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4 **HOUSE BILL No. 2735**

5
6 By Committee on Judiciary

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8 1-29

9
10 AN ACT concerning crimes and punishment; relating to aggravated bat-
11 tery; amending K.S.A. 21-3414 and repealing the existing section.

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

14 Section 1. K.S.A. 21-3414 is hereby amended to read as follows: 21-
15 3414. (a) Aggravated battery is:

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

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

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

25 (2) (A) recklessly causing great bodily harm to another person or dis-
26 figurement of another person; or

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

30 (3) (A) *unintentionally causing great bodily harm to another person*
31 *which is done while committing a violation of K.S.A. 8-1567, and amend-*
32 *ments thereto, or the ordinance of a city or resolution of a county which*
33 *prohibits any acts prohibited by that statute; or*

34 (B) *unintentionally causing bodily harm to another person which is*
35 *done while committing a violation of K.S.A. 8-1567, and amendments*
36 *thereto, or the ordinance of a city or resolution of a county which prohibits*
37 *any acts prohibited by that statute.*

38 (b) Aggravated battery as described in subsection (a)(1)(A) ~~or~~
39 ~~(a)(3)(A)~~ is a severity level 4, person felony. Aggravated battery as de-
40 scribed in ~~subsections~~ subsection (a)(1)(B) ~~and, or~~ (a)(1)(C) ~~or (a)(3)(B)~~
41 is a severity level 7, person felony. Aggravated battery as described in
42 subsection (a)(2)(A) **or (a)(3)(A)** is a severity level 5, person felony. Ag-
43 gravated battery as described in subsection (a)(2)(B) **or (a)(3)(B)** is a

1 severity level 8, person felony. A person convicted of aggravated battery
2 shall be subject to the provisions of subsection (h) of K.S.A. 21-4704 and
3 amendments thereto.

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

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

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