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MEMORANDUM

To: Chairperson Thompson
Members of the Senate Committee on Federal and State Affairs

From: The Office of Revisor of Statutes

Date: March 10, 2026

Subject: SB 520 – Creating the crime of interference with the conduct of a religious assembly.

Senate Bill No. 520 (SB 520) would create a new crime of interference with the conduct of a religious assembly. The bill generally defines the crime as intentionally injuring, intimidating, or interfering with a person lawfully exercising or attempting to exercise their right of religious freedom through force, threats, or physical obstruction. If such force, threat, or physical obstruction is done while possessing a firearm or other unlawful weapon, then the crime is elevated to aggravated interference with the conduct of a religious assembly. Additionally, SB 520 provides a secondary crime if the offender intentionally damages, defaces, or destroys the property of a place of religious worship.

The criminal penalties for offenses are as follows:

- For use of force or threats, a severity level 10, person felony for a first offense.
- For use of force or threats, a severity level 6, person felony for a second or subsequent offense.
- For aggravated use of force or threats, a severity level 4, person felony.
- For destruction of property:
    - A class A misdemeanor if the property has a value of less than $1,000.
    - A severity level 9, nonperson felony if the property value is at least $1,000 but less than $25,000.
    - A severity level 7, nonperson felony if the property value is $25,000 or more.

Section 2 of SB 520 provides a private cause of action for any person injured as a result of the criminal conduct. The plaintiff in such cases may seek actual damages and punitive damages of up to three times the actual damages, plus court costs and attorney fees. In lieu of actual damages, the plaintiff may seek statutory damages of $5,000. Private actions must be brought within five years of discovery of the offense or the conclusion of criminal prosecution for the offense. Additionally, the Attorney General may pursue private actions on behalf of victims either on the Attorney General's own initiative or at the request of a victim.

SB 520 also provides that a court may assess a civil penalty against a defendant in a civil action in amounts ranging from $10,000 to $25,000 depending on the offense and whether it is a repeat offense.

Finally, SB 520 amends K.S.A. 21-6205 to remove a duplicative crime of criminal discretion from that statute because it is covered by Section 1 of the bill and Section 1 provides a greater penalty. The bill also amends K.S.A. 75-702 to grant the Attorney General concurrent prosecutorial authority with the county or district attorney for prosecution of these crimes.

If enacted, HB 2569 would become effective on July 1, 2026.