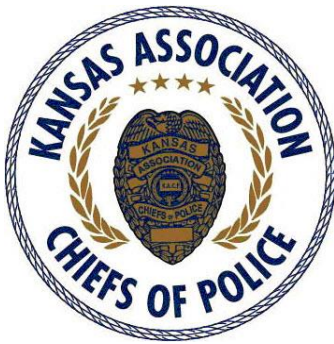


# Guide To 2013 Kansas Legislation Impacting Law Enforcement

Version 1.0  
June 21, 2013

## LINE OFFICER AND SUPERVISOR VERSION



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This document summarizes legislation impacting law enforcement passed by the 2013 legislature. This document is intended to address the statute changes most relevant to law enforcement operations. Not all changes are listed. **Always follow the guidance of your agency for application and implementation of new and amended laws.** The author is not an attorney and this document is not legal advice. It is a summary of the legislation based on observations and discussions during the legislative process. **Questions should be addressed within your agency following your agency's protocol.**

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## Errata Sheet

## **TOP 10 TOPICS OFFICERS MUST KNOW FROM THE 2013 LEGISLATIVE SESSION**

June 21, 2013

1. Effective January 1, 2014, a LEO is required to take a child under the age 18 into custody when the officer reasonably believes the child is a victim of human trafficking, aggravated human trafficking or commercial sexual exploitation of a child. (HB2034§32 amending KSA 38-2231)

Effective January 1, 2014, a law enforcement officer taking a juvenile into custody under the above provision “shall place the child in protective custody and may deliver the child to a staff secure facility. The law enforcement officer shall contact the department for children and families to begin an assessment to determine safety, placement and treatment needs for the child. Such child shall not be placed in a juvenile detention facility or other secure facility” except as authorized by KSA 38-2232, 38-2242, 38-2243 and 38-2260. (HB2034§33 amending KSA 38-2232)

2. The law has changed on missing persons reports. Effective July 1, 2013, law enforcement is mandated to take a written report on any report received of a missing person, even if the only tie to your agency or jurisdiction is the contact with the reporting party. The only exception is if you have confirmed another agency has already taken a report, or you have confirmed the whereabouts of the person alleged to be missing. If the occurrence is in another jurisdiction the report should be immediately forwarded to the other agency(ies) for investigation. Law enforcement is also mandated to provide the reporting party with contact information for the National Center for Missing and Exploited Children and National Center for Missing Adults. An immediate determination if the missing person meets certain criteria for a high risk missing person is also required. High Risk means 1) abduction; 2) missing under suspicious or known dangerous circumstances; 3) missing more than 30 days; or 4) reason to believe person is at risk of death or great bodily harm. If High Risk, the KBI must be notified and the KBI must alert all Kansas LE agencies of the missing person. (SB118 amending KSA 75-712b and 75-712c.)
3. Concealed Carry
  - a. Concealed carry into a posted Building by a CCH permit holder is not a criminal or regulatory violation. The person in charge of the building can require them to leave or direct them to not return armed. Defiance of such a request may place the person in violation of criminal trespass laws.
  - b. Concealed carry permits from other states are valid for persons visiting or travelling through Kansas.
  - c. Concealed carry permits from other states are valid for persons who have moved to Kansas if the person also holds a receipt from the Attorney General’s Office showing they have applied for a Kansas permit.
  - d. Concealed carry by retired LEO and out-of-state LEO in posted buildings is not a violation.
  - e. Concealed carry records are confidential. It is a Class A misdemeanor for a LEO or anyone else to release
4. Switchblade knives and any concealed knife are now legal in Kansas. (HB2033 amending KSA 21-6301 and 21-6302)
5. Theft of a firearm is now a felony regardless of the value of the firearm (HB2278 amending KSA 21-5801, 21-5803 and 21-5807.)
6. Under certain conditions a temporary restraining order may now be issued that is in effect without service on the adverse party. These are not valid for more than 14 days and should have an expiration date in the order. (HB2081 amending KSA 60-903.)

7. DUI
  - a. The agg. battery statute is amended by adding a new provision for agg. battery, DUI in cases where a DUI results in great bodily harm, or results in bodily harm under circumstances where great bodily harm could occur. (HB2218 amending KSA 21-5413)
  - b. DUI Testing: The laws on grounds for requesting an evidentiary test for blood alcohol content were amended in response to a Kansas Supreme Court case. An officer may request an evidentiary test under the same conditions in the past, except the requirement the person be arrested for DUI is revised. The officer still must have reasonable grounds to believe the person was operating or attempting to operate a vehicle while under the influence of alcohol or drugs, or both, but the new statute clarifies that the reasonable belief must exist at the time the test is requested. Under the new law the person must be arrested but the arrest or custody may be for any charge. (HB2218 amending KSA 8-1001 and 8-1020.)
8. Proof of Insurance can now be displayed by a vehicle owner or operator on an electronic device. You are forbidden by the statute to look at any other items on the electronic device used to present the insurance information to you. (SB85 amending KSA 8-173, 8-1604, 40-3104 and 30-3118.)
9. Fireworks: It remains unlawful to sell, offer to sell, possess with intent to sell, ignite, fire, set off, or otherwise use a bottle rocket. But the statute is being moved to the Kansas Fireworks Act so the statute number will change. Until the new statute number is determined and published the proper citation for this is "2013 Session Law Chapter 108, section 5, subsection (a)." Those violations remain an unclassified misdemeanor with a maximum fine of \$100. Authorizes the State Fire Marshal or local law enforcement to seize fireworks stored, possessed, or transported in violation of either the Kansas Fireworks Act or any State Fire Marshal regulation; creates an administrative process for making an inventory of the seized fireworks and for the destruction of the seized fireworks by the Fire Marshal; hearings for violations are conducted by the Fire Marshal under the Kansas Administrative Procedure Act; provides the Fire Marshal or authorized representative to apply to the court for an emergency order authorizing the destruction or disposal of fireworks that are an immediate danger to the public safety, health, or welfare; establishes for a civil penalty up to a \$1000/ day for violations; moves the bottle rocket provisions in current statute to the Kansas Fireworks Act (KSA 31-501 et seq)
10. It is now a violation of state statute to discharge or recklessly discharge a firearm within or into any incorporated city. The statute lists specific exemptions: 1) defense of a person or property, 2) at a shooting range, 3) lawfully taking wildlife unless otherwise prohibited, 4) by a law enforcement officer, animal control officer, or a person with a wildlife control permit, 5) by special permit of the chief of police (by the sheriff if the city has no police department, 6) using blanks, 7) defending a person from attack by an animal. Violation is a class B nonperson misdemeanor. (HB2052, new statute.) Until the statute is given a number, the proper citation is "2013 Kansas Session Law 105, Section 1"

MORE INFORMATION ON THESE AND OTHER LEGISLATIVE ACTIONS IS AVAILABLE AT:

<http://www.kslawenforcementinfo.com/2013-session-information.html>

**Always follow the guidance of your agency for application and implementation of new and amended laws.**

The author is not an attorney and this document is not legal advice. It is a summary of the legislation based on observations and discussions during the legislative process. **Questions should be addressed within your agency following your agency's protocol.**

Prepared by: Ed Klumpp, legislative liaison, Kansas Association of Chiefs of Police, Kansas Sheriff's Association, and Kansas Peace Officers Association

## A. LEGISLATION DIRECTLY AFFECTING LINE OPERATIONS

Also see “Drug Enforcement Legislation” and “Forfeiture Legislation.”

### 1. Criminal Law

#### a. Battery, Aggravated, DUI: See Line Operations: Traffic section

#### b. Computer Crime: Social Media

It is a class A misdemeanor to disclose a number, code, password, or other means of access to a social networking website or personal electronic content or for any person to access or attempt to access any social networking website without authorization. Increases the severity level for certain computer crimes with a loss more than \$100,000 from a SL8, nonperson felony to a SL5, nonperson felony. [Read the bill explainer](#). Amends KSA 21-5839 and 21-6107. (Effective July 1, 2013. [HB2093](#)§3 & 4; 2013 Session Laws, chapter 96)

#### c. Female Genitalia Mutilation

Prohibiting female genitalia mutilation, a religious/cultural practice where the female genitalia are totally or partially removed or altered with no medical need. [Read the bill explainer](#). New law. (Effective July 1, 2013. [HB2217](#)§1; 2013 Session Laws, chapter 63)

#### d. Firearms

##### 1. Discharge a Firearm in a City

It is now a violation of state statute to discharge or recklessly discharge a firearm within or into any incorporated city. The statute lists specific exemptions: 1) defense of a person or property, 2) at a shooting range, 3) lawfully taking wildlife unless otherwise prohibited, 4) by a law enforcement officer, animal control officer, or a person with a wildlife control permit, 5) by special permit of the chief of police (by the sheriff if the city has no police department, 6) using blanks, 7) defending a person from attack by an animal. Violation is a class B nonperson misdemeanor. [Read the bill explainer](#). Read the [bill summary](#). New law. (Effective July 1, 2013. [HB2052](#)§1; 2013 Session Laws, chapter 105)

##### 2. Federal Enforcement Preemption

Protects firearms made in Kansas and remaining in Kansas from federal enforcement. Creates a crime (SL10 nonperson felony) for federal agents to enforce federal law pertaining to such firearms and prohibits any government official in Kansas from assisting federal agents attempting to enforce federal law pertaining to such firearms. Enforcement action by Kansas law enforcement against federal agents is prohibited. Violations are handled by complaint, summons, and court orders. [Read the bill explainer](#). New law. (Effective April 25, 2013. [SB102](#)§1-11; 2013 Session Laws, chapter 100)

##### 3. Open Carry and Transporting Firearm

Minor amendments were made to the open carry limitations placed on local government. The reference to the exceptions was amended by adding “section (b) of the statute and changing a reference from subsection (a) of 75-7c11 (repealed in 2010) to subsection (b) of 75-7c10. Also changes the phrase in the exceptions from “not licensed” to “not licensed or recognized” under the personal and family protection act. The term “recognized” was added to include out-of-state CCH permit holders, prosecutors, and LEOSA qualified in the exceptions. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 12-1624. (Effective July 1, 2013. [SB21](#)§1; 2013 Session Laws, chapter 36)

4. Theft of Firearm (Including burglary to steal a firearm)  
Makes theft of a firearm valued less than \$25,000 a SL9 nonperson felony; burglary with intent to commit theft of a firearm a SL5 person felony; criminal deprivation of a firearm a SL9 nonperson felony. [Read the bill explainer](#). Amends KSA 21-5801, 21-5803, and 21-5807. (Effective July 1, 2013. [HB2278](#)§1-3; 2013 Session Laws, chapter 64)
- e. Human Trafficking  
Relating to human trafficking; creating advisory board; creates human trafficking victim assistance fund; creating the crime of commercial sexual exploitation of a child; relating to selling, promoting, buying sexual relations; CINC. See Attachment B for details. Also see RICO which can be used in human trafficking cases. Aggravated human trafficking and commercial sexual exploitation of a child are added to the definition of “sexually violent crime” for the purposes of both sentencing and for offender registration. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 12-4106, 12-4120, 12-4516, 21-5301, 21-5302, 21-5303, 21-5401, 21-5502, 21-6419, 21-6420, 21-6421, 21-6614, 21-6626, 21-6627, 21-6806, 21-6815, 22-2530, 22-2515, 22-3601, 22-3717, 22-3901, 22-4902, 22-4906, 38-2202, 38-2231, 38-2232, 38-2242, 38-2243, 38-2255, 38-2312, 38-2361, 41-311, 41-2601, 60-4104 and 68-2255. (Most provisions effective July 1, 2013. Some provisions for “staff secure facilities” are effective January 1, 2014. [HB2034](#)§ all; 2013 Session Laws, chapter 120) (NOTE: KSA 21-5302 further amended by [SB246](#)§4; KSA 21-6614 by [SB246](#)§9; KSA 22-3717 further amended by [SB246](#)§13; and KSA 60-4104 further amended by [SB246](#)§23)
- f. Identity Theft: Social Media  
Adds misrepresenting another person to subject the person to economic or bodily harm as a way to commit identity theft. Adds passwords, usernames and other log in information to definition of personal identity information as used in identity theft and identity fraud. [Read the bill explainer](#). Amends KSA 21-6107. (Effective July 1, 2013. [HB2093](#)§4; 2013 Session Laws, chapter 96)
- g. Interference with law enforcement  
Last year KSA 21-5904 was amended by two different bills and those amendments were never brought together. As a result, there has been two interference with law enforcement statutes on the book since last July 1: KSA 21-5904 and 21-5904a. This amendment simply melds those two versions together and as of July 1 all provisions will be in KSA 21-5904. KSA 21-5904a will no longer be in effect. There is no substantive change to the law. Amends KSA 21-5904 and repeals KSA 21-5904a. (Effective July 1, 2013. [SB246](#)§6; 2013 Session Laws, chapter TBD)
- h. Murder, Capital  
Capital murder is amended to include the new crime of Commercial Sexual Exploitation of a Child as a sex offense for the purpose of applying capital murder in the case of an intentional and premeditated killing of a child under the age of 14 in the commission of kidnapping. [Read the bill explainer](#). Amends KSA 21-5401. (Effective July 1, 2013. [HB2034](#)§14; 2013 Session Laws, chapter 120)
- i. Perjury  
A minor amendment was made to the perjury statute removing the reference to a statute that was repealed several years ago. No substantive change. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 21-5903. (Effective July 1, 2013. [HB2013](#); 2013 Session Laws, chapter 3)



j. Sex Crimes

1. Commercial Sexual Exploitation of a Child

This is a new crime created as part of the Human Trafficking bill. Involves an exchange of something of value to a) obtain a person under age 18 to engage in sexual acts; b) procure a patron to engage in sexual acts with a person under age 18. Also can include control of property or assisting in the operation of property used for the sale of sex involving a person under age 18; or participating in the transportation of any person under the age of 18 within Kansas for the purpose of the person engaging in sex. It is a SL5 person felony for the first offense with a victim age 14-17; a SL2 person felony for second or subsequent offenses with a victim age 14-17; an off-grid person felony if the offender is age 18 or older and the victim is less than age 14; and the reduction in SL for attempts, conspiracies, and solicitation to commit the crimes do not apply. The new RICO law can also be applied to these violations. This crime is also added to the definition of “sexually violent crime” for the purposes of offender registration. See Attachment B for more details. [Read the bill explainer](#). New law. (Effective July 1, 2013. [HB2034](#)§4 and 29; 2013 Session Laws, chapter 120)

2. Prostitution (now *Sale of Sexual Relations*)

The law is amended throughout KSA changing the terminology of “prostitution” to “sale of sexual relations” and the term “promoting prostitution” to “sale of sexual relations” and the term “patronizing a prostitute” becomes “buying sexual relations.”

The rules for expungement for convictions or diversion agreements of prostitution under prior versions of the statute are relaxed if the offender can prove their actions were the result of coercion by another person. (KSA 21-6614)

Many of the related sentencing statutes and provisions are also amended.

**Sale of Sexual Relations** (Was Prostitution)

The crime of sale of sexual relations (was prostitution) has a new provision. It can now be an affirmative defense for the accused if the conduct was the result of the accused being a victim of human trafficking, aggravated human trafficking, or the new crime of commercial sexual exploitation of a child. The penalty remains a class B misdemeanor. (KSA 21-6419)

**Promoting the Sale of Sexual Relations** (Was Promoting Prostitution)

The crime of promoting the sale of sexual relations only applies when the person providing the sold sexual relations is over the age of 18. That is because the new crime of commercial sexual exploitation of a child covers those under the age of 18 and has harsher penalties. The penalty was a class A misdemeanor but is amended to a SL9 felony on the first offense. A second and subsequent offense remains a SL7 person felony. A fine of \$2500-\$5000 is imposed for the first offense and a minimum fine of \$5000 is required on second or subsequent offenses. All of the fine must go to the new state fund on human trafficking. (KSA 21-6420)

**Buying Sexual Relations** (Was Patronizing a Prostitute)

Buying sexual relations only applies when the person providing the sold sexual relations is over the age of 18. That is because the new crime of commercial sexual exploitation of a child covers those under the age of 18 and has harsher penalties. The prohibited conduct is amended to include “engage in *manual or other bodily contact stimulation of the genitals of any person with the intent to arouse or gratify the sexual desires of the*

*offender or another, sexual intercourse, sodomy or any unlawful sexual act.”* The penalties are also significantly changed. What was a C misdemeanor is now a Class A misdemeanor on the first offense and a SL9 person felony on second or subsequent offenses. A \$2500 fine for the first offense is mandatory and a minimum fine of \$2500 is imposed on second or subsequent offenses. \$2500 of the fine must go to the new state fund on human trafficking, this includes convictions in municipal courts. Cities are permitted to establish higher fines for the first offense and appear to retain any fine amount above \$2500. NOTE: Only first offenses could be prosecuted in municipal courts since subsequent convictions would be felonies. (KSA 21-6421)

[Read the bill explainer](#). Read the [bill summary](#). Amends KSA 21-6419, 21-6420, 21-6421, 21-6614 (Effective July 1, 2013. [HB2034](#)§ 16 through 19; 2013 Session Laws, chapter 120) (NOTE: 21-6614 further amended by [SB246](#)§9)

k. RICO (Racketeer Influenced and Corrupt Organization)

This is new Kansas law designed to provide additional penalties on organized crime in Kansas that may be undesirable for federal prosecution or fails to meet federal prosecution guidelines. The law applies only to organized crime engaged in human trafficking; drug manufacturing, cultivation or distribution; or criminal gang activity and are engaged in a pattern of racketeering activity involving two or more of the crimes listed in the statute. Creates a new law for those violations resulting in acquiring proceeds from the criminal activity; collect an unlawful debt; or to be employed by or associated with the criminal enterprise. Violation is a SL2 person felony. Requires a cash or surety bond and prohibits an OR bond for the accused. See Attachment A. [Read the bill explainer](#). New Statute. (Effective July 1, 2012. [SB16](#)§1-3; 2013 Session Laws, chapter 78)

l. Weapons Violations (Non-firearm)

1. Criminal Carrying of a Weapon

Switchblade knife is removed from the list of weapons which are prohibited from carrying, concealed or unconcealed. Bludgeon, sandclub, metal knuckles, and throwing stars remain illegal. (Section 2 of the bill.)

Dagger, dirk, dangerous knife, straight edge razor, and stiletto are removed from the prohibition of carrying concealed. A billy, blackjack, slungshot (NOTE: This is different from a sling shot), “or any other dangerous or deadly weapon or instrument of like character” are still illegal to carry concealed on the person. (Section 3 of the bill.)

Local governments cannot have an ordinance, resolution, rule or tax relating to the transportation, possession, carrying, sale, transfer, purchase, gift, devise, licensing, registration or use of a knife or knife making components. Local governments are prohibited from enacting any ordinance, resolution or rule relating to the manufacture of a knife that is more restrictive than any such ordinance, resolution or rule relating to the manufacture of any other commercial goods. (Section 1 of the bill.)

[Read the bill explainer](#). Read the [bill summary](#). Amends KSA 21-6301 and 21-6302. Adds one new statute. (Effective July 1, 2013. [HB2033](#); 2013 Session Laws, chapter 88) (NOTE: KSA 21-6302 further amended by [SB246](#)§8)

## 2. Traffic Law

### a. Commercial Vehicles

Removes the local wrecker exemption from the certificate of convenience and necessity statutes; Increases age from 16 to 18 for regulations on private motor carriers operating intrastate and adds farm vehicle operators being age 16 to regulation requirement; changes reference to vehicles with driver plus 15 people to 15 people including driver; strikes regulation requirement for domestic water haulers; strikes provisions in KSA 66-1,129b for items to be transported by intrastate farmers in nonspecification bulk packaging. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 8-2,127, 66-1,114b and 66-1,129, and 66-1,129b. (Effective July 1, 2013. [HB2177](#); 2013 Session Laws, chapter 14)

### b. DUI

#### (1) Agg. Battery

The aggravated battery statute is amended to include the crime of agg. Battery-DUI. This crime can be charged when a DUI results in serious bodily harm to another (SL5 person felony), or when bodily harm occurs under circumstances that great bodily harm could occur (SL8 person felony). [Read the bill explainer](#). Read the [bill summary](#). Amends 8-2,144, 8-1013, 8-1025, 8-1567, 21-5413 and 21-6804. (Effective July 1, 2013. [HB2218](#)§1, 3, 5, 6, 8, and 9; 2013 Session Laws, chapter 122)

#### (2) Evidentiary Testing

The laws on grounds for requesting an evidentiary test for blood alcohol content were amended in response to a Kansas Supreme Court case. An officer may request an evidentiary test under the same conditions in the past, except the requirement the person be arrested for DUI is revised. The officer still must have reasonable grounds to believe the person was operating or attempting to operate a vehicle while under the influence of alcohol or drugs, or both, but the new statute clarifies that the reasonable belief must exist at the time the test is requested. Under the new law the person must be arrested but the arrest or custody may be for any charge. [Read the bill explainer](#). Read the [bill summary](#). Amends . 8-1001, 8-1020. (Effective July 1, 2013. [HB2218](#)§2 and 4; 2013 Session Laws, chapter 122)

#### (3) Under Age 21

The DUI statutes relating to persons under age 21 operating a vehicle with a BAC of .02 or higher are amended to coincide with language in the DUI law by changing “driving” to “operating” a motor vehicle. [Read the bill explainer](#). Read the [bill summary](#). Amends . 8-1001, 8-1020, and 8-1567a. (Effective July 1, 2013. [HB2218](#)§2, 4 and 7; 2013 Session Laws, chapter 122)

### c. Insurance Proof

A vehicle operator or owner can show proof of insurance either by a paper document or by displaying the information to the officer on an electronic device such as an i-pad or smart-phone. The law specifically forbids officers from exploring other information on the device. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 8-173, 8-1604, 40-3104, and 40-3118. (Effective July 1, 2013. [SB85](#)§1-4; 2013 Session Laws, chapter 19)

### d. Motor Carrier Emergency Exemptions

When the Governor or the U.S. Department of Agriculture declare all or any portion of the State is in a state of drought, certain conditions would apply to motor carriers transporting hay or related animal forage feedstuffs to the geographic area specified in the drought

declaration. Those certain conditions would be as follows: Motor carrier registration and fuel tax permits would be temporarily suspended; licensing, certification, and permitting rules and regulations of the State Corporation Commission would be temporarily suspended; these motor carriers could not operate during the period beginning 30 minutes after sunset and ending 30 minutes before sunrise and would be required to comply with flags, signs, and lighting requirements applicable to overwidth vehicles; motor carriers could not operate during inclement weather; oversize and overweight loads could not be transported when visibility is less than one-half mile or when conditions of moderate to heavy rain, sleet, snow, fog, or smoke exist, or when highway surfaces are slippery due to ice or packed snow; and motor carriers could not transport a load of more than 12 feet in width and 14 feet, six inches, in height. [Read the bill explainer](#). Read the [bill summary](#). New statute. (Effective July 1, 2013. [HB2202](#); 2013 Session Laws, chapter 12)

e. Motorcycle Lighting

A motorcycle may be equipped with a headlamp modulation system (pulsating brightness), provided it meets the federal standards. Motorcycles may also may have side lights provided they are visible only from the side and not from the front or rear and do not protrude beyond or outside the body or wheel of the motorcycle. Any side lights must be white, amber, or red and not produce any glare. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 8-1801 and 8-1804. (Effective July 1, 2013. [HB2318](#); 2013 Session Laws, chapter 26)

### 3. Investigatory operations

a. Criminal Street Gang

Amends the definition of criminal street gangs separating what had been three separate parts of a single criteria into three separate criteria: 1) frequents a particular criminal street gang's area; 2) adopts such gang's style of dress, color, use of hand signs or tattoos; or 3) associates with known criminal street gang members. Criminal Street Gangs are also subject to the new RICO law. See details under the Criminal Law Section. [Read the bill explainer](#). Amends KSA 21-6313. (Effective July 1, 2013. [SB16](#)§7; 2013 Session Laws, chapter 78)

b. Medicaid Fraud Reward Program

Allows the AG to pay reward of up to \$5,000 for information on violations of the Medicaid fraud act. [Read the bill explainer](#). Read the [bill summary](#). New statute. (Effective July 1, 2013. [SB59](#)§1; 2013 Session Laws, chapter 28)

c. Missing Persons Reporting

This bill is the result of continued complaints to the legislature of law enforcement telling persons wanting to report a missing person that there is a waiting period or that they must make the report to some other agency. Law enforcement is mandated to take a report on any report received of a missing person. The only exception is if we have confirmed another agency has already taken a report, or we have confirmed the whereabouts of the person alleged to be missing. If the occurrence is in another jurisdiction the report should be completed and immediately forwarded to the other agency(ies) for investigation. Law enforcement is also mandated to provide contact information to the person reporting a missing person for the National Center for Missing and Exploited Children and National Center for Missing Adults. An immediate determination if the missing person meets certain criteria for a high risk missing person is also required. High Risk means 1) abduction; 2) missing under suspicious or known dangerous circumstances; 3) missing more than 30 days; 4) reason to believe the person is at risk of death or great bodily harm. If High Risk, the KBI must be notified and the KBI must alert all Kansas LE agencies of the missing person.

RECOMMENDATION: Each agency would be wise to create or update a written policy on the handling of missing persons. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 75-712b and 75-712c. (Effective July 1, 2013. [SB118](#)§1 and 2; 2013 Session Laws, chapter 43)

d. Pornographic Evidence in Sexually Violent Crimes

This provision will not create any change until the KBI records system is updated to handle more information from the Kansas Offense Report submitted by local agencies. When that happens, we will be required to provide information in the KOR when pornography is evidence in violent sexual crimes. The manner of the reporting is to be determined by the KBI working with the Attorney General and law enforcement. The bill includes a definition of pornography and nudity and requires an annual report by the KBI on reported violent sexual offenses where pornography is identified as evidence. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 22-2502 and 22-2503. (Effective July 1, 2013. [HB2017](#)§7; 2013 Session Laws, chapter 118)

e. Scrap Plastic

Recyclers are required to keep records of who they receive "bulk plastic containers" from, similar to the scrap metal laws. "Bulk plastic containers" are defined as "plastic crate, pallet or shell used by a product producer, distributor or retailer for the bulk transportation or storage of retail containers of milk, eggs, bakery items or bottled beverage products." This was requested by the business groups as the result of high losses from the thefts of these items. [Read the bill explainer](#). Read the [bill summary](#). New law. (Effective July 1, 2013. [SB75](#)§1 and 2; 2013 Session Laws, chapter 42)

f. Search Warrants: Tracking Devices

Provisions are added specific to allowing a magistrate to issue a search warrant for the installation, maintenance, and use of a tracking device. The warrant authorizes use of the device to track and collect tracking data relating to a person or property for a specified time period, but no more than 30 days from installation. The bill defines "tracking device" and "tracking data." The warrant can authorize retrieval of tracking data recorded during the specified time period within a reasonable time after the warrant expires but we must show good cause for the delay. The magistrate can authorize one or more extensions of the warrant of no more than 30 days each. The bill provides warrants for tracking devices are valid during the specified time period, regardless of whether the subject person or property leaves the issuing jurisdiction. The installation must take place in the jurisdiction of the magistrate judge signing the warrant except if it is issued by a district judge the warrant may be executed (device installed) anywhere in the state. The bill requires the law enforcement officer executing a warrant for a tracking device to complete installation within 15 days from the date the warrant is issued and to record on the warrant the exact date and time the device was installed and the entire period during which it was used. The bill also requires the deactivation and removal of the device as soon as practicable after the warrant expires. If removal is not possible, the bill requires deactivation and an explanation on the search warrant return of why removal was not completed. Reactivation is prohibited without an additional warrant or extension of the original warrant, and a deactivated tracking device can be accessed after the expiration of the warrant only for the purpose of retrieving the device or to collect or retrieve tracking data obtained during the time period specified in the warrant. The bill provides affidavits or sworn testimony in support of a search warrant for a tracking device are not available for examination without a written court order unless requested by the defendant or the defendant's counsel. Additionally, the warrants are sealed by the court and no copy left or served except as discovery in a criminal prosecution.



The revised law also allows for all search warrants (not just for tracking devices) to be issued based on probable cause that a crime is about to be committed in addition to current provisions requiring probable cause that a crime has been or is being committed. This “anticipatory search warrant” will require some triggering mechanism confirming the information it is based on. Work with your local legal advisors and prosecutors on required criteria. Also makes other technical amendments applicable to all search warrants.

[Read the bill explainer](#). Read the [bill summary](#). Amends KSA 22-2502 and 22-2503. (Effective July 1, 2013. [HB2017](#)§2 and 3; 2013 Session Laws, chapter 118)

#### 4. Concealed carry (Also See Attachment C)

##### a. Capitol complex

The capitol complex includes the structures and grounds of the Docking, Landon, Curtis and Eisenhower state office buildings, memorial hall, the Kansas judicial center and the state capitol. The grounds of the Capitol Complex are closed to the carrying of a firearm but provisions allow for concealed carry by CCH permit holders, prosecutors authorized to carry concealed and LEOSA qualified retired and out-of-state law enforcement. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 21-6309 and 75-7c10. (Effective July 1, 2013. [HB2052](#)§5 and 9; 2013 Session Laws, chapter 105)

##### b. Corrections Officers

Applies same exception to training requirements currently granted to retired law enforcement officers to firearms trained corrections officers for the purposes of applying for a CCH permit. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 75-7c05. (Effective July 1, 2013. [SB246](#)§27) (NOTE: Initially passed in [HB2052](#)§7.)

##### c. Decriminalization of CCH violations

CCH permit holders who carry into posted buildings do not commit a criminal violation or a regulatory violation. The person in charge of the building may ask them to leave or not enter while carrying a firearm. If they refuse to leave or if they reenter in defiance of such an order from a person in charge of the building, they may be in violation of the criminal trespass laws. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 75-7c05. (Effective July 1, 2013. [SB246](#)§27) (NOTE: Initially passed in [HB2052](#)§7.)

##### d. Law Enforcement Officers, Retired and Out-of State

Retired and out-of-state law enforcement officers qualifying under the Law Enforcement Officer Safety Act (LEOSA) are permitted to carry concealed in posted buildings. This is in addition to their ability to carry concealed anywhere a CCH permit holder is permitted to carry. However, keep a couple of things in mind. The law is not real clear on whether this extension of concealed carry authorization extends to court houses or public buildings with security in place at the public entrance prohibiting anyone else to carry a firearm into the building. So in those cases, follow the direction of the security officers in place. Also, clearly this does not apply to courtrooms. And also remember this is Kansas law and will not be applicable when you go to another state. Also remember that it may not be a criminal law violation to carry into a posted private building, but the property owner still has the right to refuse entry or to order a person to leave their property. This would include if they really don't want you in their building with a firearm. Refusal to leave if requested or entering a building in defiance of a request from a person in charge of the property could leave you subject to arrest for criminal trespass. [Read the bill explainer](#). Read the [bill summary](#).

Amends KSA 21-6309, 75-7c05, and 75-7c10. (Effective July 1, 2013. [SB246](#)§27) (NOTE: Initially passed in [HB2052](#)§7.)

e. Permits From Other States

All CCH permits issued by another state or DC are valid for persons visiting or traveling through Kansas. Persons moving to Kansas who possess a valid out of state CCH permit will be issued a 180-day receipt by the Attorney General upon application for a Kansas CCH permit if the CCH permit requirements for the other state meets or exceeds Kansas requirements. During the 180 days the person may carry concealed provided they are carrying both the 180-day receipt and the permit from the other state. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 21-6309, 75-7c05, and 75-7c10. (Effective July 1, 2013. [SB246](#)§27) (NOTE: Initially passed in [HB2052](#)§7.)

f. Public Buildings

The law was changed opening most public buildings to CCH permit holders with many exceptions. One of the changes removes the criminal violation and regulatory violations for a CCH licensee to carry into a posted building, public or private. See “Decriminalization of CCH Violations” above.

[Read the bill explainer](#). Read the [bill summary](#). Amends KSA 21-6309 and 75-7c10. (Effective July 1, 2013. [HB2052](#)§2 and 9; 2013 Session Laws, chapter 105)

g. Records Confidentiality

The law is clarified on the confidentiality of all records of a CCH permit holder or applicant for a CCH permit. The only exception is a record of a CCH permit holder whose permit has been revoked or suspended. It is a class A misdemeanor to release the following information about a person from the CCH records: Name, home address, zip code, e-mail address, phone number or cell phone number or other contact information. This would include the release by officers seeing the information in the motor vehicle or KCJIS records. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 45-221 and 75-7c06. (Effective July 1, 2013. [HB2052](#)§6 and 8; 2013 Session Laws, chapter 105) (NOTE: KSA 45-221 further amended by [SB246](#)§18)

## 5. Juvenile Offenders

a. Juvenile Statutes Repealed

Several statutes relating to juveniles are repealed. Includes repeal of KSA 38-1604, jurisdiction and placement of juvenile offenders with the Department for Children and Families or the Juvenile Justice Authority(previously replaced by KSA 38-2304); KSA 38-1608, disclosure and separation from adult records of certain juvenile records in the possession of law enforcement and municipal courts (previously replaced by KSA 38-2310); and KSA 38-1664, regarding foster parents(previously replaced by KSA 38-2365). KSA 45-299 is amended only by striking a reference to one of the repealed statutes. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 45-229. Repeals KSA 38-1604, 38-1608 and 38-1664. (Effective July 1, 2013. [HB2144](#); 2013 Session Laws, chapter 51) (NOTE: KSA 45-229 further amended in [SB246](#)§19.)

b. Prostitution (Now Selling Sexual Relations)

A juvenile selling sexual relations must be carefully evaluated for being a victim of human trafficking. (See Human Trafficking under the Criminal Law amendments in section A.1. on page 2.) A LEO is required to take a child under the age 18 into custody when the officer reasonably believes the child is a victim of human trafficking, aggravated

human trafficking or commercial sexual exploitation of a child. Effective January 1, 2014, a law enforcement officer taking a juvenile into custody under the above provision “shall place the child in protective custody and may deliver the child to a staff secure facility. The law enforcement officer shall contact the Department for Children and Families to begin an assessment to determine safety, placement and treatment needs for the child. Such child shall not be placed in a juvenile detention facility or other secure facility” except as authorized by KSA 38-2232, 38-2242, 38-2243 and 38-2260. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 38-2231 and 38-2232. (Effective July 1, 2013. [HB2034](#)§32 and 33; 2013 Session Laws, chapter 120)

## 6. Other issues of interest to line operations

### a. Firearms: Restoration of Rights

Clarifies language about restoring rights for gun possession/ownership by persons with certain expunged felony convictions. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 21-6304 and 21-6614. (Effective July 1, 2013. [SB21](#)§2 and 3; 2013 Session Laws, chapter 36) (NOTE: KSA 21-6614 further amended by [SB246](#)§9)

### b. Fireworks: Bottle Rockets

It remains unlawful to sell, offer to sell, possess with intent to sell, ignite, fire, set off, or otherwise use a bottle rocket. But the statute is being moved to the Kansas Fireworks Act so the statute number will change. Until the new statute number is determined and published the proper citation for this is “2013 Session Law Chapter 108, section 5, subsection (a).” Those violations remain an unclassified misdemeanor with a maximum fine of \$100. Authorizes the State Fire Marshal or local law enforcement to seize fireworks stored, possessed, or transported in violation of either the Kansas Fireworks Act or any State Fire Marshal regulation; creates an administrative process for making an inventory of the seized fireworks and for the destruction of the seized fireworks by the Fire Marshal; hearings for violations are conducted by the Fire Marshal under the Kansas Administrative Procedure Act; provides the Fire Marshal or authorized representative to apply to the court for an emergency order authorizing the destruction or disposal of fireworks that are an immediate danger to the public safety, health, or welfare; establishes for a civil penalty up to a \$1000/ day for violations; moves the bottle rocket provisions in current statute to the Kansas Fireworks Act (KSA 31-501 et seq). [Read the bill explainer](#). Read the [bill summary](#). Creates new law. Transfers current law (with amendments) from KSA 31-155 and 31-156 to the Kansas Fireworks Act, KSA 31-501 et. seq. Repeals KSA 31-155 and 31-156. (Effective April 25, 2013. [HB2167](#)§1-7; 2013 Session Laws, chapter 108)

### c. Officer Home Address Protection

The restrictions passed last year on releasing certain officials (LEO, parole officer, probation officer, court services officer or community correctional services officer) home address information was amended. It corrects some language issues that were being interpreted as requiring the removal of the information from the record instead of prohibiting the public release of the information. The restriction will apply to web access only and the request will have to be renewed every five years. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 45-221. (Effective July 1, 2013. [SB81](#)§2; 2013 Session Laws, chapter 72) (NOTE: KSA 45-221 further amended by [SB246](#)§18)



d. Restraining Orders, Temporary

Provides for the issuance of temporary restraining orders without notice to the adverse party under certain conditions: 1) Specific facts in an affidavit or verified complaint clearly show that immediate and irreparable injury, loss, or damage will result to the movant before the adverse party can be heard and 2) The movant's attorney certifies in writing any efforts to give notice and why it should not be required. The order expires at a time set by the court but cannot exceed 14 days. The applicant for the order must provide security to cover wrongful application. The adverse party can move to dismiss the order with a two day notice to the applicant who obtained the order. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 60-903. (Effective July 1, 2013. [HB2081](#)§1; 2013 Session Laws, chapter 123)

e. Identity Theft and Identity Fraud: Subject to Consumer Protection Civil Action

The conduct in violation of KSA 21-6107 (identity theft and identity fraud) constitutes an unconscionable act or practice in violation of K.S.A. 50-627 and any person who engages in such conduct shall be subject to the remedies and penalties provided by the Kansas consumer protection act. For the purposes of the remedies and penalties provided by the Kansas consumer protection act the person committing the conduct prohibited by K.S.A. 21-6107 shall be deemed the supplier, and the person who is the victim of such conduct shall be deemed the consumer; and proof of a consumer transaction is required. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 60-903 and 60-2001. (Effective July 1, 2013. [HB2081](#)§6; 2013 Session Laws, chapter 123)

## **B. DRUG ENFORCEMENT LEGISLATION**

1. Distribution Resulting in Death or Great Bodily Harm

Creates new crime for distribution of a controlled substance when the use of the drugs result in great bodily harm (SL5, person felony). Also creates a new crime for distribution of a controlled substance when the use of the drug causes a death (SL1 person felony). It is not a defense that the harmed person contributed to their own harm by using the drug or that the harmed person consented to the administration of the drug by another person. [Read the bill explainer](#). Read the [bill summary](#). New law. (Effective July 1, 2013. [HB2044](#)§11; 2013 Session Laws, chapter 20)

2. RICO

The new RICO laws apply to the cultivation, manufacturing, or distribution of illegal drugs by criminal enterprises. See RICO under Criminal Law, Section A.

3. Schedules, Drug

Adds UR-144, a new synthetic drug compound, to Schedule I. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 65-4105. (Effective July 1, 2013. [HB2353](#); 2013 Session Laws, chapter 67)

## **C. ALCOHOL ENFORCEMENT LEGISLATION (See Attachment E for more details)**

1. Employee Criminal History

Amends existing statutes on effects of prior liquor violations on employment in drinking establishments. Makes it unlawful for licensees to knowingly employ, or continue to employ, any person dispensing or serving alcoholic liquor, or mixing drinks containing alcoholic liquor, who: 1) Has been adjudicated guilty of two or more violations of KSA 21-5607 (furnishing alcoholic beverages to minors) or similar laws from other states regarding the furnishing of liquor to minors, within the immediately preceding five years; or 2) Has been adjudicated guilty of three or more violations of any other Kansas, or any other state, intoxicating liquor law, but

not involving the furnishing of alcoholic liquor to minors, within the immediately preceding five years. The prohibition for felons serving or mixing drinks remains unchanged. [Read the bill explainer](#). [Read the bill summary](#). Amends KSA 41-2610. (Effective July 1, 2013. [HB2199](#)§8; 2013 Session Laws, chapter 130)

## 2. Hotels

Allow hotels, if the entire premises is licensed as a drinking establishment, to distribute coupons to its guests, redeemable on the hotel premises for drinks containing alcoholic liquor; Allow other hotels for which the entire premises are not licensed as drinking establishments to distribute coupons to their guests redeemable at clubs and drinking establishments, in accordance with rules and regulations adopted by the Department of Revenue. [Read the bill explainer](#). [Read the bill summary](#). Amends KSA 41-2640. (Effective July 1, 2013. [HB2199](#)§10; 2013 Session Laws, chapter 130)

## 3. Nonprofit Arts Event

Allows serving complimentary alcoholic liquor or cereal malt beverages on the unlicensed premises of a business at an event sponsored by a nonprofit organization promoting the arts. The serving must also be approved by ordinance or resolution of the governing body of the city, county, or township where the event will take place. Requires a minimum ten days of advance notice and requires the sponsoring business owner or agent to provide the liquor or cereal malt beverage. [Read the bill explainer](#). [Read the bill summary](#). Amends KSA 41-104. (Effective July 1, 2013. [HB2199](#)§3; 2013 Session Laws, chapter 130)

## 4. Price list

Repeals the requirement that certain drinking establishments provide price lists for the drinks they sell. [Read the bill explainer](#). [Read the bill summary](#). Amends KSA 41-2640. (Effective July 1, 2013. [HB2199](#)§10; 2013 Session Laws, chapter 130)

## 5. Samples: Class A and B Clubs, public venues, Retail Sales Outlets, etc

Authorizes the preparing or mixing of samples at a licensed retail premise for the purpose of conducting wine, beer, or distilled spirit tastings. Further expands the authorization of class A clubs, class B clubs, public venues, and other licensed drinking establishments to provide free liquor samples. A sample cannot contain more than one-half ounce of distilled spirits, one ounce of wine, or two ounces of beer or cereal malt beverage. A mixed alcoholic beverage sample cannot be more than a half ounce of distilled spirits. Free samples can be served in Class A clubs and Class B clubs (only to members and their guests), licensed drinking establishments, and licensed public venue clubs. No more than 5 samples can be served to any person per visit. Samples cannot be removed from the premises. A cover charge or other entry fee cannot be collected during any day free samples are provided to any person. Samples must come from the licensee's inventory. [Read the bill explainer](#). [Read the bill summary](#). Amends KSA 41-713, 41-2601, 41-2637, 41-2640, 41-2641, 41-2642, and 79-41a02. Also creates new statutes. (Effective July 1, 2013. [HB2199](#)§6, 7, 9, 10, 11, 12, 14, 15, and 16; 2013 Session Laws, chapter 130)

## 6. Serving Size

Margarita, sangria, daiquiri, mojito or other mixed alcoholic beverages approved by the ABC Director may be served in half gallon (64 fluid ounces) or smaller pitchers. [Read the bill explainer](#). [Read the bill summary](#). Amends KSA 41-2640. (Effective July 1, 2013. [HB2199](#)§10; 2013 Session Laws, chapter 130)

# **D. CRIMINAL PROCEDURE AND TRIAL LEGISLATION**

## 1. Statute of Limitations on Sexually Violent Crimes

Removes the statute of limitations for rape and aggravated sodomy; statute of limitation for any

other sexually violent crime when the victim is younger than 18 at the time of the crime is changed to 10 years after the victim reaches age 18 or one year after DNA identification is made, whichever is later. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 21-5107. (Effective July 1, 2013. [HB2252](#)§1; 2013 Session Laws, chapter 5)

## **E. FORFEITURE LEGISLATION**

### **1. Venue**

Amends provisions of the Kansas Standard Asset Seizure and Forfeiture Act concerning venue in forfeiture proceedings brought by the Attorney General. Allowing a proceeding brought by the Attorney General to commence and be maintained in Shawnee County. If, however, a motion to change venue is properly filed within 20 days after service of the petition commencing such proceeding, the court must transfer the proceeding to another county where there is proper venue. The bill also provides that if the proceeding brought by the Attorney General involves property, law enforcement agencies, or owners or interest holders of property in multiple counties, venue is proper in Shawnee County or any county where there is proper venue. It does not expand the Attorney General's authority to file forfeiture cases which remain with local prosecutors if they choose to retain it. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 60-4103. (Effective July 1, 2013. [HB2028](#); 2013 Session Laws, chapter 25)

### **2. Child Sex Crimes**

#### **a. Indecent solicitation of a child and sexual exploitation of a child**

The crimes of indecent solicitation of a child (KSA 21-5508) and sexual exploitation of a child (KSA 21-5510) are added to the list of statutes subject to civil forfeiture. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 60-4103. (Effective July 1, 2013. [HB2081](#);§4; 2013 Session Laws, chapter 123)

#### **b. Commercial sexual exploitation of a child**

The crime of commercial sexual exploitation of a child, newly created in the human trafficking bill is added to the list of statutes subject to civil forfeiture. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 60-4104. (Effective July 1, 2013. [SB246](#)§23) (NOTE: Initially passed in [HB2034](#)§41.)

### **3. Computers**

Computers and other electronic devices are subject to forfeiture for any offense subject to forfeiture. Currently computer equipment is subject to forfeiture for only one crime: KSA 21-6108, Unlawful possession of scanning device or reencoder (credit card fraud). [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 60-4103. (Effective July 1, 2013. [HB2081](#)§5; 2013 Session Laws, chapter 123)

## **F. TRAFFIC LAW LEGISLATION (Not directly affecting line operations)**

### **1. Definitions**

The definition of “automobile dealer” in an insurance statute is modified to reflect vehicle registration statute definitions of “new vehicle dealer” and “used vehicle dealer” and remove a reference to a repealed statute. Also amends several administrative processes for titles and registration. Also reordered all of the definitions of the statute into alphabetical order which makes it look like they changed more than they did. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 8-126 and 8-1436. (Effective July 1, 2013. [SB164](#)§1 and 3; 2013 Session Laws, chapter 92)

## 2. Drivers Licenses

### a. Fail to Comply with Traffic Citation

Provides a person with suspended DL for fail to comply with traffic citation may apply for a restricted DL which can be good for up to one year. If the driver fails to comply with the traffic citation within one year, the license is suspended until the court determines the person has complied with the terms of the citation. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 8-2110. (Effective July 1, 2013. [HB2009](#); 2013 Session Laws, chapter 107)

### b. Veteran Designation

Amending driver's license provisions by permitting the word "VETERAN" to be placed on the driver's license of a veteran with an honorable discharge or general discharge under honorable conditions. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 8-243, 8-1324 and 74-2012. (Effective July 1, 2013. [SB136](#); 2013 Session Laws, chapter 74)

## 3. Registration

### a. Amateur Radio Plates for Trucks

The weight limit for trucks for which an amateur radio operator license plate may be issued is increased from 16,000 pounds to 20,000 pounds. It also cleans up several administrative provisions not affecting law enforcement. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 8-163. (Effective July 1, 2013. [SB69](#)§3; 2013 Session Laws, chapter 8)

### b. Specialty Tags

#### (1) Eisenhower Foundation

A new specialty tag for the Eisenhower Foundation is created. [Read the bill explainer](#). Read the [bill summary](#). New statute. (Effective July 1, 2013. [HB2176](#); 2013 Session Laws, chapter 7)

#### (2) Motorcycles

Authorizes special educational institution license plates for motorcycles, in addition to those that have been available for passenger vehicles and small trucks. Plates for passenger vehicles and small trucks are available for Emporia State University, Fort Hays State University, Kansas State University, Pittsburg State University, the University of Kansas, Washburn University, and Wichita State University. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 8-1,142. (Effective July 1, 2013. [HB2011](#)§1; 2013 Session Laws, chapter 81)

#### (3) Transferring Specialty Tags

Directs the Secretary of Revenue to adopt rules and regulations to allow the transfer of distinctive license plates from one vehicle to another when the title to the original vehicle has not been transferred and the name or names of the owner listed on the titles of both vehicles are identical. [Read the bill explainer](#). Read the [bill summary](#). New statute. (Effective July 1, 2013. [HB2011](#)§2; 2013 Session Laws, chapter 81)

## G. OFFENDER REGISTRY

### 1. DOC Prisoners:

DOC registers offenders held in prison. For those who are on work release or day release to attend school, DOC must provide a copy of the registration document to the sheriff in the county where they work and/or where they attend school, in addition to the sheriff in the county of the prison and to the KBI. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 22-4905. (Effective July 1, 2013. [SB20](#)§4; 2013 Session Laws, chapter 127)

2. Human Trafficking:

The crimes of aggravated human trafficking and commercial sexual exploitation of a child are added to the definition of “sexually violent crime” for the purpose of registration of juvenile offenders. The crime of commercial sexual exploitation of a child is added to the statute requiring lifetime registration. [Read the bill explainer](#). Amends KSA 22-4902 and 22-4906. (Effective July 1, 2013. [HB2034](#)§29 and 30; 2013 Session Laws, chapter 120)

## H. WILDLIFE AND PARKS

1. Boating Under the Influence

Extends the time period for testing the BAC of a person arrested for boating DUI from two hours to three hours. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 32-1130 and 32-1131. (Effective July 1, 2013. [HB2218](#)§10 and 11; 2013 Session Laws, chapter 122)

## I. OTHER LEGISLATION OF INTEREST

1. Grand Juries

a. Citizen Petition

Amends grand jury provisions for requests by private citizens. The petition must state the name, address, and phone number of the person filing the petition, the subject matter of the prospective grand jury, a specific area of inquiry, and sufficient general allegations to warrant a finding that such inquiry may lead to information, which, if true, would warrant a true bill of indictment. The person filing the petition must be the first witness called by the grand jury for the purpose of presenting evidence and testimony as to the subject matter and allegations of the petition. The grand jury may investigate any concerns associated with the petition and may employ any special counsel or investigator after hearing testimony from the person filing the petition. Any person may make a written request to testify or retestify in an inquiry before a grand jury or to appear before a grand jury. The written request must include a summary of that person’s written testimony. The grand jury may seek the removal of the assigned judge if a party or party’s attorney believe the judge to whom an action is assigned cannot afford that person a fair trial in the action. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 22-3001, 22-3002, 22-3003, 22-3004, 22-3005, 22-3006, 22-3007, 22-3008, 22-3009, 22-3010, 22-3011, 22-3012, 22-3013, 22-3014, and 43-107. (Effective July 1, 2013. [HB2164](#)§2-18; 2013 Session Laws, chapter 85)

b. Felony Cases

Provides an option to prosecutors to call a grand jury for any felony violation. Currently can be called for any Off-Grid, SL1-4 non-drug or SL1-2 drug felonies. Also provides the grand jury may hire investigators or employ special council. Also establishes new rules for the prosecutors. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 22-3001, 22-3002, 22-3003, 22-3004, 22-3005, 22-3006, 22-3007, 22-3008, 22-3009, 22-3010, 22-3011, 22-3012, 22-3013, 22-3014, and 43-107. (Effective July 1, 2013. [HB2164](#)§2-18; 2013 Session Laws, chapter 85)

2. Health Insurance

a. Families of Fallen Officers

The employer of a law enforcement officer killed in the line of duty must pay for any COBRA eligible family health insurance coverage for the 18 month COBRA period. [Read the bill explainer](#). Read the [bill summary](#). New statute. Amends KSA 40-1709. (Effective July 1, 2013. [HB2339](#)§2 and 3; 2013 Session Laws, chapter 109)

b. Mandate Lite Plans

Creates a “mandate lite health benefit plan” defined as an individual or group sickness and accident insurance plan that does not contain one or more of the Kansas mandated benefits other than coverage for optometrist, dentist, or podiatrist services (KSA 40-2,100) and for reconstructive breast surgery (KSA 40-2,166). The plan could be issued on either a group or individual basis. Mandate lite health benefit plans would not be required to issue coverage for drugs; the bill, however, does specify a drug coverage plan could be offered. The plans must: 1) Contain the definitions of group or individual sickness and accident insurance with respect to major medical benefits and standard provisions or rights of coverage; and 2) Provide insured with written notice that one or more of the state-mandated benefits are not included in the plan. The definition of preexisting conditions could not be more restrictive than the definition of preexisting conditions normally used for the corresponding regular or group insurance contracts. Additional premiums may be charged for each optional benefit offered. [Read the bill explainer](#). Read the [bill summary](#). New statutes. (Effective July 1, 2013. [HB2107](#)§12-14; 2013 Session Laws, chapter 97)

### 3. KPERS and KP&F

#### a. KP&F Retirement Cap

The cap on maximum KP&F member retirement benefits is raised from 80% to 90% of final average salary. It appears this would be applicable to anyone retiring on or after June 13, 2013. (Sections 3, 4, and 5 of the bill) The KP&F employee contribution rate increases from 7.0 percent to 7.15 percent to self-fund the benefit increase from the active KP&F employees beginning the first payroll period after July 1, 2013. If a member is past 32 years in the system and has been paying the reduced contribution rate of 2%, the period of time paid at 2% will not count toward the retirement calculation unless the difference between the 2% contribution and the 7% contribution rate is paid by the employee to KPERS for that period of time. This must be paid to the system in a lump sum amount prior to retirement to have those years used in your retirement calculation. (Section 5 of the bill) [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 74-49,123. (Effective June 13, 2013. [HB2213](#)§3-5; 2013 Session Laws, chapter 132)

#### b. KPERS Current Employees (Not KP&F)

Nothing new was passed this year affecting current employees under KPERS. But remember some changes passed in the 2012 session will start July 1 for state employers and January 1, 2014 for local employers and all state and local employees. Those changes are increased contribution rates for employers more rapidly than in the past and for employees to 5% of salary starting January 2014 and 6% of salary starting January 2015. Also increases the multiplier from 1.75% to 1.85% for future years of service only starting January 2014. It is still unclear if there will be an option decision the employees will have to make this year or not. This hinges on IRS approval of the plan. IF the IRS approves it the employee can opt to remain at the current contribution rates but reduce retirement benefits. See the [KPERS webpage](#) for full information.

#### c. KPERS Employees Hired on or after January 1, 2015

Makes technical amendments to laws passed last year, including: 1) Corrects internal references in statute relating to a member failing to make an election rather than to a non-



existent subsection; 2) The higher 1.85 multiplier applies to Tier 2 members retiring under early retirement provisions, as well as to normal retirement dates; 3) Corrects references to “additional interest rate” to match the term “additional interest credit”; 4) Clarifies a vested member who terminates with ten years of service without withdrawing the employee's contributions and interest may retire under early retirement provisions at age 55; 5) Changes a reference to the “pre-2014 act” (Tiers 1 and 2) to the “pre-2015 act” to reflect the effective date of the Tier 3 cash balance plan; and 6) Correct internal references to ensure members retiring under either early retirement provisions or at normal retirement are eligible for the \$4,000 retiree death benefit. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 74-49,135, 74-49,205, 74-49,301, 74-49,306, 74-49,308, 74-49,313, and 74-49,315. (Effective June 13, 2013. [HB2213](#)§6-12; 2013 Session Laws, chapter 132)

#### 4. Labor Issues

##### a. Public Employee Relations Board (PERB)

Assigns costs of arbitration and mediation provided by Ks Dept. of Labor to the parties. Currently those are paid for by the Dept. of Labor. Also assigns cost of secret ballot to the requesting party in votes to unionize. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 75-4327 and 75-4332. (Effective July 1, 2013. [HB2083](#); 2013 Session Laws, chapter 61)

#### 5. Municipal Court Appeals

Changes administrative procedures for appealing traffic cases. Removes requirement to notify municipal court. Prohibits appeal prior to sentencing. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 12-4601. (Effective July 1, 2013. [HB2017](#)§1; 2013 Session Laws, chapter 118)

#### 6. Personnel Issues

##### a. PAC deductions

It is prohibited to use any “dues, fees, money or other assessments” deducted from an employee’s paycheck for the purpose of engaging in partisan or political purposes “to influence, directly or indirectly, any person to refrain from voting or to vote for or against any candidate for public office at any caucus, political convention, primary, or election.” [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 32-1130 and 32-1131. (Effective July 1, 2013. [HB2022](#)§1; 2013 Session Laws, chapter 6)

##### b. Payroll Deduction

With a signed agreement, an employer may withhold a portion of an employee’s wages for: 1) Repayment of a loan or an advance the employer made to the employee during the course and scope of employment; 2) Recovery of overpayment; or 3) cost of the employer’s merchandise or uniforms purchased by the employee.

When a person leaves employment, the employer may deduct any portion of the employee’s final wages for the following purposes provided the employer gives the employee written notice and explanation: 1) Cost of employer’s property not returned by the employee; 2) Repayment of a loan or advance to the employee; 3) Recovery of overpayment; or 4) cost of the employer’s merchandise, uniforms, or equipment purchased by the employee.

An employee may also authorize wage deductions for charitable donations, dues paid

to labor organizations, or for service fees. Additionally an employer may withhold or deduct any portion of an employee's wages if it is 1) allowed by law; 2) for healthcare; 3) with authorization signed by the employee for a lawful purpose and for the employee's benefit; or 4) to be deposited into a retirement plan. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 44-319. (Effective July 1, 2013. [HB2022](#)§4 2013 Session Laws, chapter 6)

c. Work Comp

Amends several workers compensation laws. Reduces the time period for an employee no longer working for the employer to report an injury from 20 days to 10 days. Reduces the time period for accident or injury from repetitive trauma from 30 days to 20 days from the date of the injury. Amends the appeal process. Also establishes the workers compensation and employment security boards nominating committee; amends the administrative law judge appointment process; amends the membership of the workers compensation appeals board. [Read the bill explainer](#). Read the [bill summary](#). Amends KSA 2-224a, 44-508, 44-510d, 44-510e, 44-510j, 44-512, 44-520, 44-523, 44-532a, 44-551, 44-555c, 44-557, 44-575, 44-577, 44-578, 44-709 and 75-5708. (Effective April 25, 2013. [SB187](#); 2013 Session Laws, chapter 104)

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**RICO [SB16](#); 2013 Session Laws, chapter 78**  
**Kansas Racketeer Influenced and Corrupt Organization Act**  
**Effective: July 1, 2013**

**ATTACHMENT A**

[See Summary Document](#)

[See the bill explainer](#)

It is a SL2 person felony for any person who is (1) a criminal street gang member or criminal street gang associate, as defined in KSA 21-6313; (2) has engaged in or is engaging in any conduct prohibited by KSA 21-5426, human trafficking or aggravated human trafficking; or (3) has engaged in or is engaging in any conduct prohibited by KSA 21-5703, unlawful manufacturing of controlled substances, or KSA 21-5705, unlawful cultivation or distribution of controlled substances:

- (1) Who has with criminal intent received any proceeds derived, directly or indirectly, from a pattern of racketeering activity or through the collection of an unlawful debt to use or invest, whether directly or indirectly, any part of such proceeds, or the proceeds derived from the investment or use thereof, in the acquisition of any title to, or any right, interest, or equity in, real property or in the establishment or operation of any enterprise;
- (2) through a pattern of racketeering activity or through the collection of an unlawful debt, to acquire or maintain, directly or indirectly, any interest in or control of any enterprise or real property; or
- (3) employed by, or associated with, any enterprise to conduct or participate, directly or indirectly, in such enterprise through a pattern of racketeering activity or the collection of an unlawful debt.

The bond for any person charged under this law is a minimum of \$50,000 cash or surety and cannot be released on an own recognizance bond.

In addition to the jail term, a person convicted can be fined not to exceed three times the gross value gained or the gross loss caused, whichever is the greater, plus court costs and the costs of investigation and prosecution, reasonably incurred, if the person derived pecuniary value, or by which the actions caused personal injury or property damage, or other loss.

Any district court may, after making due provision for the rights of innocent persons, enjoin violations of the provisions of section 3, by issuing appropriate orders and judgments, including, but not limited to:

- (1) Ordering any defendant to divest any interest in any enterprise, including real property.
- (2) Imposing reasonable restrictions on future activities or investments of any defendant, including, but not limited to, prohibiting engagement in the same type of endeavor as the enterprise in which the defendant was engaged at the time of the crime.
- (3) Ordering the dissolution or reorganization of any enterprise.
- (4) Ordering the suspension or revocation of a license, permit, or prior approval granted to any enterprise by any agency of the state.
- (5) Ordering the forfeiture of the charter of a corporation organized under the laws of the state, or the revocation of a certificate authorizing a foreign corporation to conduct business within the state, upon finding that the board of directors or a managerial agent acting on behalf of the corporation, in conducting the affairs of the corporation, has authorized or engaged in conduct in violation of the RICO act.

All property, real or personal, including money, used in the course of, intended for use in the course of, derived from, or realized through conduct in violation of a provision of the RICO act is subject to civil forfeiture.

Conspiring, attempting, or soliciting to commit a violation is not subject to the severity level reductions normally applied.

“Pattern of racketeering activity” means engaging in at least two incidents of committing, attempting to commit, conspiring to commit or soliciting, coercing or intimidating another person to commit one of the crimes listed below with similar intents, results, accomplices, victims or methods of commission or are otherwise interrelated by distinguishing characteristics and are not isolated incidents, provided at least one of which occurs after July 1, 2013, and at least one occurring within 5 years, excluding any period of imprisonment, after a prior incident of racketeering activity.

KSA 8-1568, fleeing or attempting to elude a police officer

KSA 9-508 et seq., Kansas money transmitter act

KSA Chapter 17 Article 12a, Kansas uniform securities act

KSA 21-5401, capital murder;

KSA 21-5402, murder in the first degree

KSA 21-5403, murder in the second degree

KSA 21-5408, kidnapping or aggravated kidnapping

KSA 21-5412, Assault

KSA 21-5413, Battery

KSA 21-5414, domestic battery

KSA 21-5415, criminal threat or aggravated criminal threat

KSA 21-5420, robbery or aggravated robbery

KSA 21-5421, terrorism

KSA 21-5422, illegal use of weapons of mass destruction

KSA 21-5423, Furtherance of terrorism or use of weapons of mass destruction

KSA 21-5426, human trafficking or aggravated human trafficking

KSA 21-5428, blackmail

KSA 21-5510, sexual exploitation of a child

KSA 21-5601, endangering a child or aggravated endangering a child

KSA 21-5602, abuse of a child

KSA 21-5603, contributing to a child’s misconduct or deprivation

KSA 21-5607 subsection (b), furnishing alcoholic beverages to a minor for illicit purposes

KSA Chapter 21 Article 57, crimes involving controlled substances

KSA 21-5801, theft

KSA 21-5803, criminal deprivation of property

KSA 21-5805, unlawful acts involving theft detection shielding devices

KSA 21-5807, burglary or aggravated burglary

KSA 21-5812, arson or aggravated arson

KSA 21-5813, criminal damage to property

KSA 21-5814, criminal use of an explosive

KSA 21-5818, tampering with a pipeline

KSA 21-5821, giving a worthless check

KSA 21-5823, forgery

KSA 21-5824, making false information

KSA 21-5825, counterfeiting

KSA 21-5826, destroying written instrument

KSA 21-5828, criminal use of a financial card

KSA 21-5838, conducting a pyramid promotional scheme

KSA 21-5839, unlawful acts concerning computers

KSA 21-5903, perjury

KSA 21-5904, interference with law enforcement  
KSA 21-5905, interference with the judicial process  
KSA 21-5909, intimidation of a witness or victim; agg. intimidation of a witness or victim  
KSA 21-5912, aiding escape  
KSA 21-5913, obstructing apprehension or prosecution  
KSA 21-5918, dealing in false identification documents, vital records identity fraud  
KSA 21-6001, bribery  
KSA 21-6002, official misconduct  
KSA 21-6301, criminal use of weapons  
KSA 21-6302, criminal carrying of a weapon  
KSA 21-6303, criminal distribution of firearms to a felon  
KSA 21-6304, criminal possession of a firearm by a convicted felon  
KSA 21-6305, aggravated weapons violation by a convicted felon  
KSA 21-6306, defacing identification marks of a firearm  
KSA 21-6308, criminal discharge of a firearm  
KSA 21-6310, unlawful endangerment;  
KSA 21-6312, criminal carrying, possession, or disposal of explosives  
KSA 21-6314, recruiting criminal street gang membership  
KSA 21-6315, criminal street gang intimidation  
KSA 21-6401, promoting obscenity  
KSA 21-6404, gambling  
KSA 21-6405, illegal bingo operation  
KSA 21-6406, commercial gambling  
KSA 21-6407, dealing in gambling devices  
KSA 21-6408, unlawful possession of a gambling device  
KSA 21-6409, installing communication facilities for gamblers  
KSA 21-6414 (a) or (b), unlawful dog fighting or unlawful possession of dog fighting paraphernalia  
KSA 21-6417 (a) or (b), unlawful cockfighting or unlawful possession of cockfighting paraphernalia  
KSA 21-6419, prostitution  
KSA 21-6420, promoting prostitution  
KSA 21-6501, extortion  
KSA 21-6502, debt adjusting  
KSA 21-6504, equity skimming  
KSA 21-6506, commercial bribery  
KSA 21-6507, sports bribery  
KSA 21-6508, tampering with a sports contest  
KSA 39-720, social welfare service fraud  
KSA 40-2,118, fraudulent insurance acts  
KSA 41-101 et seq., Kansas liquor control act  
KSA 44-5,125, workers' compensation act  
KSA 65-1657, nonresident pharmacy registration  
KSA 65-3441, hazardous waste  
KSA 65-4167, trafficking in counterfeit drugs  
KSA Chapter 74, Article 88, Kansas parimutuel racing act  
KSA 79-3321, Kansas cigarette and tobacco products act  
Or any conduct defined as "racketeering activity" under 18 U.S.C. § 1961(1).

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Creates the crime of Commercial sexual exploitation of a child:

Knowingly

- (1) Giving, receiving, offering or agreeing to give, or offering or agreeing to receive anything of value to perform any of the following acts:
  - (A) Procuring, recruiting, inducing, soliciting, hiring or otherwise obtaining any person younger than 18 years of age to engage in sexual intercourse, sodomy or manual or other bodily contact stimulation of the genitals of any person with the intent to arouse or gratify the sexual desires of the offender or another; or
  - (B) Procuring, recruiting, inducing, soliciting, hiring or otherwise obtaining a patron where there is an exchange of value, for any person younger than 18 years of age to engage in sexual intercourse, sodomy or manual or other bodily contact stimulation of the genitals of any person with the intent to arouse or gratify the sexual desires of the patron, the offender or another;
- (2) establishing, owning, maintaining or managing any property, whether real or personal, where sexual relations are being sold or offered for sale by a person younger than 18 years of age, or participating in the establishment, ownership, maintenance or management thereof;
- (3) permitting any property, whether real or personal, partially or wholly owned or controlled by the defendant to be used as a place where sexual relations are being sold or offered for sale by a person who is younger than 18 years of age; or
- (4) procuring transportation for, paying for the transportation of or transporting any person younger than 18 years of age within this state with the intent of causing, assisting or promoting that person's engaging in selling sexual relations.

The crime is a SL5 person felony, for a first offense, plus a minimum \$2500 and maximum \$5000 fine; a SL2 person felony for second and subsequent offenses plus a minimum \$5000 fine; except when the offender is 18 years of age or older and the victim is less than 14 years of age is an off-grid felony. All fines go to the human trafficking victim assistance fund. The court may also order the person convicted to enter into and complete a suitable educational and treatment programs.

Capital murder can be based on the crime of commercial sexual exploitation of a child.

Effective January 1, 2014, amends KSA 38-2231 to **require a law enforcement officer to take a child into custody** when the officer has a reasonable belief a child under the age of 18 is a victim of human trafficking, aggravated human trafficking or commercial sexual exploitation of a child. A **law enforcement officer must** contact the department for children and families to begin an assessment to determine safety, placement and treatment needs for the child. The department for children and families will use a rapid response team to begin such assessment for appropriate and timely placement. The child may be placed in a staff secure facility. The child cannot be placed in a juvenile detention facility or other secure facility except as authorized in KSA 38-2242, 38-2243, and 38-2260 (generally by a court).

Effective January 1, 2014, creates staff secure facilities, operated by the Department for Children and Families, for placement of victims of human trafficking and certain children violating these laws.

Changes the terminology of "prostitution" to "sale of sexual relations" and the term "promoting prostitution" to "sale of sexual relations" and the term "patronizing a prostitute" becomes "buying sexual relations." Creates an affirmative defense in a case of selling sexual relations if the defendant was subjected to human trafficking or aggravated human trafficking, or commercial sexual exploitation of a child. Amends the law on expungements for selling sexual relations if the offender can prove they were the victim of human trafficking or aggravated human trafficking, or commercial sexual exploitation of a child.

Many of the related sentencing statutes and provisions are also amended.

**Sale of Sexual Relations (Was Prostitution)**

The crime of sale of sexual relations (was prostitution) has a new provision. It can now be an affirmative defense for the accused if the conduct was the result of the accused being a victim of human trafficking, aggravated human trafficking, or the new crime of commercial sexual exploitation of a child. The penalty remains a class B misdemeanor. (KSA 21-6419)

**Promoting the Sale of Sexual Relations (Was Promoting Prostitution)**

The crime of promoting the sale of sexual relations only applies when the person providing the sold sexual relations is over the age of 18. That is because the new crime of commercial sexual exploitation of a child covers those under the age of 18 and has harsher penalties. The penalty was a class A misdemeanor but is amended to a SL9 felony on the first offense. A second and subsequent offense remains a SL7 person felony. A fine of \$2500-\$5000 is imposed for the first offense and a minimum fine of \$5000 is required on second or subsequent offenses. All of the fine must go to the new state fund on human trafficking. (KSA 21-6420)

**Buying Sexual Relations (Was Patronizing a Prostitute)**

Buying sexual relations only applies when the person providing the sold sexual relations is over the age of 18. That is because the new crime of commercial sexual exploitation of a child covers those under the age of 18 and has harsher penalties. The prohibited conduct is amended to include “engage in *manual or other bodily contact stimulation of the genitals of any person with the intent to arouse or gratify the sexual desires of the offender or another*, sexual intercourse, sodomy or any unlawful sexual act.” The penalties are also significantly changed. What was a C misdemeanor is now a Class A misdemeanor on the first offense and a SL9 person felony on second or subsequent offenses. A \$2500 fine for the first offense is mandatory and a minimum fine of \$2500 is imposed on second or subsequent offenses. \$2500 of the fine must go to the new state fund on human trafficking, this includes convictions in municipal courts. Cities are permitted to establish higher fines for the first offense and appear to retain any fine amount above \$2500. NOTE: Only first offenses could be prosecuted in municipal courts since subsequent convictions would be felonies. (KSA 21-6421)

Provides an order authorizing the interception of a wire, oral or electronic communication may be issued by a judge for investigation of human trafficking, aggravated human trafficking, sexual exploitation of a child, commercial sexual exploitation of a child, or buying, selling, or promoting sexual relations.

Amends KSA 60-4104 by adding the crime of commercial sexual exploitation of a child to the list of crimes subject to civil forfeiture.

Amends the common nuisance statute (KSA 22-3901) to include the crime of commercial sexual exploitation of a child.

**Offender Registration:**

The crimes of aggravated human trafficking and commercial sexual exploitation of a child are added to the definition of violent sexual crime in the offender registration statutes (KSA 22-4902).

Amends KSA 22-4906 to include commercial sexual exploitation of a child as a lifetime offender registry crime.

**OTHER AMENDMENTS:**

- Establishes a human trafficking advisory board in the office of the attorney general and authorized the AG to provide law enforcement training on human trafficking. Creates a state human trafficking victim assistance fund.

- Expungement rules are changed when an offender can prove they were a victim of human trafficking.
- KSA 21-5502, the statute on evidence of complaining witness previous sexual conduct, will apply to cases of aggravated human trafficking and commercial sexual exploitation of a child
- Sentencing:
  - Amends the sentencing rules in KSA 21-6627 for life sentencing in certain cases of commercial sexual exploitation of a child if the victim is less than 14 years of age, and amends the provision on human trafficking to reflect the amendments made to KSA 21-5426.
  - Amends the sentencing rules in KSA 21-6806 regarding the sentencing for an off-grid conviction of commercial sexual exploitation of a child under the age of 14.
  - The definition of ‘Aggravated habitual sex offender’ in KSA 21-6626 is amended to include the crimes of aggravated human trafficking and commercial sexual exploitation of a child.
  - The crimes of aggravated human trafficking and commercial sexual exploitation of a child are added to the definition of “crime of extreme sexual violence” in the sentencing statute (KSA 21-6815).
  - The crimes of aggravated human trafficking and commercial sexual exploitation of a child are added to the definition of violent sexual crime in the sentencing statute (KSA 22-3717)
- Amends special appeal procedures in KSA 22-3601 to include commercial sexual exploitation of a child on 2<sup>nd</sup> or subsequent convictions.
- Amends numerous statutes in the Juvenile Code and the Kansas code for care of children to accommodate the newly created “Staff Secure Facility” and the handling of children who are victims of human trafficking.

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**SB21**

[READ THE EXPLAINER](#)  
[READ THE SUMMARY](#)

2013 Session Law Chapter 36

**HB2052**

[READ THE EXPLAINER](#)  
[READ THE SUMMARY](#)

2013 Session Law Chapter 105

**SB246**

2013 Session Law Chapter

Terms used in this document, not defined in the bills:

The Act: The Kansas Personal and Family Protection Act

CAO: Chief Administrative Officer

LEOSA: Law Enforcement Officer Safety Act: federal law USC §§ 926B and 926C

Licensee: A person licensed under the Act or by another jurisdiction to carry concealed

Proper posting: Posting of no concealed carry signs as per KSA 75-7c10 § (f) and KAR 16-11-7

Definitions from the bills:

Adequate Security Measures: Personnel and electronic equipment at every public entrance of a building to detect and restrict the carrying of any weapons into the building. [HB2052 § 2, (l)(1) and HB2052 § 5(g)(1) and HB2052 § 9(g)(1)]

Capitol complex: As defined in [KSA 75-4514](#)—Docking, Landon, Curtis and Eisenhower state office buildings, memorial hall, the Kansas judicial center and the state capitol. [HB2052 § 5(g)(3)] *NOTE: Definition only applies to KSA 21-6309, section 5 of HB2052.*

Municipal or municipality: Any county, township, city, or other political or taxing subdivision of the state, or any agency, authority, institution or other instrumentality thereof. As per KSA 75-6102 except school districts. [HB2052 § 2, (l)(2)]

Possession: joint or exclusive control over a firearm or having a firearm in a place where the person has some measure of access and control. [HB2052 § 5(g)(2)] *NOTE: Definition only applies to KSA 21-6309, section 5 of HB2052.*

Restricted Access Entrance: Entrance with access controlled by key, keycard, code, or similar device to restrict entry only to authorized persons. [HB2052 § 2, (l)(3)]

State: The state of Kansas and any department or branch of state government, or any agency, authority, institution or other instrumentality thereof. [HB2052 § 2, (l)(4)]

State or Municipal Building: Any building owned or leased by the state or municipality, except a building leased by a private entity whether profit or non-profit or a building held in title for the purpose of revenue bond financing. After July 1, 2014, the Capitol Building is exempted if adequate security measures are not in place as provided by section 3. [HB2052 § 2, (l)(5)]

Weapon: Any weapon described in KSA 21-6301 *NOTE: This statute is subject to amendment in other bills, so by July 1 it may mean something different than it does today.* [HB2052 § 2, (l)(6)]

Building: Not to include any structure or any area of any structure designed for motor vehicle parking. [HB2052 § 9(g)(2)] Also see HB2052 § 5(h).

#### A. CONFIDENTIALITY OF RECORDS

The legislature has passed new provisions regarding the confidentiality of concealed carry applicant records. The new laws become effective on July 1, 2013.

The amendments are in two bills. SB246, section 18, amends KSA 45-211, the general open records exemption statute. A new subsection (a)(53) is added:

(a)(53) Records of a public agency that would disclose the name, home address, zip code, e-mail address, phone number or cell phone number or other contact information for any person licensed to carry concealed handguns or of any person who enrolled in or completed any weapons training in order to be licensed or has made application for such license under the personal and family protection act, K.S.A. 2012 Supp. 75-7c01 et seq., and amendments thereto, shall not be disclosed unless otherwise required by law. (Emphasis added)

HB2052, section 8, amends KSA 75-7c06, one of the concealed carry statutes, to include designating certain disclosures as a Class A misdemeanor.

(b) Except as provided by subsections (c) and (d), records relating to persons issued licenses pursuant to this act, persons applying for licenses pursuant to this act or persons who have had a license denied pursuant to this act shall be confidential and shall not be disclosed pursuant to the Kansas open records act. Any disclosure of a record in violation of this subsection is a class A misdemeanor.

(c) Records of a person whose license has been suspended or revoked pursuant to this act shall be subject to public inspection in accordance with the open records act.

(d) The attorney general shall maintain an automated listing of license holders and pertinent information, and such information shall be available at all times to all law enforcement agencies in this state, other states and the District of Columbia when requested for a legitimate law enforcement purpose.

Together, these amendments prohibit and make it a criminal offense to release any concealed carry related information outside the criminal justice system, unless specifically authorized by law, that will identify a concealed carry permit holder or a person who has applied for a permit. This applies not only to those involved in the application process, but any person with access of licensing information through KCJIS or through MVD records.

#### B. What state or municipal buildings are covered by the new amendments?

The new amendments for state and municipal buildings include any building owned or leased by the state or by a county, township, city, or other political or taxing subdivision of the state, or any agency, authority, institution or other instrumentality thereof, except such building leased by a private entity whether profit or non-profit or a building held in title for revenue bond financing purposes. By definition Unified School District buildings are exempted. [HB2052 §2 subsections (l)(2) and (l)(5)] The Kansas School of the Blind and the Kansas School for the Deaf are also specifically exempted. [HB2052 §2 subsection (k)]

Law enforcement buildings, jails, and correctional facilities are under a special provision that allows the secure areas of such buildings to be under the control of the agency in regards to any person carrying a firearm into the secure area. Adequate security measures are not required for these secure areas. However, the public areas of the building are subject to the same rules as other public buildings requiring either adequate security measures at every public entrance or allowing licensees to carry concealed in the public areas, unless under an opt-out provision. [HB2052 §2 subsection (g)]

Courtrooms and ancillary court rooms are under the control of the chief judge of the judicial district. No special provisions are included for municipal courts making them subject to the same adequate security measures and posting provisions as any other state or municipal building, unless under an opt-out provision. [HB2052 §2 subsection (h)]

C. What state or municipal buildings are eligible for the temporary opt-out?

All buildings covered by the bill are eligible for a temporary opt-out until January 1, 2014. Enactment requires the governing body, or CAO if no governing body exists, to notify the Attorney General and the local law enforcement agency of jurisdiction. No security plan or statement of reason for the opt-out is required. This is designed to primarily just give the entity time to get a plan in place. [HB2052 §2 subsection (i)]

D. What state or municipal buildings are eligible for the one-time 4 year opt-out?

All buildings may have a one-time 4 year opt-out. The eligibility varies as follows:

**Buildings specifically listed in the bill** may opt-out for one 4-year period and do not have to have a security plan in place. Notice must be sent to the Attorney General and must state a reason for the opt-out. The buildings eligible under this provision are: 1) State or municipal owned medical care facility as defined in [KSA 65-425](#); 2) state or municipal owned adult care home as defined in [KSA 39-923](#); 3) community mental health center organized pursuant to [KSA 19-4001 et.seq.](#); 4) indigent health care clinic as defined in [KSA 65-7402](#); and 5) postsecondary educational facility as defined in [KSA 74-3201b](#) including any building on the grounds of or leased by the postsecondary educational facility. [HB2052 §2 subsection (j)]

**Buildings not specifically addressed otherwise in the bill:** The governing body, or CAO if no governing body exists, can enact the opt-out by adopting a resolution or by letter. The bill has a specific statement that must be included verbatim in the resolution or letter. Notification must be made to the Attorney General and the local law enforcement agency of jurisdiction. The security plan must be kept on file and it is not subject to open records release. The security plan must be provided to the Attorney General and the local law enforcement agency of jurisdiction, but only upon request. [HB2052 §2 subsection (i)]

E. What is required to prohibit concealed carry in a state or municipal building?

Licensees cannot be prohibited from carrying concealed in non-exempt buildings unless the building has “adequate security measures” in place and is properly posted; or under either a temporary or a one-time four year opt-out provision. [HB2052 §2 subsections (a) and (b)]

F. Who is allowed to carry a concealed handgun in a non-exempt state or municipal building?

Buildings under opt-out

Licensees may be prohibited from carrying concealed in a properly posted building.

Employees may be prohibited from carrying in the workplace.

Out of state and retired law enforcement officers qualifying under LEOSA are allowed to carry concealed in the buildings.

Buildings not under opt-out; without adequate security measures and proper posting

Licensees cannot be prohibited from carrying concealed in the building.

Employees cannot be prohibited from carrying in the workplace.

Out of state and retired law enforcement officers qualifying under LEOSA are allowed to carry concealed in the buildings.

Buildings not under opt-out; with adequate security measures and proper posting; no restricted access entrance

Licensees can be prohibited from carrying concealed in the building.

Employees can be prohibited from carrying in the workplace.

Out of state and retired law enforcement officers qualifying under LEOSA are allowed to carry concealed in the buildings.

Buildings not under opt-out; with adequate security measures and proper posting; with restricted access entrance

Licensees can be prohibited from carrying concealed in the building.

Any licensee, including an employee, who is authorized to enter the building through the restricted access entrance is not in violation of the act if they carry concealed in the building. But personnel regulations may control the manner of carrying by a CCH permit holding employee. There are conflicting provisions on whether personnel regulations can prohibit a CCH permit holder from carrying into the building if they enter through a restricted access entrance.

Out of state and retired law enforcement officers qualifying under LEOSA are allowed to carry concealed in the buildings.

[HB2052 §2 subsections (a) and (b); §4 subsection (d)(8); §5 subsection (d)(3); and §9 subsection (e)(3)]

G. How are licensed state or municipal employees affected by the bill?

State and municipal employees cannot be prohibited from carrying concealed in state and municipal buildings unless the building has adequate security measures and is properly posted or is under one of the opt-out provisions. Any licensee authorized to enter through a “restricted access entrance” but is a non-employee may carry concealed in the building without criminal penalty and without violating the act. Employers may have personnel rules regarding the carrying of concealed weapons in their building. The law is unclear and has conflicting provisions on whether personnel regulations can prohibit an employee entering through a “restricted access entrance,” however, it is clear personnel regulations can regulate the carrying of a firearm by an employee with a CCH permit. [HB2052 §2 subsections (c) and (d); and §8 subsection (b)(1)]

Specifically listed places who opt-out and unified school districts are not required to allow employees who are licensees to carry concealed in the workplace, but they may choose to do so: The listed places are 1) a postsecondary education institution as defined in [KSA 74-3201b](#); 2) a state or municipal owned medical care facility as defined in [KSA 65-425](#); 3) state or municipal owned adult care home as defined in [KSA 39-923](#); 4) community mental health center organized pursuant to [KSA 19-4001 et.seq.](#); or 5) indigent health care clinic as defined in [KSA 65-7402](#). [HB2052 §2 subsection (j); §9 subsection (d)]

H. Can the grounds of the state or municipal buildings be prohibited for concealed carry?

No, the grounds of a state or municipal building cannot be closed to concealed carry by licensees. This is the intent of existing law and revisions in this bill clarify that intent. The only exception is the grounds of the governor’s residence. [HB2052 §5 subsection (a); numerous revisions throughout bill changing “premises” and “facilities” to “buildings”]

I. Can parking garages and parking lots of state or municipal buildings be prohibited for concealed carry?

No, existing law already prohibits closing parking garages, parking lots or any location designed for parking of motor vehicles to the possession of a handgun. [HB2052 §5 subsection (h); §9 subsection (g)(2)]

J. How does this bill change KSA 21-6309, in regards to possession of a firearm in public buildings?

First, the statute is amended to remove the provision making it unlawful to possess a firearm on the grounds of the capitol complex, a state building, or a county courthouse; except for the Governor’s residence. So the statute will only apply to possessing a firearm inside the following buildings and on the grounds of the Governor’s residence: 1) A building within the capitol complex (see definitions on page 1); 2) within the governor’s residence; 3) On the grounds of, or in any building on the grounds of, the governor’s residence; 4) any state building properly posted under authority of

rules and regulations from the Secretary of Administration; 5) within a county courthouse unless the board of county commissioners has passed a resolution authorizing the possession of firearms in the courthouse. All licensed persons are exempt from this statute. See subsection (d) of the statute for further information and a list of other persons currently exempted from the statute. [HB2052 §5 subsection (a) and subsection (e)]

K. Is the state or municipality immune from liability for actions of a licensee?

The state or municipality is immune to liability for the acts or omissions to act by a licensee with regards to a firearm. For the liability immunity to apply the building must either 1) have adequate security measures and be properly posted; or 2) allow licensees to carry in the buildings. If the building is closed to concealed carry without adequate security measures the exemption does not apply. The liability immunity does not apply while under one of the opt-out provisions. [HB2052 §2 subsections (e) and (f)]

L. Are private building CCH provisions amended?

The bill does not change any requirements or restrictions placed on private buildings under the act. It does add a liability immunity provisions relieving private building owners of any liability for the acts or omissions to act by a licensee with regards to a firearm. For the liability immunity to apply the building must either 1) have adequate security measures and be properly posted; or 2) allow licensees to carry in the buildings. If the building is closed to concealed carry without adequate security measures the immunity does not apply, but there is no change from current liability risk. [HB2052 §9 subsection (c) adds liability provisions.] [NOTE: HB2052 §9 subsection (b) regarding private businesses is not amended.]

M. What action can be taken if a licensee carries a concealed weapon into a properly posted building where CCH is lawfully prohibited.

The bill amends the sanctions for a licensee who carries a concealed handgun into a lawfully prohibited area. The licensee may be in violation of the concealed carry regulations but they are not violating a criminal law. The offending person may be denied entry to the building or may be removed from the premises, but not arrested for that act. [HB2052 §2 current subsection (c)(5) is stricken and replaced with subsection (e); §2 subsection (9)(e)]

N. OTHER ISSUES

1. **Out of State and Retired Law Enforcement Officers** who qualify under the federal Law Enforcement Officers Safety Act (LEOSA) are exempt from the concealed carry licensing requirement, may carry into posted buildings, and exempt from the concealed carry prohibitions except for the secure area of law enforcement buildings, jail or correctional facility; and courtrooms and ancillary courtrooms. Qualified persons must be in possession of proper identification. Retired officers must have identification indicating that they are qualified under LEOSA. [HB2052 §4 subsection (d)(8); §5 subsection (d)(3); and §9 subsection (e)(3)]
2. **Out of state licensees:** SB21 changes the rules for those licensed for concealed carry by another state or the District of Columbia.

For persons not residing in Kansas: A person licensed by another state or the District of Columbia will be permitted to carry concealed in Kansas. They must follow all other concealed carry provisions of Kansas law and be in possession of their license. [SB21 §4 subsection (c)(1)]

For persons residing in Kansas: A person holding a valid license from another state or the District of Columbia and becomes a Kansas resident will be permitted to carry concealed in Kansas, provided they have a 180-day receipt issued by the Attorney General. [SB21 §4 subsection (c)(2)] They must apply for a Kansas license and supply the Attorney General a copy of their license to obtain the 180-day receipt. They must either complete a Kansas CCH training course or provide the Attorney General with a copy of a training certificate from another state or the District of

Columbia before being licensed. Such out of state training must meet or exceed the Kansas training requirements. [SB21 §4 subsections (e) through (i)]

3. **Capitol Complex** (See definition on page one for list of included buildings)  
The buildings of the capitol complex are treated as any other state or municipal building for the purposes of concealed carry. As KSA 21-6309 is amended, it is now legal to possess a firearm on the grounds of the Capitol complex. Licensees are exempt from KSA 21-6309. [HB2052 §5]
4. **State Capitol**  
The Capitol building will stay closed to concealed carry for now. However, if adequate security measures are not in place by July 1, 2014, the building will be opened to concealed carry. [HB2052 §2 subsection (l)(5)(B); §3; §9 subsection (f)]
5. **Licensing of Retired Law Enforcement Officers**  
The reduced fee for retired law enforcement officers is removed. Starting July 1 retired law enforcement officers will pay the full licensing fee. [HB2052 §7 subsection (g)]
6. **Licensing of Corrections Officers**  
Corrections officers who have had firearms training within one year will be exempt from the required training if they apply for a license. They will pay the full fee. [HB2052 §7 subsection (h)]
7. **NOTES**
  - a. HB2052 § 1 is a new statute on discharge of a firearm into or within a city. It has nothing to do with concealed carry.
  - b. SB21 §§ 1, 2, and 3 are provisions on the effect of expunged felonies on the crime of felons in possession of firearms and not related to concealed carry.

## **FIREWORKS**

## **ATTACHMENT D**

**HB2167**; 2013 Session Laws, chapter 108; **Effective April 25, 2013**

[READ THE BILL EXPLAINER](#)

[READ THE BILL SUMMARY](#)

Shooting Bottle Rockets in the State of Kansas remains illegal. However there have been some changes to the bottle rocket statute as well as moving the statute from KSA 31-155 and 31 -156 to a new statute in the Kansas Fireworks Act, KSA 31-501 et seq. A new statute number will need to be assigned, but until late in the year the correct citation of the statute is “2013 Session Law Chapter 108 Section 5.”

Subsections (a), (b), and (d) are unchanged, but subsection (c) is heavily amended. The amendments allow the possession, transportation, and sale of bottle rockets within Kansas by persons or manufacturers licensed by the State Fire Marshal. Such sales are only permitted to other Kansas registered persons and manufacturers, and to non-registered persons for resale out-of-state. The registered seller or manufacturer is required to notify the State Fire Marshal of all certifications for resale of bottle rockets out-of-state that must be submitted by all nonregistered persons. The bill clarifies that Kansas registration is not required of any persons who purchase and transport bottle rockets for out-of-state resale, and that such persons are required to certify such intent to the seller. If you believe you have an act in violation of these provisions you should call the Fire Marshal’s Office Investigation Unit at (785) 296-8984. After hours you will get a recording providing an after-hours number to call. They can verify whether the proper documents have been filed for the possession and transportation in compliance with the law.

The new law states:

“(a) Except as provided in subsection (c):

(1) It shall be unlawful to sell, offer to sell, or to possess with intent to sell or offer for sale a bottle rocket; and

(2) it shall be unlawful to ignite, fire, set off or otherwise use a bottle rocket.

(b) Any person violating the provisions of subsection (a) shall be guilty of an unclassified misdemeanor punishable by a fine of not more than \$100.

(c) The provisions of this section shall not prohibit the possession, transportation or sale of bottle rockets within Kansas by a person that is currently registered with the state fire marshal pursuant to section 6, and amendments thereto, to another currently registered person or to a nonregistered person provided the non-registered purchaser submits a certification for resale outside the state of Kansas to the registered seller on a form prescribed by the state fire marshal. The registered seller shall send the certification to the office of the state fire marshal and maintain a copy of the certification for one year from the date of sale.

(d) “Bottle rocket” means any pyrotechnic device which:

(1) Is classified as a class C explosive by the United States department of transportation under 49 C.F.R. § 173.53 (1990);

(2) is mounted on a stick or wire; and

(3) projects into the air when ignited, with or without reports, and includes any device with the same configuration, with or without reports, which may be classified as a pipe or trough rocket. “Bottle rocket” does not include helicopter-type rockets.”

The new law also provides fireworks possessed, stored, or transported in violation of the Kansas Fireworks Act may be seized by the Fire Marshal or by local law enforcement. (Section 1 of

HB2167) But any appeal to the seizure, absent an open criminal case in which the fireworks are evidence, must be handled by the Fire Marshal's Office. An order to destroy the fireworks must also be through the Office of the Fire Marshal. The Fire Marshal may levy civil penalties in these cases.

The new law is not clear on how the transition of the seized fireworks from a law enforcement agency to the Fire Marshal's Office is to take place. In discussions with the Fire Marshal's Enforcement Unit the following is recommended. It is imperative the Fire Marshal's Office is notified of such a seizure by the end of the following business day so they can initiate any appropriate civil action within the time limitations placed on them by statute. This should be done even if criminal charges are pending. When the officer has filed criminal charges the fireworks should be handled like any other evidence, except if it is believed they are unsafe to store the statute seems to require a decision by the Fire Marshal's Office through the courts. It is unclear from the statute whether the criminal court can order the disposal after a criminal case is final or whether the Fire Marshal's Office must make that determination. When the case is disposed of, the case status should be reported to the Fire Marshal's Enforcement Unit to determine the best process for disposal of fireworks still being held as evidence.



## 2013 LIQUOR LAW AMENDMENTS

## ATTACHMENT E

[HB2199](#); 2013 Session Laws, chapter 130; Effective July 1, 2013

[READ THE BILL EXPLAINER](#)

[READ THE BILL SUMMARY](#)

Alcoholic Beverage Control  
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Nick Jordan, Secretary  
Dean Reynoldson, Director

Sam Brownback, Governor

### 2013 AMENDMENTS TO KANSAS LIQUOR LAWS

The 2013 Legislature passed Senate Substitute for House Bill 2199 which amends the liquor control act, the club and drinking establishment act, and the liquor drink tax act. Governor Brownback signed the bill into law on May 30, 2013 and it will go into effect on July 1, 2013.

Following are the changes made by the bill:

#### **Samples: Drinking Establishment, Class A Club, and Class B Club**

- May serve up to five samples of free alcoholic liquor to any customer during any one visit.
- May not charge a cover fee or any other kind of fee on the entire business day if they want to serve samples that day.
- A sample is defined as a serving of alcoholic liquor which contains not more than:  
(A) One-half ounce of distilled spirits; (B) one ounce of wine; or, (C) two ounces of beer or cereal malt beverages. A sample of a mixed alcoholic beverage shall contain no more than one-half ounce of distilled spirits.
  - If samples are served, the licensee must report and remit liquor drink tax on the acquisition cost of the liquor served.
  - Only the licensee's owner, agent or employee; a supplier's owner, agent or employee can serve free samples.
  - Distributors may not be involved in the pouring or serving of samples.
  - All liquor used for sampling must come from the Club's or DE's inventory.

#### **Samples: Retailers**

Allows retailers of alcoholic liquor to prepare and mix samples on their licensed premise.

#### **Administrative Notices/Orders**

The ABC will have 90 days from the date the citation was issued for a violation of the Liquor Control Act and/or the Kansas Club and Drinking Establishment Act to issue a Notice of Administrative Action with proposed penalty.

### **Non Profit Events Promoting the Arts**

- Non-licensed businesses can serve free alcoholic liquor to members of the general public during events sponsored by a non-profit organization supporting the arts if the event is approved by the local government.
- The ABC Director must be notified at least 10 days prior to the scheduled event.

### **Employees Qualifications for Dispensing/Selling/Serving Alcohol**

- Permits the employment of any person that has been convicted of up to three alcohol related violations in the last five years; or,
- Up to two furnishing of alcohol to minors violations in five years.
- Felons of any type are still prohibited.

### **Pitchers**

Allows on-premise licensees to sell and serve margaritas, sangria, daiquiri, and mojitos in pitchers no larger than 64 fluid ounces to two or more customers.

### **Hotel Drink Coupons**

Allows hotels to offer “free” drinks to their guests, via drink tickets or coupons redeemable at either the hotel’s bar or a local private club or Drinking establishment.

### **Drink Price List**

Removes the requirement for an on-premise establishment to maintain a drink price list.

The ABC will be promulgating regulations implementing the provisions of Senate Substitute for House Bill 2199. Proposed regulations and notice of public hearing will be published in the Kansas Register. Persons wishing to provide comment on the proposed regulations should check the Kansas Register regularly to locate the allowed public comment period.

Senate Substitute for House Bill 2199 can be viewed in its entirety on the Kansas Legislature’s web page at [http://www.kslegislature.org/li/b2013\\_14/measures/bills/](http://www.kslegislature.org/li/b2013_14/measures/bills/)

## **ABC SYSTEMS UPGRADE ANNOUNCEMENT**

The ABC has contracted with a vendor to provide a new software system which will allow on-line license applications beginning in late 2014. We will provide more information as the system develops.



Dean Reynoldson, Director  
Alcoholic Beverage Control

## **REFERENCES:**

Updates to this document will be available on: [KS Law Enforcement Information Website](http://www.kslawenforcementinfo.com/2013-session-information.html)  
<http://www.kslawenforcementinfo.com/2013-session-information.html>

Kansas Legislature, Legislative Research publishes a summary of all 2013 legislation is located at:  
<http://skyways.lib.ks.us/ksleg/KLRD/Publications/2013-preliminary-summary-supp-2.pdf>

Kansas Legislature, [Bill Locator and Index end of 2013 Session](http://www.kslegislature.org/li/b2013_14/measures/documents/actions_and_subject_index_report.pdf)  
[http://www.kslegislature.org/li/b2013\\_14/measures/documents/actions\\_and\\_subject\\_index\\_report.pdf](http://www.kslegislature.org/li/b2013_14/measures/documents/actions_and_subject_index_report.pdf)

Available at a later date:

In the fall, the Revisor's Office will publish a listing of new statutes created by the 2013 legislature. They will post it on their website at <http://www.ksrevisor.org/> with the link in the list of reports located just under the picture of the capital dome on the right side of their main page.

In July the 2013 Kansas Session Laws will be available on the Kansas Secretary of State's session law web site:  
[http://www.kssos.org/pubs/pubs\\_session\\_laws.aspx](http://www.kssos.org/pubs/pubs_session_laws.aspx).

A list of Session Law Chapter Numbers is currently available on the Kansas Secretary of State's session law web site:  
[http://www.kssos.org/pubs/sessionlaws/2013/2013\\_Bill\\_Chapter\\_List.xlsx](http://www.kssos.org/pubs/sessionlaws/2013/2013_Bill_Chapter_List.xlsx)

To read the text of a bill go to: <http://www.kslegislature.org/li/> and click on "Bill Search" just under the picture of the dome in the upper left corner of the page.

Statutes are available on line at: [http://www.kslegislature.org/li/b2013\\_14/statute/](http://www.kslegislature.org/li/b2013_14/statute/)

CAUTION: The online statutes will not have the 2013 amendments added to them for quite some time, usually around the beginning of the following calendar year. When you go to the link above note the page title just to the right of the dome. When it says "2013 Statute" you will know they have been updated.

Kansas Register is available at: [http://www.kssos.org/pubs/pubs\\_kansas\\_register.asp](http://www.kssos.org/pubs/pubs_kansas_register.asp)

KPERS: <http://www.kpers.org>

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