

## 2021 Kansas Statutes

**22-3601. Appellate jurisdiction of court of appeals and supreme court in criminal cases.** (a) Any appeal permitted to be taken from a district court's final judgment in a criminal case shall be taken to the court of appeals, except in those cases reviewable by law in the district court or in which a direct appeal to the supreme court is required. Whenever an interlocutory appeal is permitted in a criminal case in the district court, such appeal shall be taken to the court of appeals.

(b) Any appeal permitted to be taken from a district court's final judgment in a criminal case shall be taken directly to the supreme court in the following cases:

- (1) Any case in which a statute of this state or of the United States has been held unconstitutional;
- (2) any case in which the defendant has been convicted of a class A felony;
- (3) any case in which a maximum sentence of life imprisonment has been imposed, unless the maximum sentence has been imposed pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2021 Supp. 21-6627, and amendments thereto; and
- (4) except as provided further, any case in which the crime was committed on or after July 1, 1993, and the defendant has been convicted of an off-grid crime. The provisions of this paragraph shall not apply to any case in which the off-grid crime was:
  - (A) Aggravated human trafficking, K.S.A. 2021 Supp. 21-5426(c)(3), and amendments thereto;
  - (B) rape, K.S.A. 2021 Supp. 21-5503(b)(2)(B), and amendments thereto;
  - (C) aggravated criminal sodomy, K.S.A. 2021 Supp. 21-5504(c)(2)(B)(ii), and amendments thereto;
  - (D) aggravated indecent liberties with a child, K.S.A. 2021 Supp. 21-5506(c)(2)(C)(ii), and amendments thereto;
  - (E) sexual exploitation of a child, K.S.A. 2021 Supp. 21-5510(b)(2)(B), and amendments thereto;
  - (F) aggravated internet trading in child pornography, K.S.A. 2021 Supp. 21-5514(c)(3), and amendments thereto;
  - (G) commercial sexual exploitation of a child, K.S.A. 2021 Supp. 21-6422(b)(2), and amendments thereto; or
  - (H) an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 2021 Supp. 21-5301, 21-5302 or 21-5303, and amendments thereto, of any such felony.

**History:** L. 1970, ch. 129, § 22-3601; L. 1975, ch. 178, § 21; L. 1989, ch. 102, § 1; L. 1992, ch. 239, § 262; L. 2011, ch. 100, § 9; L. 2013, ch. 120, § 26; L. 2017, ch. 78, § 19; July 1.