

2017 JOURNAL ENTRY OF JUDGMENT (JE) EXPLAINER

This **highlighted** document is intended to explain the changes to the forms that will go into effect on July 1, 2017. These changes are due in part to the passage of new legislation which will go into effect on that date, while some changes are the result of feedback received from those who use the forms.

Please note that unless specified, the statutory (K.S.A.) references are intended to direct the user to the most current version of the statute. If a K.S.A. 2017 Supp. is referenced, this law is already in effect as of July 1, even though the statute itself has not yet been published.

PAGE 1

- The date has been changed to be used for all crimes *committed* on July 1, 2017-June 30, 2018.

PAGE 2

- Under Postrelease Supervision Term, the statute number authorizing lifetime postrelease, K.S.A. 22-3715(d)(1)(G)(i), has been added.

PAGE 3

- Section VI.2., **OTHER CONDITIONS:** [2017 Senate Bill 40](#) amended certain human trafficking fines and the distribution of those funds. As a result, the court clerks suggested and the Commission approved a new line, **Fines to Human Trafficking Victim Assistance Fund**, in the **Costs Ordered** section to list fines that are to be remitted solely to the Human Trafficking Victim Assistance Fund, if applicable in a case. The **Total Fines** line has been modified to reflect the total amount of fines excluding those fines that are required by statute to be sent to the Human Trafficking Victim Assistance Fund.
 - The third check box in this section has been modified to delete "On or after 7/1/13." The law now provides that only one-half of the fine for Buying Sexual Relations is required to be sent to the Human Trafficking Victim Assistance Fund. Fine amounts for Aggravated Human Trafficking are no less than \$5000.

PAGE 4

- Under Postrelease Supervision Term, the statute number authorizing lifetime postrelease, K.S.A. 22-3715(d)(1)(G)(i), has been added.
- Section VII.7. **RECAP OF SENTENCE:** A new line is added in the **Miscellaneous Provisions** section for the court to consider the Defendant's financial resources and burden imposed by payment of a fine, pursuant to K.S.A. 21-6612(c). See *State v. Copes*, 290 Kan. 209, 224 P.3d 571 (2010).
- Under Miscellaneous Provisions, a checkbox has been included to note if Community Corrections is given authorization to receive the confidential information collected in the PSI pursuant to K.S.A. 21-6813(c) for

offenders sentenced to ISP. The Court should check this box in the instance that it wishes that information be disseminated between the Court Services and Community Corrections. Concern for statutory authority for CSOs to provide confidential information collected and maintained during the presentence process to Community Corrections prompted this request from the Office of Judicial Administration. It is intended to be a temporary fix as it is contemplated that a bill will be introduced in the 2019 Legislative Session to amend K.S.A. 21-6813(c) to provide for the transfer of information.

PAGE 8

- Under Postrelease Supervision Term, the statute number authorizing lifetime postrelease, K.S.A. 22-3715(d)(1)(G)(i), has been added.

SPECIAL RULES SUPPLEMENT

- Special Rule 48—This is a new sentencing rule imposed by the Law Enforcement Protection Act in [2017 Senate Bill 112](#). If the trier of fact makes a finding beyond a reasonable doubt that an offender committed a nondrug felony offense against a law enforcement officer while that officer was engaged in performance of such officer's duty, or in whole or in part because of such officer's status as a law enforcement officer, the sentence for such offense shall be increased one severity level above the appropriate level for such offense. If the offense is severity level 1, the sentence shall be life imprisonment of at least 25 years before eligibility for parole, and the offender shall not be eligible for probation or suspension, modification or reduction of sentence.
- Special Rule 47—Citation is changed from 2016 Session Laws Ch. 90 §4 to K.S.A. 21-6804(x).

OFFENDER REGISTRATION SUPPLEMENT

- [2017 Senate Bill 40](#) amended certain human trafficking laws. In the offender registration supplement a checkbox was added in:
 - Section A, under **REGISTRATION REQUIREMENT** to provide for the new crime of Promoting the Sale of Sexual Relations, pursuant to K.S.A. 21-6420; and
 - Section B, under **REGISTRATION TERMS** to provide for Promoting the Sale of Sexual Relations, which requires a 15-year registration period.