

SESSION OF 2016

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 407**

As Amended by House Committee on Judiciary

**Brief\***

SB 407, as amended, would amend statutes related to registration under the Kansas Offender Registration Act (KORA) to require a court committing an offender under the Kansas Sexually Violent Predator Act for control, care, and treatment by the Kansas Department for Aging and Disability Services to notify the registering law enforcement agency of the county where the offender resides during commitment. The Office of the Attorney General would be required to prepare this notice for electronic transmittal by the court. The committed offender would be required to register within three business days of arriving in the county where the offender resides during commitment, and the offender would not be required to update registration until placed in a reintegration facility or on transitional or conditional release, at which point the offender would be personally responsible for complying with KORA provisions.

The bill also would revive a statute in the Sexually Violent Predator Act requiring annual examination and court review of persons in transitional release, providing procedures for hearings on whether such person is safe to be placed in conditional release, and setting the standard for court determination of whether the person is appropriate for conditional release.

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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>

## **Background**

The bill was introduced in the Senate Committee on Corrections and Juvenile Justice at the request of the Office of the Attorney General. As introduced, the bill contained only the provision reviving the statute concerning transitional release. At the hearing before the Senate Committee on Judiciary, an assistant solicitor general testified in support of the bill, noting the bill was necessary after the statute at issue was erroneously repealed in 2015 SB 149. A private citizen submitted written neutral testimony on the bill. No opposing testimony was presented.

In the hearing before the House Committee on Judiciary, the same proponent testified. There was no other testimony.

The House Committee adopted an amendment adjusting the KORA registration requirements for offenders committed under the Sexually Violent Predator Act.

According to the fiscal note prepared by the Division of the Budget, enactment of the bill as introduced is not anticipated to have a fiscal effect on the Judicial Branch or the Kansas Department for Aging and Disability Services. Any fiscal effect associated with the bill is not reflected in *The FY 2017 Governor's Budget Report*.