

SESSION OF 2011

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2042**

As Amended by House Committee on  
Judiciary

**Brief\***

HB 2042 would create a new section requiring law enforcement, when an adult is arrested or charged with commission or attempted commission of a sexually violent crime, to report on the Kansas Standard Offense Report the presence of pornographic materials found at the scene of the crime, on the person arrested, at the arrested person's residence, and in the arrested person's vehicle. The report would be used solely for statistical purposes. Further, the Kansas Bureau of Investigation would be required to make the necessary changes to the Kansas Standard Offense Report and the Kansas Incident Reporting System Handbook and to promulgate rules and regulations concerning training of law enforcement to implement these provisions. The bill would provide that it cannot be construed to expand the scope of an officer's search. The bill also would define "pornographic materials" and "sexually violent crime."

**Background**

In the House Committee on Judiciary, a representative of the National Coalition for the Protection of Children and Families and the University of Pennsylvania's Center for Cognitive Therapy offered testimony in support of HB 2042. The Committee also received written testimony in support of the bill from Concerned Women for America of Kansas and in opposition to the bill from the Kansas Association of Chiefs of Police, Kansas Sheriffs Association, and the Kansas Peace Officer's Association. The Committee amended the bill by

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

requiring law enforcement to report the presence of pornographic materials found on the Kansas Standard Offense Report, rather than the evidence collection form. Further, the Committee amended the bill to require the Kansas Bureau of Investigation to make the necessary changes to the Kansas Standard Offense Report and the Kansas Incident Reporting System Handbook and to promulgate rules and regulations concerning training of law enforcement to implement these provisions. It also added a provision saying the bill cannot be construed to expand the scope of an officer's search.

The fiscal note for HB 2042 as introduced indicates that the Kansas Bureau of Investigation could absorb any additional reporting and training the agents would need to enforce the bill. The Kansas Highway Patrol also indicates that passage of HB 2042 as introduced would have no fiscal impact on its operating budget.