

SESSION OF 2014

SUPPLEMENTAL NOTE ON SENATE BILL NO. 258

As Recommended by Senate Committee on
Judiciary

Brief*

SB 258 would amend the statutes of limitations for several offenses under the Kansas Juvenile Justice Code. Proceedings for rape or aggravated criminal sodomy could be commenced at any time. Prosecution of a sexually violent crime could commence within 10 years when the victim is 18 years old or older. When the victim is younger than 18 years old, the bill would allow for prosecution of a sexually violent crime to commence within 10 years of the date the victim turns 18 years of age. The bill would not affect existing law allowing a prosecution for such offenses to be brought within one year of the date the identity of the suspect is conclusively established through DNA testing, if such period is later than the limitation period otherwise provided.

Background

SB 258 was introduced by the Senate Judiciary Committee at the request of the Kansas County and District Attorneys' Association (KCDAA). Before the Committee, a representative of the KCDAA testified in support of the bill, stating it would bring the statutes of limitations for juvenile proceedings for rape, aggravated criminal sodomy, and sexually violent offenses in line with recent changes to the statutes of limitations for these offenses in the criminal code. There was no opponent testimony.

*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>

According to the fiscal note prepared by the Division of the Budget on the bill, the Office of Judicial Administration indicates the bill could increase the number of district court cases and appeals, increasing the time required by court personnel in handling the cases and appeals. The additional cases also could increase docket fee revenue. However, a precise fiscal effect cannot be determined. The Department of Corrections indicates the bill would have no fiscal effect on juvenile services or the juvenile correctional facilities.

Any fiscal effect associated with the bill is not reflected in *The FY 2015 Governor's Budget Report*.