AN ACT concerning money laundering; enacting the Kansas comprehensive money laundering act.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) Sections 1 through 3, and amendments thereto, shall be known and may be cited as the Kansas comprehensive money laundering act.
(b) As used in the Kansas comprehensive money laundering act:
(1) "Conduct" or "conducts" includes, but is not limited to, initiating, concluding, participating in or assisting in a financial transaction;
(2) "financial transaction" means any purchase, sale, trade, loan, pledge, investment, gift, transfer, transmission, transportation, delivery, deposit, withdrawal, payment, transfer between accounts, exchange of currency, extension of credit, purchase or sale of monetary instruments, use of a safe-deposit box or any other acquisition or disposition of monetary instruments by any means including the movement of funds by wire or other electronic means, which is knowingly designed in whole or in part to conceal or disguise the nature, location, source, ownership or control of the property involved in the transaction;
(3) "monetary instrument" means:
(A) Coin or currency of the United States or of any other country, travelers' checks, personal checks, bank checks, cashier's checks, credit cards, debit cards and money orders; and
(B) securities or other negotiable instruments in bearer form or otherwise;
(4) "person" includes an individual, trust, partnership, association, corporation, firm, joint venture or other business entity;
(5) "proceeds" means property acquired or derived, directly or indirectly, from, produced through, realized through or caused by an act or omission and includes property, real or personal, of any kind; and
(6) "property" means anything of value and includes any interest therein, including any benefit, privilege, claim or right with respect to anything of value, whether real or personal, tangible or intangible.

Sec. 2. (a) It shall be unlawful for any person to knowingly conduct a financial transaction where the person knows the property involved in the transaction represents the proceeds of an activity which is punishable as a
felony under the laws of the state of Kansas, another state or territory of
the United States, the District of Columbia or the United States. A
violation of this section shall be a severity level 5, nonperson felony.
(b) Any person who, for compensation, converts cash into negotiable
instruments or electronic funds for another, knowing the cash is proceeds
of some form of activity that is a felony under the laws of the state of
Kansas, another state or territory of the United States, the District of
Columbia or the United States shall be guilty of:
(1) A class A nonperson misdemeanor except as provided in
subsection (b)(2); and
(2) a severity level 6, nonperson felony upon a second or subsequent
conviction.
(c) An employee of a depository institution, as defined in K.S.A. 9-
701(w), and amendments thereto, shall not be prosecuted pursuant to the
Kansas comprehensive money laundering act for participating in a good
faith transaction in the depository institution’s normal course of business,
so long as the property involved in the transaction is the proceeds of an
activity that is legal in the state where it occurs.
Sec. 3. Any person holding a license or registration to operate any
business as required by state or local law shall forfeit such license or
registration upon conviction of a violation of the Kansas comprehensive
money laundering act. Upon conviction, the prosecuting agency shall
notify any appropriate agency of the forfeiture.
Sec. 4. This act shall take effect and be in force from and after its
publication in the statute book.