

**HOUSE BILL No. 2209**

By Committee on Corrections and Juvenile Justice

2-4

1 AN ACT concerning the Kansas offender registration act; amending  
2 K.S.A. 2012 Supp. 22-4902, **22-4903**, 22-4904, 22-4905, 22-4906 and  
3 22-4907 and repealing the existing sections.

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

6 Section 1. K.S.A. 2012 Supp. 22-4902 is hereby amended to read as  
7 follows: 22-4902. As used in the Kansas offender registration act, unless  
8 the context otherwise requires:

9 (a) "Offender" means:

- 10 (1) A sex offender;  
11 (2) a violent offender;  
12 (3) a drug offender;  
13 (4) any person who has been required to register under out of state  
14 law or is otherwise required to be registered; and  
15 (5) any person required by court order to register for an offense not  
16 otherwise required as provided in the Kansas offender registration act.

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

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

20 (2) On or after ~~April 14, 1994~~ *July 1, 2002*, is adjudicated as a  
21 juvenile offender for an act which if committed by an adult would  
22 constitute the commission of a sexually violent crime, unless the court, on  
23 the record, finds that the act involved non-forcible sexual conduct, the  
24 victim was at least 14 years of age and the offender was not more than four  
25 years older than the victim;

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

27 (4) on or after ~~May 29~~ **July 1, 1997**, is convicted of any of the  
28 following crimes when one of the parties involved is less than 18 years of  
29 age:

30 (A) Adultery, as defined in K.S.A. 21-3507, prior to its repeal, or  
31 K.S.A. 2012 Supp. 21-5511, and amendments thereto;

32 (B) criminal sodomy, as defined in subsection (a)(1) of K.S.A. 21-  
33 3505, prior to its repeal, or subsection (a)(1) or (a)(2) of K.S.A. 2012  
34 Supp. 21-5504, and amendments thereto;

1 (C) promoting prostitution, as defined in K.S.A. 21-3513, prior to its  
2 repeal, or K.S.A. 2012 Supp. 21-6420, and amendments thereto;

3 (D) patronizing a prostitute, as defined in K.S.A. 21-3515, prior to its  
4 repeal, or K.S.A. 2012 Supp. 21-6421, and amendments thereto; or

5 (E) lewd and lascivious behavior, as defined in K.S.A. 21-3508, prior  
6 to its repeal, or K.S.A. 2012 Supp. 21-5513, and amendments thereto;

7 (5) is convicted of sexual battery, as defined in K.S.A. 21-3517, prior  
8 to its repeal, or subsection (a) of K.S.A. 2012 Supp. 21-5505, and  
9 amendments thereto;

10 (6) is convicted of an attempt, conspiracy or criminal solicitation, as  
11 defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or  
12 K.S.A. 2012 Supp. 21-5301, 21-5302, 21-5303, and amendments thereto,  
13 of an offense defined in this subsection; or

14 (7) has been convicted of an offense that is comparable to any crime  
15 defined in this subsection, or any out of state conviction for an offense that  
16 under the laws of this state would be an offense defined in this subsection.

17 (c) "Sexually violent crime" means:

18 (1) Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A.  
19 2012 Supp. 21-5503, and amendments thereto;

20 (2) indecent liberties with a child, as defined in K.S.A. 21-3503, prior  
21 to its repeal, or subsection (a) of K.S.A. 2012 Supp. 21-5506, and  
22 amendments thereto;

23 (3) aggravated indecent liberties with a child, as defined in K.S.A.  
24 21-3504, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-  
25 5506, and amendments thereto;

26 (4) criminal sodomy, as defined in subsection (a)(2) or (a)(3) of  
27 K.S.A. 21-3505, prior to its repeal, or subsection (a)(3) or (a)(4) of K.S.A.  
28 2012 Supp. 21-5504, and amendments thereto;

29 (5) aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior  
30 to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5504, and  
31 amendments thereto;

32 (6) indecent solicitation of a child, as defined in K.S.A. 21-3510,  
33 prior to its repeal, or subsection (a) of K.S.A. 2012 Supp. 21-5508, and  
34 amendments thereto;

35 (7) aggravated indecent solicitation of a child, as defined in K.S.A.  
36 21-3511, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-  
37 5508, and amendments thereto;

38 (8) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior  
39 to its repeal, or K.S.A. 2012 Supp. 21-5510, and amendments thereto;

40 (9) aggravated sexual battery, as defined in K.S.A. 21-3518, prior to  
41 its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5505, and  
42 amendments thereto;

43 (10) aggravated incest, as defined in K.S.A. 21-3603, prior to its

1 repeal, or subsection (b) of K.S.A. 2012 Supp. ~~21-5605~~ **21-5604**, and  
2 amendments thereto;

3 (11) electronic solicitation, as defined in K.S.A. 21-3523, prior to its  
4 repeal, and K.S.A. 2012 Supp. 21-5509, and amendments thereto,  
5 ~~committed on or after April 17, 2008;~~

6 (12) unlawful sexual relations, as defined in K.S.A. 21-3520, prior to  
7 its repeal, or K.S.A. 2012 Supp. 21-5512, and amendments thereto;

8 (13) any conviction or adjudication for an offense that is comparable  
9 to a sexually violent crime as defined in this subsection, or any out of state  
10 conviction or adjudication for an offense that under the laws of this state  
11 would be a sexually violent crime as defined in this subsection;

12 (14) an 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. 2012  
14 Supp. 21-5301, 21-5302, 21-5303, and amendments thereto, of a sexually  
15 violent crime, as defined in this subsection; or

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

23 (d) "Sexually violent predator" means any person who, on or after  
24 July 1, 2001, is found to be a sexually violent predator pursuant to K.S.A.  
25 59-29a01 et seq., and amendments thereto.

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

27 (1) On or after ~~May 29~~ **July 1**, 1997, is convicted of any of the  
28 following crimes:

29 (A) Capital murder, as defined in K.S.A. 21-3439, prior to its repeal,  
30 or K.S.A. 2012 Supp. 21-5401, and amendments thereto;

31 (B) murder in the first degree, as defined in K.S.A. 21-3401, prior to  
32 its repeal, or K.S.A. 2012 Supp. 21-5402, and amendments thereto;

33 (C) murder in the second degree, as defined in K.S.A. 21-3402, prior  
34 to its repeal, or K.S.A. 2012 Supp. 21-5403, and amendments thereto;

35 (D) voluntary manslaughter, as defined in K.S.A. 21-3403, prior to its  
36 repeal, or K.S.A. 2012 Supp. 21-5404, and amendments thereto;

37 (E) involuntary manslaughter, as defined in K.S.A. 21-3404, prior to  
38 its repeal, or **subsections (a)(1), (a)(2) or (a)(4) of K.S.A. 2012 Supp. 21-**  
39 **5405, and amendments thereto. The provisions of this paragraph shall**  
40 **not apply to violations of subsection (a)(3) of K.S.A. 2012 Supp. 21-**  
41 **5405, and amendments thereto, which occurred on or after July 1,**  
42 **2011, through July 1, 2013;**

43 (F) kidnapping, as defined in K.S.A. 21-3420, prior to its repeal, or

1 subsection (a) of K.S.A. 2012 Supp. 21-5408, and amendments thereto;

2 (G) aggravated kidnapping, as defined in K.S.A. 21-3421, prior to its  
3 repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5408, and amendments  
4 thereto;

5 (H) criminal restraint, as defined in K.S.A. 21-3424, prior to its  
6 repeal, or K.S.A. 2012 Supp. 21-5411, and amendments thereto, except by  
7 a parent, and only when the victim is less than 18 years of age; or

8 (I) aggravated human trafficking, as defined in K.S.A. 21-3447, prior  
9 to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5426, and  
10 amendments thereto;

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

14 (3) has been convicted of an offense that is comparable to any crime  
15 defined in this subsection, any out of state conviction for an offense that  
16 under the laws of this state would be an offense defined in this subsection;  
17 or

18 (4) is convicted of an attempt, conspiracy or criminal solicitation, as  
19 defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or  
20 K.S.A. 2012 Supp. 21-5301, 21-5302 and 21-5303, and amendments  
21 thereto, of an offense defined in this subsection.

22 (f) "Drug offender"—~~means includes~~ any person who ~~has been~~  
23 ~~convicted of~~, **on or after July 1, 2007**:

24 (1) ~~On or after July 1, 2007, is convicted of any of the following~~  
25 ~~crimes~~:

26 (†) (A) Unlawful manufacture or attempting such of any controlled  
27 substance or controlled substance analog, as defined in K.S.A. 65-4159,  
28 prior to its repeal, K.S.A. 2010 Supp. 21-36a03, prior to its transfer, or  
29 K.S.A. 2012 Supp. 21-5703, and amendments thereto;

30 (‡) (B) possession of ephedrine, pseudoephedrine, red phosphorus,  
31 lithium metal, sodium metal, iodine, anhydrous ammonia, pressurized  
32 ammonia or phenylpropanolamine, or their salts, isomers or salts of  
33 isomers with intent to use the product to manufacture a controlled  
34 substance, as defined in subsection (a) of K.S.A. 65-7006, prior to its  
35 repeal, subsection (a) of K.S.A. 2010 Supp. 21-36a09, prior to its transfer,  
36 or subsection (a) of K.S.A. 2012 Supp. 21-5709, and amendments thereto;

37 (‡) (C) K.S.A. 65-4161, prior to its repeal, subsection (a)(1) of K.S.A.  
38 2010 Supp. 21-36a05, prior to its transfer, or subsection (a)(1) of K.S.A.  
39 2012 Supp. 21-5705, and amendments thereto. The provisions of this  
40 paragraph shall not apply to violations of subsections (a)(2) through (a)(6)  
41 or (b) of K.S.A. 2010 Supp. 21-36a05 which occurred on or after July 1,  
42 2009, through April 15, 2010;

43 (‡) (2) *has been convicted of* an offense that is comparable to any

1 crime defined in this subsection, any out of state conviction for an offense  
2 that under the laws of this state would be an offense defined in this  
3 subsection; or

4 ~~(5)~~ (3) *is or has been convicted of* an attempt, conspiracy or criminal  
5 solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to  
6 their repeal, or K.S.A. 2012 Supp. 21-5301, 21-5302 and 21-5303, and  
7 amendments thereto, of an offense defined in this subsection.

8 (g) Convictions or adjudications which result from or are connected  
9 with the same act, or result from crimes committed at the same time, shall  
10 be counted for the purpose of this section as one conviction or  
11 adjudication. Any conviction or adjudication set aside pursuant to law is  
12 not a conviction or adjudication for purposes of this section. A conviction  
13 or adjudication from any out of state court shall constitute a conviction or  
14 adjudication for purposes of this section.

15 (h) "School" means any public or private educational institution,  
16 including, but not limited to, postsecondary school, college, university,  
17 community college, secondary school, high school, junior high school,  
18 middle school, elementary school, trade school, vocational school or  
19 professional school providing training or education to an offender for three  
20 or more consecutive days or parts of days, or for 10 or more  
21 nonconsecutive days in a period of 30 consecutive days.

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

26 (j) "Reside" means to stay, sleep or maintain with regularity or  
27 temporarily one's person and property in a particular place other than a  
28 location where the offender is incarcerated. It shall be presumed that an  
29 offender resides at any and all locations where the offender stays, sleeps or  
30 maintains the offender's person for three or more consecutive days or parts  
31 of days, or for ten or more non-consecutive days in a period of 30  
32 consecutive days.

33 (k) "Residence" means a particular and definable place where an  
34 individual resides. Nothing in the Kansas offender registration act shall be  
35 construed to state that an offender may only have one residence for the  
36 purpose of such act.

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

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

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

1 (o) "Registering entity" means any person, agency or other  
2 governmental unit, correctional facility or registering law enforcement  
3 agency responsible for obtaining the required information from, and  
4 explaining the required registration procedures to, any person required to  
5 register pursuant to the Kansas offender registration act. "Registering  
6 entity" shall include, but not be limited to, sheriff's offices, tribal police  
7 departments and correctional facilities.

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

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

14 (r) "Out of state" means: the District of Columbia; any federal,  
15 military or tribal jurisdiction, including those within this state; any foreign  
16 jurisdiction; or any state or territory within the United States, other than  
17 this state.

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

20 ***Sec. 2. K.S.A. 2012 Supp. 22-4903 is hereby amended to read as***  
21 ***follows: 22-4903. (a) Violation of the Kansas offender registration act is***  
22 ***the failure by an offender, as defined in K.S.A. 22-4902, and***  
23 ***amendments thereto, to comply with any and all provisions of such act,***  
24 ***including any and all duties set forth in K.S.A. 22-4905 through 22-***  
25 ***4907, and amendments thereto. Any violation of the Kansas offender***  
26 ***registration act which continues for more than 30 consecutive days***  
27 ***shall, upon the 31<sup>st</sup> consecutive day, constitute a new and separate***  
28 ***offense, and shall continue to constitute a new and separate offense***  
29 ***every 30 days thereafter for as long as the violation continues.***

30 ***(b) Aggravated violation of the Kansas offender registration act is***  
31 ***violation of the Kansas offender registration act which continues for***  
32 ***more than 180 consecutive days. Any aggravated violation of the Kansas***  
33 ***offender registration act which continues for more than 180 consecutive***  
34 ***days shall, upon the 181<sup>st</sup> consecutive day, constitute a new and separate***  
35 ***offense, and shall continue to constitute a new and separate violation of***  
36 ***the Kansas offender registration act every 30 days thereafter, or a new***  
37 ***and separate aggravated violation of the Kansas offender registration***  
38 ***act every 180 days thereafter, for as long as the violation continues.***

39 ***(c) (1) Except as provided in subsection (c)(3), violation of the***  
40 ***Kansas offender registration act is:***

41 ***(A) Upon a first conviction, a severity level 6, person felony;***

42 ***(B) upon a second conviction, a severity level 5, person felony; and***

43 ***(C) upon a third or subsequent conviction, a severity level 3, person***

1 ***felony.***

2 (2) *Except as provided in subsection (c)(3), aggravated violation of*  
3 ***the Kansas offender registration act is a severity level 3, person felony.***

4 (3) *Violation of the Kansas offender registration act or aggravated*  
5 *violation of the Kansas offender registration act consisting only of failing*  
6 *to remit payment to the sheriff's office as required in subsection (k) of*  
7 *K.S.A. 22-4905, and amendments thereto, is:*

8 (A) *Except as provided in subsection (c)(3)(B), a class A*  
9 *misdemeanor if, within 15 days of registration, full payment is not remitted*  
10 *to the sheriff's office;*

11 (B) *a severity level 9, person felony if, within 15 days of the most*  
12 *recent registration, two or more full payments have not been remitted to*  
13 *the sheriff's office.*

14 (d) ***Prosecution of violations of this section may be held:***

15 (1) ***In any county in which the offender resides;***

16 (2) ***in any county in which the offender is required to be registered***  
17 ***under the Kansas offender registration act;***

18 (3) ***in any county in which the offender is located during which***  
19 ***time the offender is not in compliance with the Kansas offender***  
20 ***registration act; or***

21 (4) ***in the county in which any conviction or adjudication occurred***  
22 ***for which the offender is required to be registered under the Kansas***  
23 ***offender registration act.***

24 Sec. ~~2~~ 3. K.S.A. 2012 Supp. 22-4904 is hereby amended to read as  
25 follows: 22-4904. (a) (1) At the time of conviction or adjudication for an  
26 offense requiring registration as provided in K.S.A. 22-4902, and  
27 amendments thereto, the court shall:

28 (A) Inform any offender, on the record, of the procedure to register  
29 and the requirements of K.S.A. 22-4905, and amendments thereto; and

30 (B) if the offender is released:

31 (i) Complete a notice of duty to register, which shall include title and  
32 statute number of conviction or adjudication, date of conviction or  
33 adjudication, case number, county of conviction or adjudication, and the  
34 following offender information: Name, address, date of birth, social  
35 security number, race, ethnicity and gender;

36 (ii) require the offender to read and sign the notice of duty to register,  
37 which shall include a statement that the requirements provided in this  
38 subsection have been explained to the offender;

39 (iii) order the offender to report within three business days to the  
40 registering law enforcement agency in the county or tribal land of  
41 conviction or adjudication and to the registering law enforcement agency  
42 in any place where the offender resides, maintains employment or attends  
43 school, to complete the registration form with all information and any

1 updated information required for registration as provided in K.S.A. 22-  
2 4907, and amendments thereto; and

3 (iv) provide one copy of the notice of duty to register to the offender  
4 and, within three business days, send a copy of the form to the law  
5 enforcement agency having initial jurisdiction and to the Kansas bureau of  
6 investigation.

7 (2) At the time of sentencing or disposition for an offense requiring  
8 registration as provided in K.S.A. 22-4902, and amendments thereto, the  
9 court shall ensure the age of the victim is documented in the journal entry  
10 of conviction or adjudication.

11 (b) The staff of any correctional facility or the registering law  
12 enforcement agency's designee shall:

13 (1) At the time of initial custody, register any offender within three  
14 business days:

15 (A) Inform the offender of the procedure for registration and of the  
16 offender's registration requirements as provided in K.S.A. 22-4905, and  
17 amendments thereto;

18 (B) complete the registration form with all information and updated  
19 information required for registration as provided in K.S.A. 22-4907, and  
20 amendments thereto;

21 (C) require the offender to read and sign the registration form, which  
22 shall include a statement that the requirements provided in this subsection  
23 have been explained to the offender;

24 (D) provide one copy of the form to the offender and, within three  
25 business days, send a copy of the form to the Kansas bureau of  
26 investigation; and

27 (E) enter all offender information required by the national crime  
28 information center into the national sex offender registry system within  
29 three business days of completing the registration or electronically submit  
30 all information and updated information required for registration as  
31 provided in K.S.A. 22-4907, and amendments thereto, within three  
32 business days to the Kansas bureau of investigation;

33 (2) notify the Kansas bureau of investigation of the incarceration of  
34 any offender and of the location or any change in location of the offender  
35 while in custody;

36 (3) prior to any offender being discharged, paroled, furloughed or  
37 released on work or school release ~~from that does not require the daily~~  
38 **return to** a correctional facility, ~~or otherwise released from incarceration.~~

39 (A) Inform the offender of the procedure for registration and of the  
40 offender's registration requirements as provided in K.S.A. 22-4905, and  
41 amendments thereto;

42 (B) complete the registration form with all information and updated  
43 information required for registration as provided in K.S.A. 22-4907, and



1 amendments thereto;

2 (C) require the offender to read and sign the registration form, which  
3 shall include a statement that the requirements provided in this subsection  
4 have been explained to the offender;

5 (D) photograph the offender's face and any identifying marks;

6 (E) obtain fingerprint and palm prints of the offender; and

7 (F) provide one copy of the form to the offender and, within three  
8 business days, send a copy of the form and of the photograph or  
9 photographs to the law enforcement agency having initial jurisdiction and  
10 to the Kansas bureau of investigation; and

11 (4) notify the law enforcement agency having initial jurisdiction and  
12 the Kansas bureau of investigation seven business days prior to any  
13 offender being discharged, paroled, furloughed or released on work or  
14 school release.

15 (c) The staff of any treatment facility shall:

16 (1) Within three business days of an offender's arrival for inpatient  
17 treatment, inform the registering law enforcement agency of the county or  
18 location of jurisdiction in which the treatment facility is located of the  
19 offender's presence at the treatment facility and the expected duration of  
20 the treatment, and immediately notify the registering law enforcement  
21 agency of an unauthorized or unexpected absence of the offender during  
22 the offender's treatment;

23 (2) inform the registering law enforcement agency of the county or  
24 location of jurisdiction in which the treatment facility is located within  
25 three business days of an offender's discharge or release; and

26 (3) provide information upon request to any registering law  
27 enforcement agency having jurisdiction relevant to determining the  
28 presence of an offender within the treatment facility.

29 (d) The registering law enforcement agency, upon the reporting of  
30 any offender, shall:

31 (1) Inform the offender of the duty to register as provided by the  
32 Kansas offender registration act;

33 (2) (A) explain the procedure for registration and the offender's  
34 registration requirements as provided in K.S.A. 22-4905, and amendments  
35 thereto;

36 (B) obtain the information required for registration as provided in  
37 K.S.A. 22-4907, and amendments thereto; and

38 (C) require the offender to read and sign the registration form, which  
39 shall include a statement that the requirements provided in this subsection  
40 have been explained to the offender;

41 (3) complete the registration form with all information and updated  
42 information required for registration, as provided in K.S.A. 22-4907, and  
43 amendments thereto, each time the offender reports to the registering law

1 enforcement agency. All information and updated information reported by  
2 an offender shall be forwarded to the Kansas bureau of investigation  
3 within three business days;

4 (4) maintain the original signed registration form, provide one copy  
5 of the completed registration form to the offender and, within three  
6 business days, send one copy of the completed form to the Kansas bureau  
7 of investigation;

8 (5) forward a copy of any certified letter used for reporting pursuant  
9 to K.S.A. 22-4905, and amendments thereto, when utilized, within three  
10 business days to the Kansas bureau of investigation;

11 (6) obtain registration information from every offender required to  
12 register regardless of whether or not the offender remits payment. ~~Failure  
13 of the offender to remit payment is a violation of the Kansas offender  
14 registration act and is subject to prosecution pursuant to K.S.A. 22-4903,  
15 and amendments thereto;~~

16 (7) upon every required reporting, update the photograph or  
17 photographs of the offender's face and any new identifying marks and  
18 immediately forward copies or electronic files of the photographs to the  
19 Kansas bureau of investigation;

20 (8) enter all offender information required by the national crime  
21 information center into the national sex offender registry system within  
22 three business days of completing the registration or electronically submit  
23 all information and updated information required for registration as  
24 provided in K.S.A. 22-4907, and amendments thereto, within three  
25 business days to the Kansas bureau of investigation;

26 (9) maintain a special fund for the deposit and maintenance of fees  
27 paid by offenders. All funds retained by the registering law enforcement  
28 agency pursuant to the provisions of this section shall be credited to a  
29 special fund of the registering law enforcement agency which shall be used  
30 solely for law enforcement and criminal prosecution purposes and which  
31 shall not be used as a source of revenue to reduce the amount of funding  
32 otherwise made available to the registering law enforcement agency; and

33 (10) forward any initial registration and updated registration  
34 information within three business days to any out of state jurisdiction  
35 where the offender is expected to reside, maintain employment or attend  
36 school.

37 (e) (1) The Kansas bureau of investigation shall:

38 (A) Forward all additions or changes in information to any registering  
39 law enforcement agency, other than the agency that submitted the form,  
40 where the offender expects to reside, maintain employment or attend  
41 school;

42 (B) ensure that offender information is immediately entered in the  
43 state registered offender database and the Kansas registered offender

1 website, as provided in K.S.A. 22-4909, and amendments thereto;

2 (C) transmit offender conviction or adjudication data, fingerprints and  
3 palm prints to the federal bureau of investigation; and

4 (D) ensure all offender information required by the national crime  
5 information center is transmitted into the national sex offender registry  
6 system within three business days of such information being electronically  
7 submitted to the Kansas bureau of investigation.

8 (2) The director of the Kansas bureau of investigation may adopt  
9 rules and regulations necessary to implement the provisions of the Kansas  
10 offender registration act.

11 (f) The attorney general shall, within 10 business days of an offender  
12 being declared a sexually violent predator, forward to the Kansas bureau of  
13 investigation all relevant court documentation declaring an offender a  
14 sexually violent predator.

15 (g) The state department of education shall annually notify any school  
16 of the Kansas bureau of investigation internet website, and any internet  
17 website containing information on the Kansas offender registration act  
18 sponsored or created by the registering law enforcement agency of the  
19 county or location of jurisdiction in which the school is located, for the  
20 purpose of locating offenders who reside near such school. Such  
21 notification shall include information that the registering law enforcement  
22 agency of the county or location of jurisdiction where such school is  
23 located is available to the school to assist in using the registry and  
24 providing additional information on registered offenders.

25 (h) The secretary of health and environment shall annually notify any  
26 licensed child care facility of the Kansas bureau of investigation internet  
27 website, and any internet website containing information on the Kansas  
28 offender registration sponsored or created by the registering law  
29 enforcement agency of the county in which the facility is located, for the  
30 purpose of locating offenders who reside near such facility. Such  
31 notification shall include information that the registering law enforcement  
32 agency of the county or location of jurisdiction where such child care  
33 facility is located is available to the child care facilities to assist in using  
34 the registry and providing additional information on registered offenders.

35 (i) Upon request, the clerk of any court of record shall provide the  
36 Kansas bureau of investigation copies of complaints, indictments,  
37 information, journal entries, commitment orders or any other documents  
38 necessary to the performance of the duties of the Kansas bureau of  
39 investigation under the Kansas offender registration act. No fees or  
40 charges for providing such documents may be assessed.

41 Sec. ~~3~~ 4. K.S.A. 2012 Supp. 22-4905 is hereby amended to read as  
42 follows: 22-4905. Any offender required to register as provided in the  
43 Kansas offender registration act shall:

1 (a) Except as otherwise provided in this subsection, register in person  
2 with the registering law enforcement agency within three business days of  
3 coming into any county or location of jurisdiction in which the offender  
4 resides or intends to reside, maintains employment or intends to maintain  
5 employment, or attends school or intends to attend school. Any such  
6 offender who cannot physically register in person with the registering law  
7 enforcement agency for such reasons including, but not limited to,  
8 incapacitation or hospitalization, as determined by a person licensed to  
9 practice medicine or surgery, shall be subject to verification requirements  
10 other than in-person registration, as determined by the registering law  
11 enforcement agency having jurisdiction;

12 (b) except as provided further, for any: (1) Sex offender, including a  
13 violent offender or drug offender who is also a sex offender, report in  
14 person four times each year to the registering law enforcement agency in  
15 the county or location of jurisdiction in which the offender resides,  
16 maintains employment or is attending a school; and (2) violent offender or  
17 drug offender, report in person four times each year to the registering law  
18 enforcement agency in the county or location of jurisdiction in which the  
19 offender resides, maintains employment or is attending a school, except  
20 that, at the discretion of the registering law enforcement agency, one of the  
21 four required reports may be conducted by certified letter. When utilized,  
22 the certified letter for reporting shall be sent by the registering law  
23 enforcement agency to the reported residence of the offender. The offender  
24 shall indicate any changes in information as required for reporting in  
25 person. The offender shall respond by returning the certified letter to the  
26 registering law enforcement agency within 10 business days by certified  
27 mail. The offender shall be required to report *to the registering law*  
28 *enforcement agency* once during the month of the offender's birthday and  
29 every third, sixth and ninth month occurring before and after the month of  
30 the offender's birthday. The registering law enforcement agency may  
31 determine the appropriate times and days for reporting by the offender,  
32 consistent with this subsection. Nothing contained in this subsection shall  
33 be construed to alleviate any offender from meeting the requirements  
34 prescribed in the Kansas offender registration act;

35 (c) provide the information required for registration as provided in  
36 K.S.A. 22-4907, and amendments thereto, and verify all information  
37 previously provided is accurate;

38 (d) if in the custody of a correctional facility, register with the  
39 correctional facility within three business days of initial custody and shall  
40 not be required to update such registration until ~~released from custody,~~  
41 ~~granted work release or otherwise allowed to leave the grounds of the~~  
42 ~~discharged, paroled, furloughed or released on work or school release~~  
43 ~~from a correctional facility.~~ **A copy of the registration form and any**

1 **updated registrations for an offender released on work or school**  
2 **release shall be sent, *within three business days*, to the registering law**  
3 **enforcement agency where the offender is incarcerated, maintains**  
4 **employment or attends school, and to the Kansas bureau of**  
5 ***investigation*;**

6 (e) notwithstanding subsections (a) and (b), if the offender is  
7 transient, report in person to the registering law enforcement agency of  
8 such county or location of jurisdiction in which the offender is physically  
9 present within three business days of arrival in the county or location of  
10 jurisdiction. Such offender shall be required to register in person with the  
11 registering law enforcement agency every 30 days, or more often at the  
12 discretion of the registering law enforcement agency. Such offender shall  
13 comply with the provisions of the Kansas offender registration act and, in  
14 addition, shall:

15 (1) Provide a list of places where the offender has slept and otherwise  
16 frequented during the period of time since the last date of registration; and

17 (2) provide a list of places where the offender may be contacted and  
18 where the offender intends to sleep and otherwise frequent during the  
19 period of time prior to the next required date of registration;

20 (f) if required by out of state law, register in any out of state  
21 jurisdiction, where the offender resides, maintains employment or attends  
22 school;

23 (g) register in person upon any commencement, change or  
24 termination of residence location, employment status, school attendance or  
25 other information as provided in K.S.A. 22-4907, and amendments thereto,  
26 within three business days of such commencement, change or termination,  
27 to the registering law enforcement agency or agencies where last  
28 registered and provide written notice to the Kansas bureau of  
29 investigation;

30 (h) report in person to the registering law enforcement agency or  
31 agencies within three business days of any change in name;

32 (i) if receiving inpatient treatment at any treatment facility, inform the  
33 treatment facility of the offender's status as an offender and inform the  
34 registering law enforcement agency of the county or location of  
35 jurisdiction in which the treatment facility is located of the offender's  
36 presence at the treatment facility and the expected duration of the  
37 treatment;

38 (j) submit to the taking of an updated photograph by the registering  
39 law enforcement agency on each occasion when the offender registers with  
40 or reports to the registering law enforcement agency in the county or  
41 location of jurisdiction in which the offender resides, maintains  
42 employment or attends school. In addition, such offender shall submit to  
43 the taking of a photograph to document any changes in identifying

1 characteristics, including, but not limited to, scars, marks and tattoos;

2 (k) remit payment to the sheriff's office in the amount of \$20 ~~during~~  
3 ~~the month of the offender's birthday and every third, sixth and ninth month~~  
4 ~~occurring before and after the month of the offender's birthday~~ **as part of**  
5 **the reporting process required pursuant to subsection (b)** in each county  
6 in which the offender resides, maintains employment or is attending  
7 school. **Registration will be completed regardless of whether or not the**  
8 **offender remits payment. Failure of the offender to remit full payment**  
9 **within 15 days of registration is a violation of the Kansas offender**  
10 **registration act and is subject to prosecution pursuant to K.S.A. 22-4903,**  
11 **and amendments thereto.** Notwithstanding other provisions herein,  
12 payment of this fee is not required:

13 (1) When an offender provides updates or changes in information or  
14 during an initial registration unless such updates, changes or initial  
15 registration is during the month of such offender's birthday and every  
16 third, sixth and ninth month occurring before and after the month of the  
17 offender's birthday;

18 (2) when an offender is transient and is required to register every 30  
19 days, or more frequently as ordered by the registering law enforcement  
20 agency, except during the month of the offender's birthday and every third,  
21 sixth and ninth month occurring before and after the month of the  
22 offender's birthday; or

23 (3) if an offender has, prior to the required reporting and within the  
24 last three years, been determined to be indigent by a court of law, and the  
25 basis for that finding is recorded by the court;

26 (l) annually renew any driver's license pursuant to K.S.A. 8-247, and  
27 amendments thereto, and annually renew any identification card pursuant  
28 to K.S.A. 2012 Supp. 8-1325a, and amendments thereto;

29 (m) if maintaining primary residence in this state, surrender all  
30 driver's licenses and identification cards from other states, territories and  
31 the District of Columbia, except if the offender is presently serving and  
32 maintaining active duty in any branch of the United States military or the  
33 offender is an immediate family member of a person presently serving and  
34 maintaining active duty in any branch of the United States military;

35 (n) read and sign the registration form noting whether the  
36 requirements provided in this section have been explained to the offender;  
37 and

38 (o) report in person to the registering law enforcement agency in the  
39 jurisdiction of the offender's residence and provide written notice to the  
40 Kansas bureau of investigation 21 days prior to any travel outside of the  
41 United States, and provide an itinerary including, but not limited to,  
42 destination, means of transport and duration of travel, or if under  
43 emergency circumstances, within three business days of making travel

1 arrangements.

2 Sec. ~~4~~ 5. K.S.A. 2012 Supp. 22-4906 is hereby amended to read as  
3 follows: 22-4906. (a) (1) Except as provided in subsection (c), if convicted  
4 of any of the following offenses, an offender's duration of registration shall  
5 be, if confined, 15 years after the date of parole, discharge or release,  
6 whichever date is most recent, or, if not confined, 15 years from the date of  
7 conviction:

8 (A) Sexual battery, as defined in K.S.A. 21-3517, prior to its repeal,  
9 or subsection (a) of K.S.A. 2012 Supp. 21-5505, and amendments thereto;

10 (B) adultery, as defined in K.S.A. 21-3507, prior to its repeal, or  
11 K.S.A. 2012 Supp. 21-5511, and amendments thereto, when one of the  
12 parties involved is less than 18 years of age;

13 (C) patronizing a prostitute, as defined in K.S.A. 21-3515, prior to its  
14 repeal, or K.S.A. 2012 Supp. 21-6421, and amendments thereto, when one  
15 of the parties involved is less than 18 years of age;

16 (D) lewd and lascivious behavior, as defined in K.S.A. 21-3508, prior  
17 to its repeal, or K.S.A. 2012 Supp. 21-5513, and amendments thereto,  
18 when one of the parties involved is less than 18 years of age;

19 (E) capital murder, as defined in K.S.A. 21-3439, prior to its repeal,  
20 or K.S.A. 2012 Supp. 21-5401, and amendments thereto;

21 (F) murder in the first degree, as defined in K.S.A. 21-3401, prior to  
22 its repeal, or K.S.A. 2012 Supp. 21-5402, and amendments thereto;

23 (G) murder in the second degree, as defined in K.S.A. 21-3402, prior  
24 to its repeal, or K.S.A. 2012 Supp. 21-5403, and amendments thereto;

25 (H) voluntary manslaughter, as defined in K.S.A. 21-3403, prior to its  
26 repeal, or K.S.A. 2012 Supp. 21-5404, and amendments thereto;

27 (I) involuntary manslaughter, as defined in K.S.A. 21-3404, prior to  
28 its repeal, or *subsections (a)(1), (a)(2) or (a)(4)* of K.S.A. 2012 Supp. 21-  
29 5405, and amendments thereto;

30 (J) criminal restraint, as defined in K.S.A. 21-3424, prior to its repeal,  
31 or K.S.A. 2012 Supp. 21-5411, and amendments thereto, except by a  
32 parent, and only when the victim is less than 18 years of age;

33 (K) any act which has been determined beyond a reasonable doubt to  
34 have been sexually motivated, unless the court, on the record, finds that  
35 the act involved non-forcible sexual conduct, the victim was at least 14  
36 years of age and the offender was not more than four years older than the  
37 victim;

38 (L) conviction of any person required by court order to register for an  
39 offense not otherwise required as provided in the Kansas offender  
40 registration act;

41 (M) conviction of any person felony and the court makes a finding on  
42 the record that a deadly weapon was used in the commission of such  
43 person felony;

1 (N) unlawful manufacture or attempting such of any controlled  
2 substance or controlled substance analog, as defined in K.S.A. 65-4159,  
3 prior to its repeal, K.S.A. 2010 Supp. 21-36a03, prior to its transfer, or  
4 K.S.A. 2012 Supp. 21-5703, and amendments thereto;

5 (O) possession of ephedrine, pseudoephedrine, red phosphorus,  
6 lithium metal, sodium metal, iodine, anhydrous ammonia, pressurized  
7 ammonia or phenylpropanolamine, or their salts, isomers or salts of  
8 isomers with intent to use the product to manufacture a controlled  
9 substance, as defined by subsection (a) of K.S.A. 65-7006, prior to its  
10 repeal, subsection (a) of K.S.A. 2010 Supp. 21-36a09, prior to its transfer,  
11 or subsection (a) of K.S.A. 2012 Supp. 21-5709, and amendments thereto;

12 (P) K.S.A. 65-4161, prior to its repeal, subsection (a)(1) of K.S.A.  
13 2010 Supp. 21-36a05, prior to its transfer, or subsection (a)(1) of K.S.A.  
14 2012 Supp. 21-5705, and amendments thereto; or

15 (Q) any attempt, conspiracy or criminal solicitation, as defined in  
16 K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2012  
17 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of an  
18 offense defined in this subsection.

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

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

31 (A) Criminal sodomy, as defined in subsection (a)(1) of K.S.A. 21-  
32 3505, prior to its repeal, or subsection (a)(1) or (a)(2) of K.S.A. 2012  
33 Supp. 21-5504, and amendments thereto, when one of the parties involved  
34 is less than 18 years of age;

35 (B) indecent solicitation of a child, as defined in K.S.A. 21-3510,  
36 prior to its repeal, or subsection (a) of K.S.A. 2012 Supp. 21-5508, and  
37 amendments thereto;

38 (C) electronic solicitation, as defined in K.S.A. 21-3523, prior to its  
39 repeal, or K.S.A. 2012 Supp. 21-5509, and amendments thereto;

40 (D) aggravated incest, as defined in K.S.A. 21-3603, prior to its  
41 repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5604, and amendments  
42 thereto;

43 (E) indecent liberties with a child, as defined in K.S.A. 21-3503, prior



1 to its repeal, or subsection (a) of K.S.A. 2012 Supp. 21-5506, and  
2 amendments thereto;

3 (F) unlawful sexual relations, as defined in K.S.A. 21-3520, prior to  
4 its repeal, or K.S.A. 2012 Supp. 21-5512, and amendments thereto;

5 (G) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior  
6 to its repeal, or K.S.A. 2012 Supp. 21-5510, and amendments thereto, if  
7 the victim is 14 or more years of age but less than 18 years of age;

8 (H) aggravated sexual battery, as defined in K.S.A. 21-3518, prior to  
9 its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5505, and  
10 amendments thereto;

11 (I) promoting prostitution, as defined in K.S.A. 21-3513, prior to its  
12 repeal, or K.S.A. 2012 Supp. 21-6420, and amendments thereto, if the  
13 prostitute is 14 or more years of age but less than 18 years of age; or

14 (J) any attempt, conspiracy or criminal solicitation, as defined in  
15 K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2012  
16 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of an  
17 offense defined in this subsection.

18 (2) Except as otherwise provided by the Kansas offender registration  
19 act, the duration of registration terminates, if not confined, at the  
20 expiration of 25 years from the date of conviction. Any period of time  
21 during which any offender is incarcerated in any jail or correctional  
22 facility or during which the offender does not comply with any and all  
23 requirements of the Kansas offender registration act shall not count toward  
24 the duration of registration.

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

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

31 (1) Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A.  
32 2012 Supp. 21-5503, and amendments thereto;

33 (2) aggravated indecent solicitation of a child, as defined in K.S.A.  
34 21-3511, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-  
35 5508, and amendments thereto;

36 (3) aggravated indecent liberties with a child, as defined in K.S.A.  
37 21-3504, prior to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-  
38 5506, and amendments thereto;

39 (4) criminal sodomy, as defined in subsection (a)(2) or (a)(3) of  
40 K.S.A. 21-3505, prior to its repeal, or subsection (a)(3) or (a)(4) of K.S.A.  
41 2012 Supp. 21-5504, and amendments thereto;

42 (5) aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior  
43 to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5504, and

1 amendments thereto;

2 (6) aggravated human trafficking, as defined in K.S.A. 21-3447, prior  
3 to its repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5426, and  
4 amendments thereto;

5 (7) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior  
6 to its repeal, or K.S.A. 2012 Supp. 21-5510, and amendments thereto, if  
7 the victim is less than 14 years of age;

8 (8) promoting prostitution, as defined in K.S.A. 21-3513, prior to its  
9 repeal, or K.S.A. 2012 Supp. 21-6420, and amendments thereto, if the  
10 prostitute is less than 14 years of age;

11 (9) kidnapping, as defined in K.S.A. 21-3420, prior to its repeal, or  
12 subsection (a) of K.S.A. 2012 Supp. 21-5408, and amendments thereto;

13 (10) aggravated kidnapping, as defined in K.S.A. 21-3421, prior to its  
14 repeal, or subsection (b) of K.S.A. 2012 Supp. 21-5408, and amendments  
15 thereto; or

16 (11) any attempt, conspiracy or criminal solicitation, as defined in  
17 K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2012  
18 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of an  
19 offense defined in this subsection.

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

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

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

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

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

1 investigation.

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

5 (g) Notwithstanding any other provisions of this section, for an  
6 offender 14 years of age or more who is adjudicated as a juvenile offender  
7 for an act which if committed by an adult would constitute a sexually  
8 violent crime set forth in subsection (c) of K.S.A. 22-4902, and  
9 amendments thereto, and such crime is not an off-grid felony or a felony  
10 ranked in severity level 1 of the nondrug grid as provided in K.S.A. 21-  
11 4704, prior to its repeal, or K.S.A. 2012 Supp. 21-6804, and amendments  
12 thereto, the court shall:

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

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

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

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

33 (h) Notwithstanding any other provisions of this section, an offender  
34 14 years of age or more who is adjudicated as a juvenile offender for an  
35 act which if committed by an adult would constitute a sexually violent  
36 crime set forth in subsection (c) of K.S.A. 22-4902, and amendments  
37 thereto, and such crime is an off-grid felony or a felony ranked in severity  
38 level 1 of the nondrug grid as provided in K.S.A. 21-4704, prior to its  
39 repeal, or K.S.A. 2012 Supp. 21-6804, and amendments thereto, shall be  
40 required to register for such offender's lifetime.

41 (i) Notwithstanding any other provision of law, if a diversionary  
42 agreement or probation order, either adult or juvenile, or a juvenile  
43 offender sentencing order, requires registration under the Kansas offender

1 registration act for an offense that would not otherwise require registration  
2 as provided in subsection (a)(5) of K.S.A. 22-4902, and amendments  
3 thereto, then all provisions of the Kansas offender registration act shall  
4 apply, except that the duration of registration shall be controlled by such  
5 diversionary agreement, probation order or juvenile offender sentencing  
6 order.

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

10 (k) For any person moving to Kansas who has been convicted or  
11 adjudicated in an out of state court, or who was required to register under  
12 an out of state law, the duration of registration shall be the length of time  
13 required by the out of state jurisdiction or by the Kansas offender  
14 registration act, whichever length of time is longer. The provisions of this  
15 subsection shall apply to convictions or adjudications prior to June 1,  
16 2006, and to persons who moved to Kansas prior to June 1, 2006, and to  
17 convictions or adjudications on or after June 1, 2006, and to persons who  
18 moved to Kansas on or after June 1, 2006.

19 (l) For any person residing, maintaining employment or attending  
20 school in this state who has been convicted or adjudicated by an out of  
21 state court of an offense that is comparable to any crime requiring  
22 registration pursuant to the Kansas offender registration act, but who was  
23 not required to register in the jurisdiction of conviction or adjudication, the  
24 duration of registration shall be the duration required for the comparable  
25 offense pursuant to the Kansas offender registration act. ~~The duration of~~  
26 ~~registration shall begin upon establishing residency, beginning~~  
27 ~~employment or beginning school.~~

28 Sec. 6. K.S.A. 2012 Supp. 22-4907 is hereby amended to read as  
29 follows: 22-4907. (a) Registration as required by the Kansas offender  
30 registration act shall consist of a form approved by the Kansas bureau of  
31 investigation, which shall include a statement that the requirements  
32 provided in this section have been reviewed and explained to the offender,  
33 and shall be signed by the offender and, except when such reporting is  
34 conducted by certified letter as provided in subsection (b) of K.S.A. 22-  
35 4905, and amendments thereto, witnessed by the person registering the  
36 offender. Such registration form shall include the following offender  
37 information:

- 38 (1) Name and all alias names;
- 39 (2) date and city, state and country of birth, and any alias dates or  
40 places of birth;
- 41 (3) title and statute number of each offense or offenses committed,  
42 date of each conviction or adjudication and court case numbers for each  
43 conviction or adjudication;

- 1 (4) city, county, state or country of conviction or adjudication;
- 2 (5) sex and date of birth or purported age of each victim of all
- 3 offenses requiring registration;
- 4 (6) current residential address, any anticipated future residence and
- 5 any temporary lodging information including, but not limited to, address,
- 6 telephone number and dates of travel for any place in which the offender is
- 7 staying for seven or more days; and, if transient, the locations where the
- 8 offender has stayed and frequented since last reporting for registration;
- 9 (7) all telephone numbers at which the offender may be contacted
- 10 including, but not limited to, all mobile telephone numbers;
- 11 (8) social security number, and all alias social security numbers;
- 12 (9) identifying characteristics such as race, ethnicity, skin tone, sex,
- 13 age, height, weight, hair and eye color, scars, tattoos and blood type;
- 14 (10) occupation and name, address or addresses and telephone
- 15 number of employer or employers, and name of any anticipated employer
- 16 and place of employment;
- 17 (11) all current driver's licenses or identification cards, including a
- 18 photocopy of all such driver's licenses or identification cards and their
- 19 numbers, states of issuance and expiration dates;
- 20 (12) all vehicle information, including the license plate number,
- 21 registration number and any other identifier and description of any vehicle
- 22 owned or operated by the offender, or any vehicle the offender regularly
- 23 drives, either for personal use or in the course of employment, and
- 24 information concerning the location or locations such vehicle or vehicles
- 25 are habitually parked or otherwise kept;
- 26 (13) license plate number, registration number or other identifier and
- 27 description of any aircraft or watercraft owned or operated by the offender,
- 28 and information concerning the location or locations such aircraft or
- 29 watercraft are habitually parked, docked or otherwise kept;
- 30 (14) all professional licenses, designations and certifications;
- 31 (15) documentation of any treatment received for a mental
- 32 abnormality or personality disorder of the offender; for purposes of
- 33 documenting the treatment received, registering law enforcement agencies,
- 34 correctional facility officials, treatment facility officials and courts may
- 35 rely on information that is readily available to them from existing records
- 36 and the offender;
- 37 (16) a photograph or photographs;
- 38 (17) fingerprints and palm prints;
- 39 (18) any and all schools and satellite schools attended or expected to
- 40 be attended and the locations of attendance and telephone number;
- 41 (19) any and all: E-mail addresses; online identities used by the
- 42 offender on the internet; information relating to membership in any and all
- 43 personal web pages or online social networks; and internet screen names;

1 (20) all travel and immigration documents; and

2 (21) name and telephone number of the offender's probation, parole  
3 or community corrections officer.

4 ~~(b) (1) The offender shall also provide to the registering law~~  
5 ~~enforcement agency DNA exemplars, unless already on file at the Kansas~~  
6 ~~bureau of investigation provide biological samples for DNA analysis to the~~  
7 ~~registering law enforcement agency as required by K.S.A. 21-2511, and~~  
8 ~~amendments thereto. The biological samples shall be in the form using a~~  
9 ~~DNA databank kit authorized by the Kansas bureau of investigation. The~~  
10 ~~registering law enforcement agency shall forward such biological samples~~  
11 ~~to the Kansas bureau of investigation. Prior to taking such sample, the~~  
12 ~~registering law enforcement agency shall search the Kansas criminal~~  
13 ~~justice information system to determine if such person's DNA profile is~~  
14 ~~currently on file. If such person's DNA profile is on file with the Kansas~~  
15 ~~bureau of investigation, the registering law enforcement agency is not~~  
16 ~~required to take biological samples.~~

17 ~~(2) If the exemplars to be taken require the withdrawal of blood, such~~  
18 ~~withdrawal may be performed only by:~~

19 ~~(A) A person licensed to practice medicine or surgery, or a person~~  
20 ~~acting under the supervision of any such licensed person;~~

21 ~~(B) a registered nurse or a licensed practical nurse;~~

22 ~~(C) any qualified medical technician; or~~

23 ~~(D) a licensed phlebotomist.~~

24 ~~Sec. 6 7. K.S.A. 2012 Supp. 22-4902, **22-4903**, 22-4904, 22-4905,~~  
25 ~~22-4906 and 22-4907 are hereby repealed.~~

26 ~~Sec. 7 8. This act shall take effect and be in force from and after its~~  
27 ~~publication in the statute book.~~