agencies.

(e) This section shall be a part of and supplemental to the Kansas offender registration act.

Sec. 3. K.S.A. 22-4903 is hereby amended to read as follows: 22-4903. (a) Violation of the Kansas offender registration act is the failure by an offender, as defined in K.S.A. 22-4902, and amendments thereto, to comply with any and all provisions of such act, including any and all duties set forth in K.S.A. 22-4905 through 22-4907, and amendments thereto. Any violation of

the Kansas offender registration act which continues for more than 30 consecutive days shall, upon the 31<sup>st</sup> consecutive day, constitute a new and separate offense, and shall continue to constitute a new and separate offense every 30 days thereafter for as long as the violation continues.

(b) Aggravated violation of the Kansas offender registration act is violation of the Kansas offender registration act which continues for more than 180 consecutive days. Any aggravated violation of the Kansas offender registration act which continues for more than 180 consecutive days shall, upon the 181<sup>st</sup> consecutive day, constitute a new and separate offense, and shall continue to constitute a new and separate violation of the Kansas offender registration act every 30 days thereafter, or a new and separate aggravated violation of the Kansas offender registration act every 180 days thereafter, for as long as the violation continues.

(c) (1) ~~(A)~~ Except as provided in subsection (c)(3), violation of the Kansas offender registration act is:

~~(A)(i)~~ Upon a first conviction, a severity level 6 felony;

~~(B)(ii)~~ upon a second conviction, a severity level 5 felony; and

~~(C)(iii)~~ upon a third or subsequent conviction, a severity level 3 felony.

~~(B)~~ Such violation shall be designated as a person or nonperson crime in accordance with the designation assigned to the underlying crime for which the offender is required to be registered under the Kansas offender registration act. If the offender is required to be registered under both a person and nonperson underlying crime, the violation shall be designated as a person crime.

(2) ~~(A)~~ Except as provided in subsection (c)(3), aggravated violation of the Kansas offender registration act is a severity level 3 felony.

~~(B)~~ Such violation shall be designated as a person or nonperson crime in accordance

with the designation assigned to the underlying crime for which the offender is required to be registered under the Kansas offender registration act. If the offender is required to be registered under both a person and nonperson underlying crime, the violation shall be designated as a person crime.

(3) (A) Violation of the Kansas offender registration act or aggravated violation of the Kansas offender registration act consisting only of failing to remit payment to the sheriff's office as required in K.S.A. 22-4905(1), and amendments thereto, is:

~~(A)(i)~~ Except as provided in subsection (c)(3)(B), a class A misdemeanor if, ~~within 15 days of registration,~~ full payment is not remitted to the sheriff's office at the time of registration;

~~(B)(ii)~~ a severity level 9 felony if, ~~within 15~~ 20 calendar days of the most recent registration, two or more full payments have not been remitted to the sheriff's office.

(B) Such violation shall be designated as a person or nonperson crime in accordance with the designation assigned to the underlying crime for which the offender is required to be registered under the Kansas offender registration act. If the offender is required to be registered under both a person and nonperson underlying crime, the violation shall be designated as a person crime.

(C) If payment is not made at the time of registration pursuant to subparagraph (A)(i), the registering law enforcement agency may issue a notice to appear pursuant to K.S.A. 22-2408, and amendments thereto. If such payment is made within 20 calendar days of registration, the criminal charge shall be dismissed.

(d) Prosecution of violations of this section may be held:

(1) In any county in which the offender resides;

(2) in any county in which the offender is required to be registered under the Kansas offender registration act;

(3) in any county in which the offender is located during which time the offender is not in compliance with the Kansas offender registration act; or

(4) in the county in which any conviction or adjudication occurred for which the offender is required to be registered under the Kansas offender registration act.";

Also on page 2, in line 12, before "K.S.A" by inserting "On and after July 1, 2028,";

On page 9, in line 14, after the period by inserting "On and after July 1, 2028, such offender shall remit such payment only in the county where the offender resides."; in line 16, by striking all after the second "payment"; in line 17, by striking "days" and inserting "at the time";

On page 10, in line 10, by striking "22-4904" and inserting "22-4903"; following line 10, by inserting:

"Sec. 7. On and after July 1, 2028, K.S.A. 22-4904 and section 1 of this act are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after the semicolon, by inserting "authorizing a notice to appear to be issued for a violation of the act involving nonpayment of a fee"; in line 6, after "K.S.A." by inserting "22-4903,"; also in line 6, after the second "and" by inserting "section 1 of this act and"; and the bill be passed as amended.

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Chairperson