

SENATE BILL No. 55

By Committee on Judiciary

1-25

1 AN ACT concerning crimes and punishment; relating to harassment by
2 telecommunication device; amending section 184 of chapter 136 of
3 the 2010 Session Laws of Kansas and repealing the existing section.
4

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

6 Section 1. Section 184 of chapter 136 of the 2010 Session Laws of
7 Kansas is hereby amended to read as follows: Sec. 184. (a) Harassment
8 by telecommunication device is the use of:

9 (1) ~~Telephone communication~~ *A telecommunication device* to:

10 (A) Knowingly make or transmit any comment, request, suggestion
11 or proposal, *image or text* which is obscene, lewd, lascivious, filthy or
12 indecent.

(B) make or transmit a call, whether or not conversation ensues, with intent to
abuse, threaten or harass any person at the receiving end;

13 (B) ~~make a telephone call, whether or not conversation ensues, or~~
14 ~~transmit a telefacsimile communication with intent to abuse, threaten or~~
15 ~~harass any person at the called number;~~

(C)

16 (B) ~~make or transmit any comment, request, suggestion, proposal,~~
17 ~~image or text with intent to abuse, threaten or harass any person at the~~
18 ~~receiving end;~~

(D)

19 (C) ~~make or cause the telephone of another ring a~~
20 ~~telecommunications device to repeatedly ring or activate with intent to~~
21 ~~harass any person at the called number receiving end;~~

22 (D) ~~make repeated telephone calls, during which conversation~~
23 ~~ensues, or repeatedly transmit a telefacsimile communication with intent~~
24 ~~to harass any person at the called number;~~

(E)

25 (B) ~~(D)~~ knowingly play any recording on a telephone, except
26 recordings such as weather information or sports information when the
27 number thereof is dialed, unless the person or group playing the recording
28 shall be identified and state that it is a recording; or

(F)

29 (F) ~~(E)~~ knowingly permit any telephone or telefacsimile
30 ~~communication through the telecommunications device under one's control~~
31 ~~to be used in violation of this paragraph.~~
32 (2) Telefacsimile communication to send or transmit such
33 communication to a court in the state of Kansas for a use other than court
34 business, with no requirement of culpable mental state.
ismment by telecommunication device is a class A nonperson

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Senate Judiciary
Attachment 1

Senate Judiciary

2-7-11

Attachment 1