



Removal of Drug registry requirement for Kansans

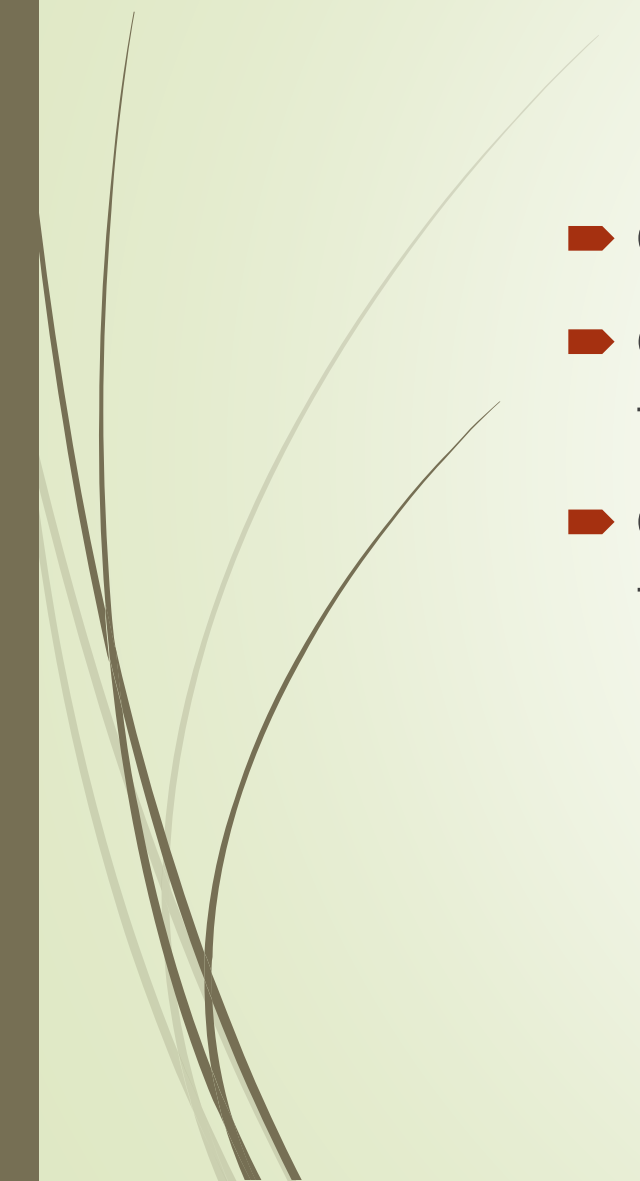


Who is affected by this law change

- 2022 law (KSA 22-4908) allows those on the Drug Registry to Petition for removal of that requirement



What should I do before I apply?

- ▶ Check the offender registry for compliance
 - ▶ Gather \$179 court filing fee or seek waiver of the filing fee
 - ▶ Consider seeking an expungement of the conviction at the same time
- 



What is the Process?




What information is required in the Petition?

- All treatment programs and providers
- Statement about your current situation



What happens after the
Judge signs the order?



Should I file for
expungement at the same
time as relief from
registration?

TO BE ELIGIBLE FOR EXPUNGEMENT ON YOUR CONVICTION OR DIVERSION:

1. MUST BE AN ELIGIBLE OFFENSE

NOT eligible for expungement:

- Capital Murder
- Murder in first degree
- Murder in second degree
- Voluntary manslaughter
- Involuntary manslaughter
- Involuntary manslaughter while driving under the influence
- Sexual battery (victim less than 18)
- Aggravated sexual battery
- Commercial driving under the influence
- Any comparable offense
- Rape
- Indecent Liberties with a child
- Aggravated indecent liberties with a child
- Criminal sodomy
- Aggravated criminal sodomy
- Indecent solicitation of a child
- Aggravated incest
- Endangering a child
- Aggravated endangering a child
- Abuse of a child

2. REQUIRED AMOUNT OF TIME HAS PASSED SINCE SATISFACTION OF

Three year wait time:

- Traffic infraction
- Cigarette or tobacco infraction
- Misdemeanor
- Class D or E felony
- Severity level 6-10 non-drug crime
- Severity level 4 or 5 drug crime (except after 2012)

Five year wait time:

- Class A, B, or C felony
- Off-grid felony
- Severity level 1-5 non-drug felony
- Severity level 1-3 drug crime
- Vehicular homicide
- Driving while cancelled/suspended/revoked
- Perjury
- Applying for title of motor vehicle under false name/address
- Any crime punishable as felony where motor vehicle used
- Failing to stop at scene of accident
- Failing to have motor vehicle insurance
- DUI (most first DUIs, second will be different)

5. CONSISTENT WITH PUBLIC WELFARE

4. CIRCUMSTANCES AND BEHAVIOR WARRANT EXPUNGEMENT

3. NO FELONY CONVICTIONS WITHIN LAST 2 YEARS AND NO PENDING FELONY CHARGES

ELIGIBLE FOR EXPUNGEMENT!



Forms at

- ▶ For Drug Registry only:
 - ▶ <https://www.kansasjudicialcouncil.org/legal-forms/expungement-adult-drug-offender-registration-relief/drug-offender-registration-relief>
- ▶ For combined drug registry and expungement:
 - ▶ www.kansaslegalservices.org/node/drug-registry