

KANSAS OFFICE of
REVISOR of STATUTES

LEGISLATURE of THE STATE of KANSAS
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MEMORANDUM

To: House Committee on Federal and State Affairs

From: Mike Heim, Revisor of Statutes Office

Date: Mar. 12, 2024

Subject: HB 2813

HB 2813 would create the crime of coercion to obtain an abortion. The crime would be defined as engaging in coercion with knowledge that a woman is pregnant and with the intent to compel the woman to obtain an abortion when she has expressed a desire to not obtain an abortion.

The bill would classify this offense as a person felony, carrying a 30-day minimum sentence of imprisonment and a fine of \$500 to \$5,000. The bill would specify that if the adult father of the unborn child is the one committing coercion to obtain an abortion, the offense would carry a minimum sentence of 90 days to one year of imprisonment and a fine of \$1,000 to \$10,000.

The bill would also increase the penalties for certain crimes if they were committed to coerce a woman to obtain an abortion. These crimes would include kidnapping, interference with parental custody, criminal restraint, assault, battery, domestic battery, criminal threat, human trafficking, stalking, blackmail, endangerment, rape, criminal sodomy, sexual battery, indecent liberties with a child, unlawful voluntary sexual relations, indecent solicitation of a child, electronic solicitation, sexual exploitation of a child, sexual extortion, endangerment of a child, abuse of a child, incest, and abandonment of a child. The bill would increase the penalty for these offenses by one severity level if the original offense was classified as severity level 2 through 10.

For severity level 1 offenses committed to coerce a woman to obtain an abortion, the bill would establish a sentence of imprisonment for life with no eligibility for parole or a reduced sentence within the first 25 years of imprisonment. For these cases in which the offender is subject to presumptive imprisonment with a sentencing range of more than 25 years, the duration of ineligibility for parole or good time credits would be equal to the sentence established in the sentencing guidelines.