

SENATE BILL No. 233

By Committee on Judiciary

1-31

9 AN ACT concerning crimes and punishment; amending K.S.A. 21-3603
10 and repealing the existing section.

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

13 Section 1. K.S.A. 21-3603 is hereby amended to read as follows: 21-
14 3603. (a) Aggravated incest is: (1) Marriage to a person who is under 18
15 years of age and who is known to the offender to be related to the offender
16 as any of the following biological, step or adoptive relatives: Child, grand-
17 child of any degree, brother, sister, half-brother, half-sister, uncle, aunt,
18 nephew or niece; or

19 (2) engaging in: (A) Otherwise lawful sexual intercourse or sodomy
20 as defined by K.S.A. 21-3501 and amendments thereto; or (B) any lewd
21 fondling, as described in subsection (a)(1) of K.S.A. 21-3503 and amend-
22 ments thereto, with a person who is ~~16~~ 14 or more years of age but under
23 18 years of age and who is known to the offender to be related to the
24 offender as any of the following biological, step or adoptive relatives:
25 Child, grandchild of any degree, brother, sister, half-brother, half-sister,
26 uncle, aunt, nephew or niece.

27 (b) Aggravated incest as described in subsection (a)(2)(A) and
28 (a)(2)(B) is a severity level ~~5~~ 1, person felony. Aggravated incest as de-
29 scribed in subsections (a)(1) and ~~(a)(2)(B)~~ is a severity level 7, person
30 felony.

31 Sec. 2. K.S.A. 21-3603 is hereby repealed.

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