

HOUSE BILL No. 2115

By Representative Sloan

1-27

1 AN ACT concerning civil procedure; relating to covered offenses and
2 conduct giving rise to forfeiture; amending K.S.A. 2010 Supp. 60-
3 4104 and repealing the existing section.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

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

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

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

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

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

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

22 (f) ~~(e) gambling, K.S.A. 21-4303 section 215 of chapter 136 of the~~
23 ~~2010 Session Laws of Kansas,~~ and amendments thereto, and commercial
24 gambling, ~~K.S.A. 21-4304 as defined in subsection (a)(1) of section 217~~
25 ~~of chapter 136 of the 2010 Session Laws of Kansas,~~ and amendments
26 thereto;

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

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

31 (i) ~~(h) medicaid fraud, K.S.A. 21-3844 et seq. sections 150 through~~
32 ~~161 of chapter 136 of the 2010 Session Laws of Kansas,~~ and amendments
33 thereto;

34 (j) ~~(i) an act or omission occurring outside this state, which would be~~
35 ~~a violation in the place of occurrence and would be described in this~~
36 ~~section if the act occurred in this state, whether or not it is prosecuted in~~

- 1 any state;
- 2 ~~(k)~~ (j) an act or omission committed in furtherance of any act or
3 omission described in this section including any inchoate or preparatory
4 offense, whether or not there is a prosecution or conviction related to the
5 act or omission;
- 6 ~~(l)~~ (k) any solicitation or conspiracy to commit any act or omission
7 described in this section, whether or not there is a prosecution or
8 conviction related to the act or omission;
- 9 ~~(m)~~ (l) ~~furtherance of terrorism or illegal use of weapons of mass~~
10 ~~destruction, K.S.A. 21-3451~~ violations of section 58 of chapter 136 of the
11 *2010 Session Laws of Kansas*, and amendments thereto;
- 12 ~~(n)~~ (m) unlawful conduct of dog fighting and unlawful possession of
13 dog fighting paraphernalia, ~~K.S.A. 21-4315~~ as defined in subsections (a)
14 and (b) of section 225 of chapter 136 of the *2010 Session Laws of*
15 *Kansas*, and amendments thereto;
- 16 ~~(o)~~ (n) unlawful conduct of cockfighting and unlawful possession of
17 cockfighting paraphernalia, ~~K.S.A. 21-4319~~ as defined in subsections (a)
18 and (b) of section 228 of chapter 136 of the *2010 Session Laws of*
19 *Kansas*, and amendments thereto;
- 20 ~~(p)~~ (o) prostitution, ~~K.S.A. 21-3512~~ section 229 of chapter 136 of
21 *the 2010 Session Laws of Kansas*, and amendments thereto, promoting
22 prostitution, ~~K.S.A. 21-3513~~ section 230 of chapter 136 of the *2010*
23 *Session Laws of Kansas*, and amendments thereto, and patronizing a
24 prostitute, ~~K.S.A. 21-3515~~ section 231 of chapter 136 of the *2010 Session*
25 *Laws of Kansas*, and amendments thereto; ~~and~~
- 26 ~~(q)~~ (p) human trafficking, ~~K.S.A. 21-3446~~, and amendments thereto;
27 and aggravated human trafficking, ~~K.S.A. 21-3447~~ section 61 of chapter
28 *136 of the 2010 Session Laws of Kansas*, and amendments thereto; ;
- 29 (q) robbery and aggravated robbery, section 55 of chapter 136 of
30 *the 2010 Session Laws of Kansas*, and amendments thereto;
- 31 (r) blackmail, section 64 of chapter 136 of the *2010 Session Laws of*
32 *Kansas*, and amendments thereto;
- 33 (s) burglary and aggravated burglary, section 93 of chapter 136 of
34 *the 2010 Session Laws of Kansas*, and amendments thereto;
- 35 (t) giving a worthless check, section 107 of chapter 136 of the *2010*
36 *Session Laws of Kansas*, and amendments thereto;
- 37 (u) forgery, section 109 of chapter 136 of the *2010 Session Laws of*
38 *Kansas*, and amendments thereto;
- 39 (v) making false information, section 110 of chapter 136 of the *2010*
40 *Session Laws of Kansas*, and amendments thereto;
- 41 (w) criminal use of a financial card, section 114 of chapter 136 of
42 *the 2010 Session Laws of Kansas*, and amendments thereto;
- 43 (x) conducting a pyramid promotional scheme, section 124 of

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

3 *(y) violations of section 125 of chapter 136 of the 2010 Session*
4 *Laws of Kansas, and amendments thereto; and*

5 *(z) identity theft and identity fraud, as defined in subsections (a) and*
6 *(b) of section 177 of chapter 136 of the 2010 Session Laws of Kansas,*
7 *and amendments thereto.*

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

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

11

12