

SESSION OF 2021

SUPPLEMENTAL NOTE ON SENATE BILL NO. 59

As Recommended by Senate Committee on
Judiciary

Brief*

SB 59 would replace references to “sexual relations” with the term “a sex act” in various statutes. Specifically, the crimes of selling sexual relations, promoting sexual relations, and buying sexual relations would be renamed selling a sex act, promoting a sex act, and buying a sex act. The bill would amend other statutes to update the references to the names of these crimes.

The bill also would make technical amendments to ensure consistency in statutory references and phrasing.

Background

The bill was introduced by the Senate Committee on Judiciary at the request of the Office of the Attorney General (OAG).

Senate Committee on Judiciary

In the Senate Committee hearing on February 2, 2021, a representative of the Human Trafficking Advisory Board within the OAG testified as a **proponent** of the bill, stating the need to more accurately reflect the non-consensual nature of crimes involving sexual relations. A representative of the Kansas Association of Chiefs of Police, Kansas Peace Officers Association, and Kansas Sheriffs Association

*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>

provided written-only **proponent** testimony. No other testimony was provided.

On February 3, 2021, the Senate Committee recommended the bill be placed on the Consent Calendar.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, the Office of Judicial Administration indicates enactment of the bill could have a fiscal effect on the Judicial Branch because the bill's provisions could result in additional hearings and pretrial motions to dismiss; however, a fiscal effect cannot be estimated. Any fiscal effect associated with the bill is not reflected in *The FY 2022 Governor's Budget Report*.

Sexual relations; sex offenses; crimes and criminal procedure; terminology