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LEGISLATURE *of* THE STATE *of* KANSAS
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MEMORANDUM

To: Senate Committee on Judiciary
From: Office of Revisor of Statutes
Date: February 20, 2023
Subject: Bill Brief for SB 240

Senate Bill 240 amends the crime of aggravated endangering a child to increase the criminal penalties in certain environments where any person is distributing, possessing with intent to distribute, manufacturing or attempting to manufacture fentanyl-related controlled substances.

The bill amends K.S.A. 21-5601, the statute in the Kansas criminal code that defines the crimes of endangering a child and aggravated endangering a child. Current law provides that endangering a child is knowingly and unreasonably causing or permitting a child under the age of 18 years to be placed in a situation in which the child's life, body or health may be endangered. The crime is a class A person misdemeanor. Current law also provides that one form of aggravated endangering a child is causing or permitting a child to be in certain environments where any person is distributing, possessing with intent to distribute, manufacturing or attempting to manufacture methamphetamine. This crime is a severity level 9, person felony. The bill adds “or any fentanyl-related controlled substance” to the methamphetamine-related provisions, which increases the penalties for causing or permitting a child to be in certain environments where any person is distributing, possessing with intent to distribute, manufacturing or attempting to manufacture any fentanyl-related controlled substance.