

SENATE BILL No. 132

By Committee on Judiciary

1-25

AN ACT concerning crimes, criminal procedure and punishment; relating to aggravated battery; amending K.S.A. 21-3414 and repealing the existing section.

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

Section 1. K.S.A. 21-3414 is hereby amended to read as follows: 21-3414. (a) Aggravated battery is:

(1) (A) Intentionally causing great bodily harm to another person or disfigurement of another person; ~~or~~

(B) intentionally causing bodily harm to another person with a deadly weapon, or in any manner whereby great bodily harm, disfigurement or death can be inflicted; or

(C) intentionally causing physical contact with another person when done in a rude, insulting or angry manner with a deadly weapon, or in any manner whereby great bodily harm, disfigurement or death can be inflicted; ~~or~~

(2) (A) recklessly causing great bodily harm to another person or disfigurement of another person; or

(B) recklessly causing bodily harm to another person with a deadly weapon, or in any manner whereby great bodily harm, disfigurement or death can be inflicted; or

(3) (A) *unintentionally causing great bodily harm to another person or disfigurement of another person which is done while committing or attempting to commit a violation of K.S.A. 8-1567, 8-1568 or 32-1131, and amendments thereto;*

(B) *unintentionally causing bodily harm to another person whereby great bodily harm, disfigurement or death can be inflicted which is done while committing or attempting to commit a violation of K.S.A. 8-1567, 8-1568 or 32-1131, and amendments thereto; or*

(C) *unintentionally causing bodily harm to another person which is done while committing or attempting to commit a violation of K.S.A. 8-1567, 8-1568 or 32-1131, and amendments thereto.*

(b) Aggravated battery as described in subsection (a)(1)(A) is a severity level 4, person felony. Aggravated battery as described in subsections (a)(1)(B) and (a)(1)(C) is a severity level 7, person felony. Aggravated

1 battery as described in subsection (a)(2)(A) is a severity level 5, person
2 felony. Aggravated battery as described in subsection (a)(2)(B) is a sever-
3 ity level 8, person felony. *Aggravated battery as described in subsection*
4 *(a)(3)(A) is a severity level 6, person felony. Aggravated battery as de-*
5 *scribed in subsection (a)(3)(B) is a severity level 9, person felony. Aggra-*
6 *vated battery as described in subsection (a)(3)(C) is a class A misde-*
7 *meanor.* A person convicted of aggravated battery shall be subject to the
8 provisions of subsection (h) of K.S.A. 21-4704 and amendments thereto.

9 Sec. 2. K.S.A. 21-3414 is hereby repealed.

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

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