

## HOUSE BILL No. 2397

By Committee on Appropriations

3-24

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9 AN ACT concerning crimes and punishment; creating certain crimes  
10 against mass transit system employees.

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

13 Section 1. (a) (1) Assault of a mass transit system employee is an  
14 assault, as defined in K.S.A. 21-3408, and amendments thereto, commit-  
15 ted against a uniformed or properly identified mass transit system em-  
16 ployee while such employee is engaged in the performance of such em-  
17 ployee's duty.

18 (2) Assault of a mass transit system employee is a class B person  
19 misdemeanor.

20 (b) (1) Aggravated assault of a mass transit system employee is an  
21 aggravated assault, as defined in K.S.A. 21-3410, and amendments  
22 thereto, committed against a uniformed or properly identified mass tran-  
23 sit system employee while such employee is engaged in the performance  
24 of such employee's duty.

25 (2) Aggravated assault of a mass transit system employee is a severity  
26 level 6, person felony.

27 (c) (1) Battery against a mass transit system employee is:

28 (A) Battery, as defined in subsection (a)(2) of K.S.A. 21-3412, and  
29 amendments thereto, committed against a uniformed or properly iden-  
30 tified mass transit system employee while such employee is engaged in  
31 the performance of such employee's duty; or

32 (B) battery, as defined in subsection (a)(1) of K.S.A. 21-3412, and  
33 amendments thereto, committed against a uniformed or properly iden-  
34 tified mass transit system employee while such employee is engaged in  
35 the performance of such employee's duty.

36 (2) Battery against a mass transit system employee as defined in sub-  
37 section (c)(1)(A) is a class A person misdemeanor. Battery against a mass  
38 transit system employee as defined in subsection (c)(1)(B) is a severity  
39 level 8, person felony.

40 (d) (1) Aggravated battery against a mass transit system employee is:

41 (A) An aggravated battery, as defined in subsection (a)(1)(A) of K.S.A.  
42 21-3414, and amendments thereto, committed against a uniformed or  
43 properly identified mass transit system employee while such employee is

1 engaged in the performance of such employee's duty;  
2 (B) an aggravated battery, as defined in subsection (a)(1)(B) or  
3 (a)(1)(C) of K.S.A. 21-3414, and amendments thereto, committed against  
4 a uniformed or properly identified mass transit system employee while  
5 such employee is engaged in the performance of such employee's duty;  
6 or  
7 (C) intentionally causing, with a motor vehicle, bodily harm to a uni-  
8 formed or properly identified mass transit system employee while such  
9 employee is engaged in the performance of such employee's duty.  
10 (2) (A) Aggravated battery against a mass transit system employee as  
11 described in subsection (d)(1)(A) or (d)(1)(C) is a severity level 4, person  
12 felony.  
13 (B) Aggravated battery against a mass transit system employee as de-  
14 scribed in subsection (d)(1)(B) is a severity level 5, person felony.  
15 (C) A person convicted of aggravated battery against a mass transit  
16 system employee shall be subject to the provisions of subsection (h) of  
17 K.S.A. 21-4704, and amendments thereto.  
18 (e) As used in this section, "mass transit system employee" means any  
19 employee of a transportation system as defined in K.S.A. 75-5034, and  
20 amendments thereto, and any employee of a light rail company.  
21 Sec. 2. This act shall take effect and be in force from and after its  
22 publication in the statute book.