

HOUSE BILL No. 2808

By Committee on Federal and State Affairs

Requested by Tuck Duncan on behalf of the Kansas Public Transit Association

2-19

House Bill No. 2808
Prepared by: Mike Heim
Office of Revisor of Statutes

1 AN ACT concerning crimes, punishment and criminal procedure; creating
2 the crimes of causing harm to a public transportation employee and
3 aggravated causing harm to a public transportation employee and
4

; and abuse of sports official; providing penalties
therefore

5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. (a) Causing harm to a public transportation employee is:

7 (1) Causing physical contact with a public transportation employee by
8 spitting, throwing or otherwise transferring bodily fluids, pathogens or
9 human waste onto the person of the public transportation employee;

10 (2) throwing an object such as a brick, rock, bottle, projectile,
11 fireworks, chemical agent or explosive device that a reasonable person
12 knows or should know could cause physical injury if the object struck a
13 public transportation employee; or

14 (3) physically striking a public transportation employee by punching,
15 kicking, slapping or otherwise striking the public transportation employee.

16 (b) Aggravated causing harm to a public transportation employee is:

17 (1) Causing physical contact resulting in a serious injury to a public
18 transportation employee;

19 (2) brandishing a firearm or other weapon in such a manner that the
20 display of the firearm or other weapon creates a substantial threat of
21 serious physical injury or death to such a public transportation employee;
22 or

23 (3) attempting to strangle such a public transportation employee
24 causing serious injury to a public transportation employee.

25 (c) (1) Causing physical contact with a public transportation
26 employee is a class A person misdemeanor.

27 (2) Aggravated causing harm to a public transportation employee is a
28 severity level 7, person felony.

29 (d) "Public transportation employee" means any employee or contract
30 employee of a transportation system as the term "transportation system" is
31 defined in K.S.A. 75-5034, and amendments thereto.

32 Sec. 2. This act shall take effect and be in force from and after its
33 publication in the statute book.

Attachment

And by renumbering section accordingly

Sec. 2. (a) Abuse of a sports official is intentionally:

- (1) Striking, shoving, kicking, spitting on or otherwise causing physical contact with a sports official or threatening to engage in such conduct;
 - (2) approaching a sports official in a menacing, threatening, irate or violent manner that would cause a reasonable person to fear for such person's safety; or
 - (3) directing threatening, abusive or obscene language or making obscene gestures toward a sports official that would cause a reasonable person to fear for such person's safety.
- (b) Abuse of a sports official is a:
- (1) Class B person misdemeanor, except as provided in subsection (b)(2); and
 - (2) class A person misdemeanor, if the sports official is less than 18 years of age.
- (c) For the purposes of this section, "sports official" means a person who serves as a referee, umpire, linesman, timekeeper, assistant, inspector or judge, or performs similar functions at a competitive event, whether paid or unpaid.
- (d) This section shall be a part of and supplemental to the Kansas criminal code.