

## HOUSE BILL No. 2222

By Committee on Judiciary

2-4

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1 AN ACT concerning the Kansas offender registration act; relating to  
2 municipal court ordinance violations; amending K.S.A. 2014 Supp. 12-  
3 4106, 22-4902 and 22-4906 and repealing the existing sections.  
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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2014 Supp. 12-4106 is hereby amended to read as  
7 follows: 12-4106.(a) The municipal judge shall have the power to  
8 administer the oaths and enforce all orders, rules and judgments made by  
9 such municipal judge, and may fine or imprison for contempt in the same  
10 manner and to the same extent as a judge of the district court.

11 (b) The municipal judge shall have the power to hear and determine  
12 all cases properly brought before such municipal judge to: Grant  
13 continuances; sentence those found guilty to a fine or confinement in jail,  
14 or both; commit accused persons to jail in default of bond; determine  
15 applications for parole; release on probation; grant time in which a fine  
16 may be paid; correct a sentence; suspend imposition of a sentence; set  
17 aside a judgment; permit time for post trial motions; and discharge accused  
18 persons.

19 (c) The municipal judge shall maintain a docket in which every cause  
20 commenced before such municipal judge shall be entered. Such docket  
21 shall contain the names of the accused persons and complainant, the nature  
22 or character of the offense, the date of trial, the names of all witnesses  
23 sworn and examined, the finding of the court, the judgment and sentence,  
24 the date of payment, the date of issuing commitment, if any, and every  
25 other fact necessary to show the full proceedings in each case.

26 (d) The municipal judge shall promptly make such reports and furnish  
27 the information requested by any departmental justice or the judicial  
28 administrator, in the manner and form prescribed by the supreme court.

29 (e) The municipal judge shall ensure that information concerning  
30 dispositions of city ordinance violations that result in convictions  
31 comparable to convictions for offenses under Kansas criminal statutes is  
32 forwarded to the Kansas bureau of investigation central repository. This  
33 information shall be transmitted, on a form or in a format approved by the  
34 attorney general, within 30 days of final disposition.

35 (f) *The municipal judge shall perform any duties required by the  
36 court under the Kansas offender registration act, K.S.A. 22-4901 et seq.,*

1 *and amendments thereto.*

2 (f) (g) In all cases alleging a violation of a city ordinance prohibiting  
3 the acts prohibited by K.S.A. 8-2,144, 8-1567 or 32-1131 or K.S.A. 2014  
4 Supp. 8-1025, 21-6419 or 21-6421, and amendments thereto, the  
5 municipal court judge shall ensure that the municipal court reports the  
6 filing and disposition of such case to the Kansas bureau of investigation  
7 central repository, and, on and after July 1, 2014, reports the filing and  
8 disposition of such case electronically to the Kansas bureau of  
9 investigation central repository.

10 (g) (h) In all cases in which a fine is imposed for a violation of a city  
11 ordinance prohibiting the acts prohibited by K.S.A. 8-2,144 or 8-1567 or  
12 K.S.A. 2014 Supp. 8-1025 or 21-6421, and amendments thereto, the  
13 municipal court judge shall ensure that the municipal court remits the  
14 appropriate amount of such fine to the state treasurer as provided in K.S.A.  
15 2014 Supp. 12-4120, and amendments thereto.

16 Sec. 2. K.S.A. 2014 Supp. 22-4902 is hereby amended to read as  
17 follows: 22-4902. As used in the Kansas offender registration act, unless  
18 the context otherwise requires:

19 (a) "Offender" means:

20 (1) A sex offender;

21 (2) a violent offender;

22 (3) a drug offender;

23 (4) any person who has been required to register under out of state  
24 law or is otherwise required to be registered; ~~and~~

25 (5) any person required by court order to register for an offense not  
26 otherwise required as provided in the Kansas offender registration act; *and*

27 (6) *any person who, on or after July 1, 2015, is convicted or*  
28 *adjudicated of a municipal ordinance violation substantially similar to an*  
29 *offense requiring registration under this section.*

30 (b) "Sex offender" includes any person who:

31 (1) On or after April 14, 1994, is convicted of any sexually violent  
32 crime;

33 (2) on or after July 1, 2002, is adjudicated as a juvenile offender for  
34 an act which if committed by an adult would constitute the commission of  
35 a sexually violent crime, unless the court, on the record, finds that the act  
36 involved non-forcible sexual conduct, the victim was at least 14 years of  
37 age and the offender was not more than four years older than the victim;

38 (3) has been determined to be a sexually violent predator;

39 (4) on or after July 1, 1997, is convicted of any of the following  
40 crimes when one of the parties involved is less than 18 years of age:

41 (A) Adultery, as defined in K.S.A. 21-3507, prior to its repeal, or  
42 K.S.A. 2014 Supp. 21-5511, and amendments thereto;

43 (B) criminal sodomy, as defined in ~~subsection (a)(1) of~~ K.S.A. 21-

- 1 3505(a)(1), prior to its repeal, or ~~subsection (a)(1) or (a)(2)~~ of K.S.A. 2014  
2 Supp. 21-5504(a)(1) or (a)(2), and amendments thereto;
- 3 (C) promoting prostitution, as defined in K.S.A. 21-3513, prior to its  
4 repeal, or K.S.A. 2014 Supp. 21-6420, prior to its amendment by section  
5 17 of chapter 120 of the 2013 Session Laws of Kansas on July 1, 2013;
- 6 (D) patronizing a prostitute, as defined in K.S.A. 21-3515, prior to its  
7 repeal, or K.S.A. 2014 Supp. 21-6421, prior to its amendment by section  
8 18 of chapter 120 of the 2013 Session Laws of Kansas on July 1, 2013; or
- 9 (E) lewd and lascivious behavior, as defined in K.S.A. 21-3508, prior  
10 to its repeal, or K.S.A. 2014 Supp. 21-5513, and amendments thereto;
- 11 (5) is convicted of sexual battery, as defined in K.S.A. 21-3517, prior  
12 to its repeal, or subsection (a) of K.S.A. 2014 Supp. 21-5505, and  
13 amendments thereto;
- 14 (6) is convicted of an attempt, conspiracy or criminal solicitation, as  
15 defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or  
16 K.S.A. 2014 Supp. 21-5301, 21-5302, 21-5303, and amendments thereto,  
17 of an offense defined in this subsection; or
- 18 (7) has been convicted of an offense that is comparable to any crime  
19 defined in this subsection, or any out of state conviction for an offense that  
20 under the laws of this state would be an offense defined in this subsection.
- 21 (c) "Sexually violent crime" means:
- 22 (1) Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A.  
23 2014 Supp. 21-5503, and amendments thereto;
- 24 (2) indecent liberties with a child, as defined in K.S.A. 21-3503, prior  
25 to its repeal, or ~~subsection (a)~~ of K.S.A. 2014 Supp. 21-5506(a), and  
26 amendments thereto;
- 27 (3) aggravated indecent liberties with a child, as defined in K.S.A. 21-  
28 3504, prior to its repeal, or ~~subsection (b)~~ of K.S.A. 2014 Supp. 21-  
29 5506(b), and amendments thereto;
- 30 (4) criminal sodomy, as defined in ~~subsection (a)(2) or (a)(3)~~ of  
31 K.S.A. 21-3505(a)(2) or (a)(3), prior to its repeal, or ~~subsection (a)(3) or~~  
32 ~~(a)(4)~~ of K.S.A. 2014 Supp. 21-5504(a)(3) or (a)(4), and amendments  
33 thereto;
- 34 (5) aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior  
35 to its repeal, or ~~subsection (b)~~ of K.S.A. 2014 Supp. 21-5504(b), and  
36 amendments thereto;
- 37 (6) indecent solicitation of a child, as defined in K.S.A. 21-3510,  
38 prior to its repeal, or ~~subsection (a)~~ of K.S.A. 2014 Supp. 21-5508(a), and  
39 amendments thereto;
- 40 (7) aggravated indecent solicitation of a child, as defined in K.S.A.  
41 21-3511, prior to its repeal, or ~~subsection (b)~~ of K.S.A. 2014 Supp. 21-  
42 5508(b), and amendments thereto;
- 43 (8) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior

1 to its repeal, or K.S.A. 2014 Supp. 21-5510, and amendments thereto;

2 (9) aggravated sexual battery, as defined in K.S.A. 21-3518, prior to  
3 its repeal, or ~~subsection (b) of~~ K.S.A. 2014 Supp. 21-5505(b), and  
4 amendments thereto;

5 (10) aggravated incest, as defined in K.S.A. 21-3603, prior to its  
6 repeal, or ~~subsection (b) of~~ K.S.A. 2014 Supp. 21-5604(b), and  
7 amendments thereto;

8 (11) electronic solicitation, as defined in K.S.A. 21-3523, prior to its  
9 repeal, and K.S.A. 2014 Supp. 21-5509, and amendments thereto;

10 (12) unlawful sexual relations, as defined in K.S.A. 21-3520, prior to  
11 its repeal, or K.S.A. 2014 Supp. 21-5512, and amendments thereto;

12 (13) aggravated human trafficking, as defined in K.S.A. 21-3447,  
13 prior to its repeal, or ~~subsection (b) of~~ K.S.A. 2014 Supp. 21-5426(b), and  
14 amendments thereto, if committed in whole or in part for the purpose of  
15 the sexual gratification of the defendant or another;

16 (14) commercial sexual exploitation of a child, as defined in K.S.A.  
17 2014 Supp. 21-6422, and amendments thereto;

18 (15) any conviction or adjudication for an offense that is comparable  
19 to a sexually violent crime as defined in this subsection, or any out of state  
20 conviction or adjudication for an offense that under the laws of this state  
21 would be a sexually violent crime as defined in this subsection;

22 (16) an attempt, conspiracy or criminal solicitation, as defined in  
23 K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2014  
24 Supp. 21-5301, 21-5302, 21-5303, and amendments thereto, of a sexually  
25 violent crime, as defined in this subsection; or

26 (17) any act which has been determined beyond a reasonable doubt to  
27 have been sexually motivated, unless the court, on the record, finds that  
28 the act involved non-forcible sexual conduct, the victim was at least 14  
29 years of age and the offender was not more than four years older than the  
30 victim. As used in this paragraph, "sexually motivated" means that one of  
31 the purposes for which the defendant committed the crime was for the  
32 purpose of the defendant's sexual gratification.

33 (d) "Sexually violent predator" means any person who, on or after  
34 July 1, 2001, is found to be a sexually violent predator pursuant to K.S.A.  
35 59-29a01 et seq., and amendments thereto.

36 (e) "Violent offender" includes any person who:

37 (1) On or after July 1, 1997, is convicted of any of the following  
38 crimes:

39 (A) Capital murder, as defined in K.S.A. 21-3439, prior to its repeal,  
40 or K.S.A. 2014 Supp. 21-5401, and amendments thereto;

41 (B) murder in the first degree, as defined in K.S.A. 21-3401, prior to  
42 its repeal, or K.S.A. 2014 Supp. 21-5402, and amendments thereto;

43 (C) murder in the second degree, as defined in K.S.A. 21-3402, prior

1 to its repeal, or K.S.A. 2014 Supp. 21-5403, and amendments thereto;

2 (D) voluntary manslaughter, as defined in K.S.A. 21-3403, prior to its  
3 repeal, or K.S.A. 2014 Supp. 21-5404, and amendments thereto;

4 (E) involuntary manslaughter, as defined in K.S.A. 21-3404, prior to  
5 its repeal, or ~~subsections (a)(1), (a)(2) or (a)(4)~~ of K.S.A. 2014 Supp. 21-  
6 5405(a)(1), (a)(2) or (a)(4), and amendments thereto. The provisions of  
7 this paragraph shall not apply to violations of ~~subsection (a)(3)~~ of K.S.A.  
8 2014 Supp. 21-5405(a)(3), and amendments thereto, which occurred on or  
9 after July 1, 2011, through July 1, 2013;

10 (F) kidnapping, as defined in K.S.A. 21-3420, prior to its repeal, or  
11 ~~subsection (a)~~ of K.S.A. 2014 Supp. 21-5408(a), and amendments thereto;

12 (G) aggravated kidnapping, as defined in K.S.A. 21-3421, prior to its  
13 repeal, or ~~subsection (b)~~ of K.S.A. 2014 Supp. 21-5408(b), and  
14 amendments thereto;

15 (H) criminal restraint, as defined in K.S.A. 21-3424, prior to its  
16 repeal, or K.S.A. 2014 Supp. 21-5411, and amendments thereto, except by  
17 a parent, and only when the victim is less than 18 years of age; or

18 (I) aggravated human trafficking, as defined in K.S.A. 21-3447, prior  
19 to its repeal, or ~~subsection (b)~~ of K.S.A. 2014 Supp. 21-5426(b), and  
20 amendments thereto, if not committed in whole or in part for the purpose  
21 of the sexual gratification of the defendant or another;

22 (2) on or after July 1, 2006, is convicted of any person felony and the  
23 court makes a finding on the record that a deadly weapon was used in the  
24 commission of such person felony;

25 (3) has been convicted of an offense that is comparable to any crime  
26 defined in this subsection, any out of state conviction for an offense that  
27 under the laws of this state would be an offense defined in this subsection;  
28 or

29 (4) is convicted of an attempt, conspiracy or criminal solicitation, as  
30 defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or  
31 K.S.A. 2014 Supp. 21-5301, 21-5302 and 21-5303, and amendments  
32 thereto, of an offense defined in this subsection.

33 (f) "Drug offender" includes any person who, on or after July 1, 2007:

34 (1) Is convicted of any of the following crimes:

35 (A) Unlawful manufacture or attempting such of any controlled  
36 substance or controlled substance analog, as defined in K.S.A. 65-4159,  
37 prior to its repeal, K.S.A. 2010 Supp. 21-36a03, prior to its transfer, or  
38 K.S.A. 2014 Supp. 21-5703, and amendments thereto;

39 (B) possession of ephedrine, pseudoephedrine, red phosphorus,  
40 lithium metal, sodium metal, iodine, anhydrous ammonia, pressurized  
41 ammonia or phenylpropanolamine, or their salts, isomers or salts of  
42 isomers with intent to use the product to manufacture a controlled  
43 substance, as defined in ~~subsection (a)~~ of K.S.A. 65-7006(a), prior to its

1 repeal, ~~subsection (a)~~ of K.S.A. 2010 Supp. 21-36a09(a), prior to its  
2 transfer, or ~~subsection (a)~~ of K.S.A. 2014 Supp. 21-5709(a), and  
3 amendments thereto;

4 (C) K.S.A. 65-4161, prior to its repeal, ~~subsection (a)(1)~~ of K.S.A.  
5 2010 Supp. 21-36a05(a)(1), prior to its transfer, or ~~subsection (a)(1)~~ of  
6 K.S.A. 2014 Supp. 21-5705(a)(1), and amendments thereto. The  
7 provisions of this paragraph shall not apply to violations of ~~subsections (a)~~  
8 ~~(2) through (a)(6) or (b)~~ of K.S.A. 2010 Supp. 21-36a05(a)(2) through (a)  
9 ~~(6) or (b)~~ which occurred on or after July 1, 2009, through April 15, 2010;

10 (2) has been convicted of an offense that is comparable to any crime  
11 defined in this subsection, any out of state conviction for an offense that  
12 under the laws of this state would be an offense defined in this subsection;  
13 or

14 (3) is or has been convicted of an attempt, conspiracy or criminal  
15 solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to  
16 their repeal, or K.S.A. 2014 Supp. 21-5301, 21-5302 and 21-5303, and  
17 amendments thereto, of an offense defined in this subsection.

18 (g) Convictions or adjudications which result from or are connected  
19 with the same act, or result from crimes committed at the same time, shall  
20 be counted for the purpose of this section as one conviction or  
21 adjudication. Any conviction or adjudication set aside pursuant to law is  
22 not a conviction or adjudication for purposes of this section. A conviction  
23 or adjudication from any out of state court shall constitute a conviction or  
24 adjudication for purposes of this section.

25 (h) "School" means any public or private educational institution,  
26 including, but not limited to, postsecondary school, college, university,  
27 community college, secondary school, high school, junior high school,  
28 middle school, elementary school, trade school, vocational school or  
29 professional school providing training or education to an offender for three  
30 or more consecutive days or parts of days, or for 10 or more  
31 nonconsecutive days in a period of 30 consecutive days.

32 (i) "Employment" means any full-time, part-time, transient, day-labor  
33 employment or volunteer work, with or without compensation, for three or  
34 more consecutive days or parts of days, or for 10 or more nonconsecutive  
35 days in a period of 30 consecutive days.

36 (j) "Reside" means to stay, sleep or maintain with regularity or  
37 temporarily one's person and property in a particular place other than a  
38 location where the offender is incarcerated. It shall be presumed that an  
39 offender resides at any and all locations where the offender stays, sleeps or  
40 maintains the offender's person for three or more consecutive days or parts  
41 of days, or for ten or more nonconsecutive days in a period of 30  
42 consecutive days.

43 (k) "Residence" means a particular and definable place where an

1 individual resides. Nothing in the Kansas offender registration act shall be  
2 construed to state that an offender may only have one residence for the  
3 purpose of such act.

4 (l) "Transient" means having no fixed or identifiable residence.

5 (m) "Law enforcement agency having initial jurisdiction" means the  
6 registering law enforcement agency of the county or location of  
7 jurisdiction where the offender expects to most often reside upon the  
8 offender's discharge, parole or release.

9 (n) "Registering law enforcement agency" means the sheriff's office  
10 or tribal police department responsible for registering an offender.

11 (o) "Registering entity" means any person, agency or other  
12 governmental unit, correctional facility or registering law enforcement  
13 agency responsible for obtaining the required information from, and  
14 explaining the required registration procedures to, any person required to  
15 register pursuant to the Kansas offender registration act. "Registering  
16 entity" shall include, but not be limited to, sheriff's offices, tribal police  
17 departments and correctional facilities.

18 (p) "Treatment facility" means any public or private facility or  
19 institution providing inpatient mental health, drug or alcohol treatment or  
20 counseling, but does not include a hospital, as defined in K.S.A. 65-425,  
21 and amendments thereto.

22 (q) "Correctional facility" means any public or private correctional  
23 facility, juvenile detention facility, prison or jail.

24 (r) "Out of state" means: the District of Columbia; any federal,  
25 military or tribal jurisdiction, including those within this state; any foreign  
26 jurisdiction; or any state or territory within the United States, other than  
27 this state.

28 (s) "Duration of registration" means the length of time during which  
29 an offender is required to register for a specified offense or violation.

30 Sec. 3. K.S.A. 2014 Supp. 22-4906 is hereby amended to read as  
31 follows: 22-4906. (a) (1) Except as provided in subsection (c), if convicted  
32 of any of the following offenses, an offender's duration of registration shall  
33 be, if confined, 15 years after the date of parole, discharge or release,  
34 whichever date is most recent, or, if not confined, 15 years from the date  
35 of conviction:

36 (A) Sexual battery, as defined in K.S.A. 21-3517, prior to its repeal,  
37 or ~~subsection (a) of~~ K.S.A. 2014 Supp. 21-5505(a), and amendments  
38 thereto;

39 (B) adultery, as defined in K.S.A. 21-3507, prior to its repeal, or  
40 K.S.A. 2014 Supp. 21-5511, and amendments thereto, when one of the  
41 parties involved is less than 18 years of age;

42 (C) patronizing a prostitute, as defined in K.S.A. 21-3515, prior to its  
43 repeal, or K.S.A. 2014 Supp. 21-6421, prior to its amendment by section

- 1 18 of chapter 120 of the 2013 Session Laws of Kansas on July 1, 2013,  
2 when one of the parties involved is less than 18 years of age;
- 3 (D) lewd and lascivious behavior, as defined in K.S.A. 21-3508, prior  
4 to its repeal, or K.S.A. 2014 Supp. 21-5513, and amendments thereto,  
5 when one of the parties involved is less than 18 years of age;
- 6 (E) capital murder, as defined in K.S.A. 21-3439, prior to its repeal,  
7 or K.S.A. 2014 Supp. 21-5401, and amendments thereto;
- 8 (F) murder in the first degree, as defined in K.S.A. 21-3401, prior to  
9 its repeal, or K.S.A. 2014 Supp. 21-5402, and amendments thereto;
- 10 (G) murder in the second degree, as defined in K.S.A. 21-3402, prior  
11 to its repeal, or K.S.A. 2014 Supp. 21-5403, and amendments thereto;
- 12 (H) voluntary manslaughter, as defined in K.S.A. 21-3403, prior to its  
13 repeal, or K.S.A. 2014 Supp. 21-5404, and amendments thereto;
- 14 (I) involuntary manslaughter, as defined in K.S.A. 21-3404, prior to  
15 its repeal, or ~~subsections (a)(1), (a)(2) or (a)(4)~~ of K.S.A. 2014 Supp. 21-  
16 5405(a)(1), (a)(2) or (a)(4), and amendments thereto;
- 17 (J) criminal restraint, as defined in K.S.A. 21-3424, prior to its repeal,  
18 or K.S.A. 2014 Supp. 21-5411, and amendments thereto, except by a  
19 parent, and only when the victim is less than 18 years of age;
- 20 (K) any act which has been determined beyond a reasonable doubt to  
21 have been sexually motivated, unless the court, on the record, finds that  
22 the act involved non-forcible sexual conduct, the victim was at least 14  
23 years of age and the offender was not more than four years older than the  
24 victim;
- 25 (L) conviction of any person required by court order to register for an  
26 offense not otherwise required as provided in the Kansas offender  
27 registration act;
- 28 (M) conviction of any person felony and the court makes a finding on  
29 the record that a deadly weapon was used in the commission of such  
30 person felony;
- 31 (N) unlawful manufacture or attempting such of any controlled  
32 substance or controlled substance analog, as defined in K.S.A. 65-4159,  
33 prior to its repeal, K.S.A. 2010 Supp. 21-36a03, prior to its transfer, or  
34 K.S.A. 2014 Supp. 21-5703, and amendments thereto;
- 35 (O) possession of ephedrine, pseudoephedrine, red phosphorus,  
36 lithium metal, sodium metal, iodine, anhydrous ammonia, pressurized  
37 ammonia or phenylpropanolamine, or their salts, isomers or salts of  
38 isomers with intent to use the product to manufacture a controlled  
39 substance, as defined by ~~subsection (a)~~ of K.S.A. 65-7006(a), prior to its  
40 repeal, ~~subsection (a)~~ of K.S.A. 2010 Supp. 21-36a09(a), prior to its  
41 transfer, or ~~subsection (a)~~ of K.S.A. 2014 Supp. 21-5709(a), and  
42 amendments thereto;
- 43 (P) K.S.A. 65-4161, prior to its repeal, ~~subsection (a)(1)~~ of K.S.A.



1 2010 Supp. 21-36a05(a)(1), prior to its transfer, or ~~subsection (a)(1) of~~  
2 K.S.A. 2014 Supp. 21-5705(a)(1), and amendments thereto; or

3 (Q) *conviction or adjudication of any municipal ordinance violation*  
4 *requiring registration; or*

5 (R) any attempt, conspiracy or criminal solicitation, as defined in  
6 K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2014  
7 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of an  
8 offense defined in this subsection.

9 (2) Except as otherwise provided by the Kansas offender registration  
10 act, the duration of registration terminates, if not confined, at the  
11 expiration of 15 years from the date of conviction. Any period of time  
12 during which any offender is incarcerated in any jail or correctional  
13 facility or during which the offender does not comply with any and all  
14 requirements of the Kansas offender registration act shall not count toward  
15 the duration of registration.

16 (b) (1) Except as provided in subsection (c), if convicted of any of  
17 the following offenses, an offender's duration of registration shall be, if  
18 confined, 25 years after the date of parole, discharge or release, whichever  
19 date is most recent, or, if not confined, 25 years from the date of  
20 conviction:

21 (A) Criminal sodomy, as defined in ~~subsection (a)(1) of~~ K.S.A. 21-  
22 3505(a)(1), prior to its repeal, or ~~subsection (a)(1) or (a)(2) of~~ K.S.A. 2014  
23 Supp. 21-5504(a)(1) or (a)(2), and amendments thereto, when one of the  
24 parties involved is less than 18 years of age;

25 (B) indecent solicitation of a child, as defined in K.S.A. 21-3510,  
26 prior to its repeal, or ~~subsection (a) of~~ K.S.A. 2014 Supp. 21-5508(a), and  
27 amendments thereto;

28 (C) electronic solicitation, as defined in K.S.A. 21-3523, prior to its  
29 repeal, or K.S.A. 2014 Supp. 21-5509, and amendments thereto;

30 (D) aggravated incest, as defined in K.S.A. 21-3603, prior to its  
31 repeal, or ~~subsection (b) of~~ K.S.A. 2014 Supp. 21-5604(b), and  
32 amendments thereto;

33 (E) indecent liberties with a child, as defined in K.S.A. 21-3503, prior  
34 to its repeal, or ~~subsection (a) of~~ K.S.A. 2014 Supp. 21-5506(a), and  
35 amendments thereto;

36 (F) unlawful sexual relations, as defined in K.S.A. 21-3520, prior to  
37 its repeal, or K.S.A. 2014 Supp. 21-5512, and amendments thereto;

38 (G) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior  
39 to its repeal, or K.S.A. 2014 Supp. 21-5510, and amendments thereto, if  
40 the victim is 14 or more years of age but less than 18 years of age;

41 (H) aggravated sexual battery, as defined in K.S.A. 21-3518, prior to  
42 its repeal, or ~~subsection (b) of~~ K.S.A. 2014 Supp. 21-5505(b), and  
43 amendments thereto;

1 (I) promoting prostitution, as defined in K.S.A. 21-3513, prior to its  
2 repeal, or K.S.A. 2014 Supp. 21-6420, prior to its amendment by section  
3 17 of chapter 120 of the 2013 Session Laws of Kansas on July 1, 2013, if  
4 the person selling sexual relations is 14 or more years of age but less than  
5 18 years of age; or

6 (J) any attempt, conspiracy or criminal solicitation, as defined in  
7 K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2014  
8 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of an  
9 offense defined in this subsection.

10 (2) Except as otherwise provided by the Kansas offender registration  
11 act, the duration of registration terminates, if not confined, at the  
12 expiration of 25 years from the date of conviction. Any period of time  
13 during which any offender is incarcerated in any jail or correctional  
14 facility or during which the offender does not comply with any and all  
15 requirements of the Kansas offender registration act shall not count toward  
16 the duration of registration.

17 (c) Upon a second or subsequent conviction of an offense requiring  
18 registration, an offender's duration of registration shall be for such  
19 offender's lifetime.

20 (d) The duration of registration for any offender who has been  
21 convicted of any of the following offenses shall be for such offender's  
22 lifetime:

23 (1) Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A.  
24 2014 Supp. 21-5503, and amendments thereto;

25 (2) aggravated indecent solicitation of a child, as defined in K.S.A.  
26 21-3511, prior to its repeal, or ~~subsection (b) of~~ K.S.A. 2014 Supp. 21-  
27 5508(b), and amendments thereto;

28 (3) aggravated indecent liberties with a child, as defined in K.S.A. 21-  
29 3504, prior to its repeal, or ~~subsection (b) of~~ K.S.A. 2014 Supp. 21-  
30 5506(b), and amendments thereto;

31 (4) criminal sodomy, as defined in ~~subsection (a)(2) or (a)(3) of~~  
32 K.S.A. 21-3505(a)(2) or (a)(3), prior to its repeal, or ~~subsection (a)(3) or~~  
33 ~~(a)(4) of~~ K.S.A. 2014 Supp. 21-5504(a)(3) or (a)(4), and amendments  
34 thereto;

35 (5) aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior  
36 to its repeal, or ~~subsection (b) of~~ K.S.A. 2014 Supp. 21-5504(b), and  
37 amendments thereto;

38 (6) aggravated human trafficking, as defined in K.S.A. 21-3447, prior  
39 to its repeal, or ~~subsection (b) of~~ K.S.A. 2014 Supp. 21-5426(b), and  
40 amendments thereto;

41 (7) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior  
42 to its repeal, or K.S.A. 2014 Supp. 21-5510, and amendments thereto, if  
43 the victim is less than 14 years of age;

1 (8) promoting prostitution, as defined in K.S.A. 21-3513, prior to its  
2 repeal, or K.S.A. 2014 Supp. 21-6420, prior to its amendment by section  
3 17 of chapter 120 of the 2013 Session Laws of Kansas on July 1, 2013, if  
4 the person selling sexual relations is less than 14 years of age;

5 (9) kidnapping, as defined in K.S.A. 21-3420, prior to its repeal, or  
6 ~~subsection (a) of K.S.A. 2014 Supp. 21-5408(a)~~, and amendments thereto;

7 (10) aggravated kidnapping, as defined in K.S.A. 21-3421, prior to its  
8 repeal, or ~~subsection (b) of K.S.A. 2014 Supp. 21-5408(b)~~, and  
9 amendments thereto;

10 (11) commercial sexual exploitation of a child, as defined in K.S.A.  
11 2014 Supp. 21-6422, and amendments thereto; or

12 (12) any attempt, conspiracy or criminal solicitation, as defined in  
13 K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2014  
14 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of an  
15 offense defined in this subsection.

16 (e) Any person who has been declared a sexually violent predator  
17 pursuant to K.S.A. 59-29a01 et seq., and amendments thereto, shall  
18 register for such person's lifetime.

19 (f) Notwithstanding any other provisions of this section, for an  
20 offender less than 14 years of age who is adjudicated as a juvenile offender  
21 for an act which if committed by an adult would constitute a sexually  
22 violent crime set forth in ~~subsection (e) of K.S.A. 22-4902(c)~~, and  
23 amendments thereto, the court shall:

24 (1) Require registration until such offender reaches 18 years of age, at  
25 the expiration of five years from the date of adjudication or, if confined,  
26 from release from confinement, whichever date occurs later. Any period of  
27 time during which the offender is incarcerated in any jail, juvenile facility  
28 or correctional facility or during which the offender does not comply with  
29 any and all requirements of the Kansas offender registration act shall not  
30 count toward the duration of registration;

31 (2) not require registration if the court, on the record, finds substantial  
32 and compelling reasons therefor; or

33 (3) require registration, but such registration information shall not be  
34 open to inspection by the public or posted on any internet website, as  
35 provided in K.S.A. 22-4909, and amendments thereto. If the court requires  
36 registration but such registration is not open to the public, such offender  
37 shall provide a copy of such court order to the registering law enforcement  
38 agency at the time of registration. The registering law enforcement agency  
39 shall forward a copy of such court order to the Kansas bureau of  
40 investigation.

41 If such offender violates a condition of release during the term of the  
42 conditional release, the court may require such offender to register  
43 pursuant to paragraph (1).

1 (g) Notwithstanding any other provisions of this section, for an  
2 offender 14 years of age or more who is adjudicated as a juvenile offender  
3 for an act which if committed by an adult would constitute a sexually  
4 violent crime set forth in ~~subsection (c) of K.S.A. 22-4902(c)~~, and  
5 amendments thereto, and such crime is not an off-grid felony or a felony  
6 ranked in severity level 1 of the nondrug grid as provided in K.S.A. 21-  
7 4704, prior to its repeal, or K.S.A. 2014 Supp. 21-6804, and amendments  
8 thereto, the court shall:

9 (1) Require registration until such offender reaches 18 years of age, at  
10 the expiration of five years from the date of adjudication or, if confined,  
11 from release from confinement, whichever date occurs later. Any period of  
12 time during which the offender is incarcerated in any jail, juvenile facility  
13 or correctional facility or during which the offender does not comply with  
14 any and all requirements of the Kansas offender registration act shall not  
15 count toward the duration of registration;

16 (2) not require registration if the court, on the record, finds substantial  
17 and compelling reasons therefor; or

18 (3) require registration, but such registration information shall not be  
19 open to inspection by the public or posted on any internet website, as  
20 provided in K.S.A. 22-4909, and amendments thereto. If the court requires  
21 registration but such registration is not open to the public, such offender  
22 shall provide a copy of such court order to the registering law enforcement  
23 agency at the time of registration. The registering law enforcement agency  
24 shall forward a copy of such court order to the Kansas bureau of  
25 investigation.

26 If such offender violates a condition of release during the term of the  
27 conditional release, the court may require such offender to register  
28 pursuant to paragraph (1).

29 (h) Notwithstanding any other provisions of this section, an offender  
30 14 years of age or more who is adjudicated as a juvenile offender for an  
31 act which if committed by an adult would constitute a sexually violent  
32 crime set forth in ~~subsection (c) of K.S.A. 22-4902(c)~~, and amendments  
33 thereto, and such crime is an off-grid felony or a felony ranked in severity  
34 level 1 of the nondrug grid as provided in K.S.A. 21-4704, prior to its  
35 repeal, or K.S.A. 2014 Supp. 21-6804, and amendments thereto, shall be  
36 required to register for such offender's lifetime.

37 (i) Notwithstanding any other provision of law, if a diversionary  
38 agreement or probation order, either adult or juvenile, or a juvenile  
39 offender sentencing order, requires registration under the Kansas offender  
40 registration act for an offense that would not otherwise require registration  
41 as provided in ~~subsection (a)(5) of K.S.A. 22-4902(a)(5)~~, and amendments  
42 thereto, then all provisions of the Kansas offender registration act shall  
43 apply, except that the duration of registration shall be controlled by such

1 diversionary agreement, probation order or juvenile offender sentencing  
2 order.

3 (j) The duration of registration does not terminate if the convicted or  
4 adjudicated offender again becomes liable to register as provided by the  
5 Kansas offender registration act during the required period of registration.

6 (k) For any person moving to Kansas who has been convicted or  
7 adjudicated in an out of state court, or who was required to register under  
8 an out of state law, the duration of registration shall be the length of time  
9 required by the out of state jurisdiction or by the Kansas offender  
10 registration act, whichever length of time is longer. The provisions of this  
11 subsection shall apply to convictions or adjudications prior to June 1,  
12 2006, and to persons who moved to Kansas prior to June 1, 2006, and to  
13 convictions or adjudications on or after June 1, 2006, and to persons who  
14 moved to Kansas on or after June 1, 2006.

15 (l) For any person residing, maintaining employment or attending  
16 school in this state who has been convicted or adjudicated by an out of  
17 state court of an offense that is comparable to any crime requiring  
18 registration pursuant to the Kansas offender registration act, but who was  
19 not required to register in the jurisdiction of conviction or adjudication, the  
20 duration of registration shall be the duration required for the comparable  
21 offense pursuant to the Kansas offender registration act.

22 Sec. 4. K.S.A. 2014 Supp. 12-4106, 22-4902 and 22-4906 are hereby  
23 repealed.

24 Sec. 5. This act shall take effect and be in force from and after its  
25 publication in the statute book.