

 KeyCite Yellow Flag - Negative Treatment
Proposed Legislation

[West's Kansas Statutes Annotated Currentness](#)

[Chapter 22. Criminal Procedure](#)

[Article 49. Offender Registration](#)

K.S.A. 22-4905

22-4905. Release of offender; duties of court and staff of facility upon release relating to offender registration

Any offender required to register as provided in the Kansas offender registration act shall:

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

(b) except as provided further, for any: (1) Sex offender, including a violent offender or drug offender who is also a sex offender, report in person four times each year to the registering law enforcement agency in the county or location of jurisdiction in which the offender resides, maintains employment or is attending a school; and (2) violent offender or drug offender, report in person four times each year to the registering law enforcement agency in the county or location of jurisdiction in which the offender resides, maintains employment or is attending a school, except that, at the discretion of the registering law enforcement agency, one of the four required reports may be conducted by certified letter. When utilized, the certified letter for reporting shall be sent by the registering law enforcement agency to the reported residence of the offender and shall require the offender to respond by returning the letter to the registering law enforcement agency within 10 days, by certified mail, indicating any changes in information as required for reporting in person. The offender shall be required to report once during the month of the offender's birthday and every third, sixth and ninth month occurring before and after the month of the offender's birthday. The registering law enforcement agency may determine the appropriate times and days for reporting by the offender, consistent with this subsection. Nothing contained in this subsection shall be construed to alleviate any offender from meeting the requirements prescribed in the Kansas offender registration act;

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

(d) if in the custody of a correctional facility or in the care or custody of any treatment facility, register with the correctional facility or treatment facility within three business days of initial care or custody and shall not be required to update such registration until released from care or custody, granted work release or otherwise allowed to leave the grounds of the correctional facility or treatment facility;

(e) notwithstanding subsections (a) and (b), if the offender is transient, report in person to the registering law enforcement agency of such county or location of jurisdiction in which the offender is physically present within three business days of arrival in the county or location of jurisdiction. Such offender shall be required to register in person with the registering law

enforcement agency every 30 days, or more often at the discretion of the registering law enforcement agency. Such offender shall comply with the provisions of the Kansas offender registration act and, in addition, shall:

- (1) Provide a list of places where the offender has slept and otherwise frequented during the period of time since the last date of registration; and
 - (2) provide a list of places where the offender may be contacted and where the offender intends to sleep and otherwise frequent during the period of time prior to the next required date of registration;
- (f) if required by out of state law, register in any out of state jurisdiction, where the offender resides, maintains employment or attends school;
- (g) register in person upon any commencement, change or termination of residence location, employment status, school attendance or other information as provided in [K.S.A. 22-4907](#), and amendments thereto, within three days of such commencement, change or termination, to the registering law enforcement agency or agencies where last registered and provide written notice to the Kansas bureau of investigation;
- (h) report in person to the registering law enforcement agency or agencies within three days of any change in name;
- (i) if receiving inpatient treatment at any treatment facility, inform the treatment facility of the offender's status as an offender and inform the registering law enforcement agency of the county or location of jurisdiction in which the treatment facility is located of the offender's presence at the treatment facility and the expected duration of the treatment;
- (j) submit to the taking of an updated photograph by the registering law enforcement agency on each occasion when the offender registers with or reports to the registering law enforcement agency in the county or location of jurisdiction in which the offender resides, maintains employment or attends school. In addition, such offender shall submit to the taking of a photograph to document any changes in identifying characteristics, including, but not limited to, scars, marks and tattoos;
- (k) remit payment to the sheriff's office in the amount of \$20 during the month of the offender's birthday and every third, sixth and ninth month occurring before and after the month of the offender's birthday in each county in which the offender resides, maintains employment or is attending school. Notwithstanding other provisions herein, payment of this fee is not required:
- (1) When an offender provides updates or changes in information or during an initial registration unless such updates, changes or initial registration is during the month of such offender's birthday and every third, sixth and ninth month occurring before and after the month of the offender's birthday;
 - (2) when an offender is transient and is required to register every 30 days, or more frequently as ordered by the registering law enforcement agency, except during the month of the offender's birthday and every third, sixth and ninth month occurring before and after the month of the offender's birthday; or
 - (3) if an offender has, prior to the required reporting and within the last three years, been determined to be indigent by a court of law, and the basis for that finding is recorded by the court;
- (l) annually renew any driver's license pursuant to [K.S.A. 8-247](#), and amendments thereto, and annually renew any identification card pursuant to [K.S.A. 8-1325a](#), and amendments thereto;
- (m) if maintaining primary residence in this state, surrender all driver's licenses and identification cards from other states, territories and the District of Columbia, except if the offender is presently serving and maintaining active duty in any branch of the United States military or the offender is an immediate family member of a person presently serving and maintaining active duty in any branch of the United States military;
- (n) read and sign the registration form noting whether the requirements provided in this section have been explained to the offender; and

(o) notify the registering law enforcement agency in the jurisdiction of the offender's residence and the Kansas bureau of investigation 21 days prior to any travel outside of the United States, or if under emergency circumstances, within three days of making travel arrangements.

Credits

Laws 1993, ch. 253, § 21; Laws 1994, ch. 107, § 4; Laws 1997, ch. 181, § 10; Laws 1999, ch. 164, § 32; Laws 2001, ch. 208, § 12; Laws 2003, ch. 123, § 6; Laws 2006, ch. 214, § 8; Laws 2010, ch. 135, § 36, eff. July 1, 2010; Laws 2011, ch. 95, § 5, eff. July 1, 2011.

Notes of Decisions (3)

K. S. A. 22-4905, KS ST 22-4905

Current through 2011 regular session

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