

SESSION OF 2024

**SUPPLEMENTAL NOTE ON SUBSTITUTE FOR HOUSE  
BILL NO. 2676**

As Recommended by the House Committee on  
Judiciary

**Brief\***

Sub. for HB 2676 would create the crime of encouraging suicide and would establish penalties for the crime under the Kansas Criminal Code.

***Encouraging Suicide***

The bill would define “encouraging suicide” as knowingly encouraging a person to commit or attempt to commit suicide when:

- Such person knows the other person has communicated a desire to commit suicide;
- Encouragement of suicide is made proximate in time to the other person committing or attempting to commit suicide; and
- Such encouragement substantially influences the other person’s decision or methods used to commit or attempt to commit suicide.

***Definitions***

The bill would define “attempt to commit suicide” as any physical action done by a person with the intent to commit suicide.

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

For purposes of the new crime, the bill would define “encouraging a person to commit or attempt to commit suicide” as oral, written, or visual communication that is persuasive or intended to be persuasive and that gives advice to commit suicide, attempt to commit suicide, or develop a plan to commit suicide.

### ***Penalties***

Encouraging suicide would be a severity level 5 person felony if the other person attempts to commit suicide, and a severity level 4 person felony if the other person commits suicide.

### **Background**

The bill was introduced by the House Committee on Judiciary at the request of Representative Landwehr.

As introduced, the bill would have amended Kansas Criminal Code provisions concerning the crime of assisting suicide.

### ***House Committee on Judiciary***

In the House Committee hearing, **proponent** testimony was provided by seven private citizens. The proponents generally stated the bill would help reduce suicide deaths by limiting the dissemination of harmful information and deter the encouragement of suicide.

Written-only proponent testimony was provided by a representative of the Kansas Association of Chiefs of Police, Kansas Peace Officers Association, and Kansas Sheriffs Association and representatives of the Kansas Bureau of Investigation, Kansas Catholic Conference, and Kansas Mental Health Coalition.

Neutral testimony was provided by a private citizen. The testimony addressed a website that provides information to help facilitate suicide.

**Opponent** testimony was provided by a representative of the State Board of Indigents' Defense Services. The opponent generally stated the bill would raise constitutional concerns and limit free speech.

The House Committee replaced the original provisions of the bill, which would have amended the crime of assisted suicide, with language that would create a new crime and would specifically:

- Make knowingly encouraging suicide a crime under the Kansas Criminal Code;
- Define “attempt to commit suicide” and “encouraging a person to commit or attempt to commit suicide”;
- Establish the criteria for knowingly encouraging suicide; and
- Establish penalties for encouraging suicide.

The House Committee recommended a substitute bill incorporating the above provisions.

### **Fiscal Information**

A fiscal note for the substitute bill was not immediately available.

Crimes; suicide; assisting suicide; encouraging suicide; attempting suicide; felony