

SENATE BILL No. 174

By Committee on Judiciary

2-7

1 AN ACT concerning crimes, punishment and criminal procedure; relating
2 to interference with law enforcement; increasing criminal penalties
3 when the violation involves fleeing from a law enforcement officer;
4 amending K.S.A. 2022 Supp. 21-5904 and repealing the existing
5 section.

6
7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. K.S.A. 2022 Supp. 21-5904 is hereby amended to read as
9 follows: 21-5904. (a) Interference with law enforcement is:

10 (1) Falsely reporting to a law enforcement officer, law enforcement
11 agency or state investigative agency:

12 (A) That a particular person has committed a crime, knowing that
13 such information is false and intending that the officer or agency shall act
14 in reliance upon such information;

15 (B) that a law enforcement officer has committed a crime or
16 committed misconduct in the performance of such officer's duties,
17 knowing that such information is false and intending that the officer or
18 agency shall act in reliance upon such information;

19 (C) any information, knowing that such information is false and
20 intending to influence, impede or obstruct such officer's or agency's duty;
21 or

22 (D) any information concerning the death, disappearance or potential
23 death or disappearance of a child under the age of 13, knowing that such
24 information is false and intending that the officer or agency shall act in
25 reliance upon such information;

26 (2) concealing, destroying or materially altering evidence with the
27 intent to prevent or hinder the apprehension or prosecution of any person;

28 ~~or~~
29 (3) knowingly obstructing, resisting or opposing any person
30 authorized by law to serve process in the service or execution or in the
31 attempt to serve or execute any writ, warrant, process or order of a court,
32 or in the discharge of any official duty; or

33 (4) *knowingly fleeing from a law enforcement officer who has reason*
34 *to stop the person under K.S.A. 22-2402, and amendments thereto, other*
35 *than fleeing by operation of a motor vehicle.*

36 (b) Interference with law enforcement as defined in:

1 (1) Subsection (a)(1)(A) and (a)(1)(B) is a:

2 (A) Class A nonperson misdemeanor, except as provided in
3 subsection (b)(1)(B); and

4 (B) severity level 8, nonperson felony in the case of a felony;

5 (2) subsection (a)(1)(C) is a:

6 (A) Class A nonperson misdemeanor, except as provided in
7 subsection (b)(2)(B); and

8 (B) severity level 9, nonperson felony in the case of a felony;

9 (3) subsection (a)(1)(D) is a severity level 8, nonperson felony;

10 (4) subsection (a)(2) is a:

11 (A) Class A nonperson misdemeanor, except as provided in
12 subsection (b)(4)(B); and

13 (B) severity level 8, nonperson felony in the case of a felony; ~~and~~

14 (5) subsection (a)(3) is a:

15 (A) Severity level 9, nonperson felony in the case of a felony, or
16 resulting from parole or any authorized disposition for a felony; and

17 (B) class A nonperson misdemeanor in the case of a misdemeanor, or
18 resulting from any authorized disposition for a misdemeanor, or a civil
19 case; *and*

20 (6) *subsection (a)(4) is a:*

21 (A) *Class A nonperson misdemeanor in the case of a misdemeanor, or*
22 *resulting from any authorized disposition for a misdemeanor, or a civil*
23 *case;*

24 (B) *severity level 7, nonperson felony in the case of a felony, or*
25 *resulting from parole or any authorized disposition for a felony; and*

26 (C) *severity level 5, nonperson felony if the offender possessed a*
27 *firearm while fleeing.*

28 Sec. 2. K.S.A. 2022 Supp. 21-5904 is hereby repealed.

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