

KANSAS OFFICE of  
**REVISOR of STATUTES**

LEGISLATURE of THE STATE of KANSAS  
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**MEMORANDUM**

To: Senate Committee on Judiciary  
From: Jenna Moyer, Assistant Revisor of Statutes  
Date: February 6, 2019  
Subject: SB 45 – Enhancing penalties for offenses causing death or serious bodily injury to public safety sector employees

SB 45 amends the penalties involuntary manslaughter and battery when committed against a public safety sector employee.

Section 1 amends K.S.A. 2018 Supp. 21-5405, the crime of involuntary manslaughter, to enhance the penalty when committed against a public safety sector employee. In these instances, the bill would raise the penalty for manslaughter as defined in (a)(1) – (a)(3) from a severity level 4 or 5, person felony to a severity level 2, person felony

Section 2 amends K.S.A. 2018 Supp. 21-5413, the crimes of battery and aggravated battery to enhance the penalty for these crimes when committed against a public safety sector employee. In these instances, this bill would raise the penalty for battery, knowingly or recklessly causing great bodily harm, from a severity level 4 or 5, person felony, to a severity level 3, person felony. If this battery was committed knowingly or recklessly with a deadly weapon and caused bodily harm, the penalty would be raised from a severity level 7 or severity level 8, person felony, to a severity level 4, person felony.

In subsection (h), “public safety sector employee” is defined as employees that are engaged in official duties of their department or agency, including:

- law enforcement office
- sheriff’s department
- municipal fire department
- volunteer and non-volunteer fire protection association
- emergency management department
- public works department or other similar public or private agency