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MEMORANDUM

To: Senate Committee on Judiciary
From: Office of Revisor of Statutes
Date: February 26, 2025
Subject: Bill Brief for HB 2061

House Bill 2061 includes aboveground and belowground lines, cables, wires and certain other structures and equipment in the definition of a critical infrastructure facility used for telecommunications or video services for the crimes of trespassing on a critical infrastructure facility and criminal damage to a critical infrastructure facility.

The bill amends K.S.A. 21-5818, the criminal code statute that describes the crimes of trespassing on a critical infrastructure facility and criminal damage to a critical infrastructure facility. In subsection (g), the definition of "critical infrastructure facility" that includes any facility that is used for wireline, broadband or wireless telecommunications or video services infrastructure is amended to include any such facility whether located within or outside of any public or highway right-of-way. The bill, as introduced, adds aboveground and belowground lines, cable or wires to the examples in the current definition that include backup power supplies and cable television headend. The House Committee on Judiciary amended the bill to also include (1) "antennas, radio transceivers, towers, wireless support structures, small cell facilities and any associated support structures and accessory equipment" and (2) "equipment buildings, cabinets and storage sheds, shelters or similar structures" to the examples in the current definition. The bill does not change any elements of the crimes or penalties for the crimes.

The bill would take effect from and after publication in the statute book, July 1, 2025.