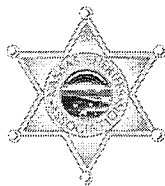


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**Testimony to the House Corrections and Juvenile Justice Committee  
In Support of Amendments to HB2059  
January 12, 2012**

Chairperson Colloton and Committee Members,

You may recall last year this bill was introduced in your committee and several questions were raised primarily regarding limiting who it applied to. As a result, it was clear the proposed bill required additional work and consideration. During the interim period a group of us worked on the bill and have proposed a substitute bill to address the concerns raised last year. The revisor's draft of this bill is 12rs1425.

Kansas law enforcement strongly believes the provisions of this bill will enhance our ability to recover stolen property, track the criminals disposing of such stolen property, and identify those responsible for thefts and burglaries in our communities. Stealing items from our homes, businesses and automobiles is not profitable without readily available outlets for the ill gotten goods. Businesses buying or trading in used goods cannot easily determine who is bringing them items the seller legitimately owns or who is bringing them stolen goods. However, those same businesses can collect data on who they are buying property from which will provide leads for law enforcement to trace back to the persons responsible for the crimes. This is the same tactic currently followed for pawn shops, precious metal dealers, scrap metal dealers and others. Many of these second hand stores already record such data and share it with law enforcement upon request. Others do not. This bill will provide consistency and allow law enforcement to better address businesses who do not cooperate in the recovery of stolen property.

Some of the changes we made from the original bill include:

1. Clear exemptions from the provisions of this bill for businesses already covered by other statutory authority. This includes pawn shops, precious metal dealers, scrap metal dealers, auto salvage dealers, and others. See section 1, subsection (f)(3).
2. Clear exemptions for non-profit organizations such as Salvation Army, Doorstep, Disable Veterans, Goodwill, and others. See section 1, subsection (f)(3).
3. Clear exemptions for personal sales such as garage sales, consignment clothing sale, and most flea market transactions. See section 1, subsection (f)(3).
4. Clear exemptions from the provisions for anyone not required to collect sales tax. See section 1, subsection (f)(3) the Article 38 of Chapter 79 provision.

These changes significantly narrow the scope of the proposed statute to include those businesses that regularly buy, trade, and sell second hand merchandise and household goods that are common targets of burglars and thieves. The changes clearly exempt sales by private individuals, and organizations less likely to be the outlets used by these thieves.

We ask for your support in recommending this substitute bill favorably for passage.

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House Corrections and Juvenile Justice  
Committee  
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