

SENATE BILL No. 92

By Senator Smith

1-29

1 AN ACT concerning crimes, punishment and criminal procedure; relating
2 to sexually violent crimes; law enforcement reports on the presence of
3 pornographic materials.

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

6 Section 1. (a) As used in this section:

7 (1) "Pornographic materials" means:

8 (A) Any obscene material or performance depicting sexual conduct,
9 sexual contact or a sexual performance; and

10 (B) any visual depiction, including any photograph, film, video,
11 picture or computer or computer-generated image or picture, whether
12 made or produced by electronic, mechanical or other means, of sexually
13 explicit conduct.

14 (2) "Sexually violent crime" means the same as in K.S.A. 22-4902,
15 and amendments thereto.

16 (b) On and after January 1, 2014, when an adult is arrested or charged
17 with the commission or attempted commission of a sexually violent crime,
18 a law enforcement officer responding to the scene of the crime shall report
19 on the Kansas standard offense report the presence of pornographic
20 materials found pursuant to a lawful search:

21 (1) At the scene of the crime;

22 (2) on the person arrested of the crime;

23 (3) at the residence of the person arrested of the crime; and

24 (4) in the vehicle of the person arrested of the crime.

25 (c) Reports of materials found pursuant to the provisions of
26 subsection (b) shall be used for statistical purposes only.

27 (d) On or before January 1, 2014, the Kansas bureau of investigation
28 shall:

29 (1) Make the necessary changes to the Kansas standard offense report
30 and the Kansas incident based reporting system handbook; and

31 (2) promulgate rules and regulations concerning the training for law
32 enforcement agencies to implement the provisions of this section.

33 (e) Nothing in this section shall be construed to expand the scope of
34 the officer's search.

35 Sec. 2. This act shall take effect and be in force from and after its
36 publication in the statute book.