

SENATE BILL No. 202

By Committee on Judiciary

2-4

9 AN ACT concerning crimes and punishment; relating to traffic in con-
10 traband in a correctional institution; amending K.S.A. 2004 Supp. 21-
11 3826 and repealing the existing section.
12

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

14 Section 1. K.S.A. 2004 Supp. 21-3826 is hereby amended to read as
15 follows: 21-3826. (a) Traffic in contraband in a correctional institution is
16 introducing or attempting to introduce into or upon the grounds of any
17 correctional institution or taking, sending, attempting to take or attempt-
18 ing to send from any correctional institution or any unauthorized posses-
19 sion while in any correctional institution or distributing within any cor-
20 rectional institution, any item without the consent of the administrator of
21 the correctional institution.

22 (b) For purposes of this section, "correctional institution" means any
23 state correctional institution or facility, conservation camp, state security
24 hospital, juvenile correctional facility, community correction center or
25 facility for detention or confinement, juvenile detention facility or jail.

26 (c) (1) Traffic in contraband in a correctional institution of firearms,
27 ammunition, explosives or a controlled substance which is defined in sub-
28 section (e) of K.S.A. 65-4101, and amendments thereto, is a severity level
29 5, nonperson felony.

30 (2) Traffic in any contraband, as defined by rules and regulations
31 adopted by the secretary *or the commissioner of juvenile justice*, in a
32 correctional institution by an employee of a correctional institution is a
33 severity level 5, nonperson felony.

34 (d) Except as provided in subsection (c), traffic in contraband in a
35 correctional institution is a severity level 6, nonperson felony.

36 Sec. 2. K.S.A. 2004 Supp. 21-3826 is hereby repealed.

37 Sec. 3. This act shall take effect and be in force from and after its
38 publication in the statute book.