

*As Amended by Senate Committee*

*Session of 2011*

**SENATE BILL No. 74**

By Committee on Judiciary

1-31

1 AN ACT concerning civil procedure; relating to covered offenses and  
2 conduct giving rise to forfeiture; ~~electronic solicitation; sexual~~  
3 ~~exploitation of a child~~; amending K.S.A. 2010 Supp. 60-4104 and  
4 repealing the existing section.

5  
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 2010 Supp. 60-4104 is hereby amended to read  
8 as follows: 60-4104. Conduct and offenses giving rise to forfeiture  
9 under this act, whether or not there is a prosecution or conviction  
10 related to the offense, are:

11 (a) All offenses which statutorily and specifically authorize  
12 forfeiture;

13 (b) violations of K.S.A. 2010 Supp. 21-36a01 through 21-36a17,  
14 and amendments thereto;

15 (c) theft which is classified as a felony violation pursuant to  
16 ~~K.S.A. 21-3701~~ *section 87 of chapter 136 of the 2010 Session Laws of*  
17 *Kansas*, and amendments thereto, in which the property taken was  
18 livestock;

19 (d) ~~unlawful~~ *criminal discharge of a firearm, K.S.A. 21-4219 as*  
20 *defined in subsections (a)(1) and (a)(2) of section 193 of chapter 136*  
21 *of the 2010 Session Laws of Kansas*, and amendments thereto;

22 (e) violations of K.S.A. 2010 Supp. 21-36a16, and amendments  
23 thereto;

24 (f) gambling, ~~K.S.A. 21-4303~~ *section 215 of chapter 136 of the*  
25 *2010 Session Laws of Kansas*, and amendments thereto, and  
26 commercial gambling, ~~K.S.A. 21-4304~~ *as defined in subsection (a)(1)*  
27 *of section 217 of chapter 136 of the 2010 Session Laws of Kansas*, and  
28 amendments thereto;

29 (g) counterfeiting, ~~K.S.A. 21-3763~~ *section 111 of chapter 136 of*  
30 *the 2010 Session Laws of Kansas*, and amendments thereto;

31 (h) violations of ~~K.S.A. 21-4019~~ *section 178 of chapter 136 of the*  
32 *2010 Session Laws of Kansas*, and amendments thereto;

33 (i) medicaid fraud, ~~K.S.A. 21-3844 et seq.~~ *sections 150 through*

1 *161 of chapter 136 of the 2010 Session Laws of Kansas, and*  
2 *amendments thereto;*

3 (j) *an act or omission occurring outside this state, which would be*  
4 *a violation in the place of occurrence and would be described in this*  
5 *section if the act occurred in this state, whether or not it is prosecuted in*  
6 *any state;*

7 (k) *an act or omission committed in furtherance of any act or*  
8 *omission described in this section including any inchoate or preparatory*  
9 *offense, whether or not there is a prosecution or conviction related to*  
10 *the act or omission;*

11 (l) *any solicitation or conspiracy to commit any act or omission*  
12 *described in this section, whether or not there is a prosecution or*  
13 *conviction related to the act or omission;*

14 ~~(m) furtherance of terrorism or illegal use of weapons of mass~~  
15 ~~destruction, K.S.A. 21-3451~~ *violations of section 58 of chapter 136 of*  
16 *the 2010 Session Laws of Kansas, and amendments thereto;*

17 (n) *unlawful conduct of dog fighting and unlawful possession of*  
18 *dog fighting paraphernalia, K.S.A. 21-4315 as defined in subsections*  
19 *(a) and (b) of section 225 of chapter 136 of the 2010 Session Laws of*  
20 *Kansas, and amendments thereto;*

21 (o) *unlawful conduct of cockfighting and unlawful possession of*  
22 *cockfighting paraphernalia, K.S.A. 21-4319 as defined in subsections*  
23 *(a) and (b) of section 228 of chapter 136 of the 2010 Session Laws of*  
24 *Kansas, and amendments thereto;*

25 (p) *prostitution, K.S.A. 21-3512 section 229 of chapter 136 of the*  
26 *2010 Session Laws of Kansas, and amendments thereto, promoting*  
27 *prostitution, K.S.A. 21-3513 section 230 of chapter 136 of the 2010*  
28 *Session Laws of Kansas, and amendments thereto, and patronizing a*  
29 *prostitute, K.S.A. 21-3515 section 231 of chapter 136 of the 2010*  
30 *Session Laws of Kansas, and amendments thereto; and*

31 (q) *human trafficking, K.S.A. 21-3446, and amendments thereto,*  
32 *and aggravated human trafficking, K.S.A. 21-3447 section 61 of*  
33 *chapter 136 of the 2010 Session Laws of Kansas, and amendments*  
34 *thereto; ;*

35 (r) *rape, section 67 of chapter 136 of the 2010 Session Laws of*  
36 *Kansas, and amendments thereto;*

37 (s) *criminal sodomy, as defined in subsection (a)(3) or (a)(4) of*  
38 *section 68 of chapter 136 of the 2010 Session Laws of Kansas, and*  
39 *amendments thereto, and aggravated criminal sodomy, as defined in*

1 *subsection (b) of section 68 of chapter 136 of the 2010 Session Laws*  
2 *of Kansas, and amendments thereto;*

3 *(t) indecent liberties with a child and aggravated indecent*  
4 *liberties with a child, section 70 of chapter 136 of the 2010 Session*  
5 *Laws of Kansas, and amendments thereto;*

6 *(u) unlawful voluntary sexual relations, section 71 of chapter*  
7 *136 of the 2010 Session Laws of Kansas, and amendments thereto;*

8 *(v) indecent solicitation of a child and aggravated indecent*  
9 *solicitation of a child, section 72 of chapter 136 of the 2010 Session*  
10 *Laws of Kansas, and amendments thereto;*

11 *(w) electronic solicitation, section 73 of chapter 136 of the*  
12 *2010 Session Laws of Kansas, and amendments thereto; and*

13 *(x) sexual exploitation of a child, section 74 of chapter 136 of*  
14 *the 2010 Session Laws of Kansas, and amendments thereto.*

15 Sec. 2. K.S.A. 2010 Supp. 60-4104 is hereby repealed.

16 Sec. 3. This act shall take effect and be in force from and after its  
17 publication in the statute book.

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