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300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

MEMORANDUM

To: Senate Committee on Judiciary

From: Office of Revisor of Statutes

Date: February 18, 2020

Subject: Bill Brief on HB 2467

HB 2467, as amended by House Committee of the Whole, removes the spousal exception from sexual battery and requires a domestic violence offender assessment on a first conviction of domestic battery.

Section 2 amends K.S.A. 21-5505, the crime of sexual battery, to remove the qualification that the victim “is not the spouse of the offender” from the crime.

Section 1, added by the House Committee of the Whole, amends K.S.A. 21-5414, the crime of domestic battery. Current law provides that when an offender has not been convicted of domestic battery within the five years immediately preceding commission of the current crime, the sentencing judge “may enter an order which requires the offender to undergo a domestic violence offender assessment conducted by a certified batterer intervention program and follow all recommendations made by such program.” The bill amends the law to require the sentencing judge to order the assessment.