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MEMORANDUM

To: Senate Committee on Judiciary

From: Office of Revisor of Statutes

Date: February 13, 2025

Subject: Bill Brief on SB 155

Senate Bill 155 adds harboring or concealing a person who has violated terms of probation to the crime of obstructing apprehension or prosecution.

The bill amends K.S.A. 21-5913, the crime of obstructing apprehension or prosecution. The current elements of the crime are knowingly harboring, concealing or aiding any person who (1) has committed or been charged with committing a felony or misdemeanor with intent that such person avoid or escape from arrest, trial, conviction or punishment; or (2) is required to register under the Kanas offender registration act and who is not in compliance with those requirements with the intent that such person avoid or escape from registration, arrest, trial, conviction, punishment or any other criminal charges.

This bill would add a new element to the crime which would be knowingly harboring, concealing or aiding any person who is alleged to have violated the terms and conditions of probation, assignment to a community correctional services program, parole or postrelease supervision, conditional release or a suspended sentence. Violation of this new version of the crime would have the same penalty as the violation described in subsection (a)(1) which is a severity level 8, nonperson felony if the person who is harbored, concealed or aided has committed or has been charged with committing a felony and a class C misdemeanor if the person who is aided has committed or has been charged with committing a misdemeanor.