

HOUSE BILL No. 2526

By Representatives Concannon, Crum, Finch, Gandhi, Gonzalez, Hill, Hineman,  
Jennings, Phillips, Rothlisberg, Rubin, Tietze, Trimmer and Waymaster

1-29

1 AN ACT concerning crimes and punishments; relating to assault; battery;  
2 unlawful interference with a firefighter; unlawful interference with an  
3 emergency medical services attendant; creating the crime of unlawful  
4 interference with a health care provider; amending K.S.A. 2013 Supp.  
5 **21-5111**, 21-5412, 21-5413, 21-6325 and 21-6326 and repealing the  
6 existing sections.  
7

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

9 **Section 1. K.S.A. 2013 Supp. 21-5111 is hereby amended to read**  
10 **as follows: 21-5111. The following definitions shall apply when the**  
11 **words and phrases defined are used in this code, except when a**  
12 **particular context clearly requires a different meaning.**

13 (a) "Act" includes a failure or omission to take action.

14 (b) "Another" means a person or persons as defined in this code  
15 other than the person whose act is claimed to be criminal.

16 (c) "Animal control officer" means any person employed by,  
17 contracted with or appointed by the state, or any political subdivision  
18 thereof, whose duties include assignments which involve seizing or taking  
19 any animal into custody.

20 (⊖) (d) "Conduct" means an act or a series of acts, and the  
21 accompanying mental state.

22 (⊕) (e) "Conviction" includes a judgment of guilt entered upon a  
23 plea of guilty.

24 (⊖) (f) "Deception" means knowingly creating or reinforcing a  
25 false impression, including false impressions as to law, value, intention  
26 or other state of mind. Deception as to a person's intention to perform  
27 a promise shall not be inferred from the fact alone that such person  
28 did not subsequently perform the promise. Falsity as to matters  
29 having no pecuniary significance, or puffing by statements unlikely to  
30 deceive reasonable persons, is not deception.

31 (⊕) (g) "Deprive permanently" means to:

32 (1) Take from the owner the possession, use or benefit of  
33 property, without an intent to restore the same;

34 (2) retain property without intent to restore the same or with  
35 intent to restore it to the owner only if the owner purchases or leases it

1 back, or pays a reward or other compensation for its return; or

2 (3) sell, give, pledge or otherwise dispose of any interest in  
3 property or subject it to the claim of a person other than the owner.

4 ~~(g)~~ (h) "Distribute" means the actual or constructive transfer  
5 from one person to another of some item whether or not there is an  
6 agency relationship. "Distribute" includes, but is not limited to, sale,  
7 offer for sale, furnishing, buying for, delivering, giving, or any act that  
8 causes or is intended to cause some item to be transferred from one  
9 person to another. "Distribute" does not include acts of administering,  
10 dispensing or prescribing a controlled substance as authorized by the  
11 pharmacy act of the state of Kansas, the uniform controlled  
12 substances act, or otherwise authorized by law.

13 ~~(h)~~ (i) "DNA" means deoxyribonucleic acid.

14 ~~(i)~~ (j) "Domestic violence" means an act or threatened act of  
15 violence against a person with whom the offender is involved or has  
16 been involved in a dating relationship, or an act or threatened act of  
17 violence against a family or household member by a family or  
18 household member. Domestic violence also includes any other crime  
19 committed against a person or against property, or any municipal  
20 ordinance violation against a person or against property, when  
21 directed against a person with whom the offender is involved or has  
22 been involved in a dating relationship or when directed against a  
23 family or household member by a family or household member. For  
24 the purposes of this definition:

25 (1) "Dating relationship" means a social relationship of a  
26 romantic nature. In addition to any other factors the court deems  
27 relevant, the trier of fact may consider the following when making a  
28 determination of whether a relationship exists or existed: Nature of  
29 the relationship, length of time the relationship existed, frequency of  
30 interaction between the parties and time since termination of the  
31 relationship, if applicable.

32 (2) "Family or household member" means persons 18 years of  
33 age or older who are spouses, former spouses, parents or stepparents  
34 and children or stepchildren, and persons who are presently residing  
35 together or have resided together in the past, and persons who have a  
36 child in common regardless of whether they have been married or  
37 have lived together at any time. Family or household member also  
38 includes a man and woman if the woman is pregnant and the man is  
39 alleged to be the father, regardless of whether they have been married  
40 or have lived together at any time.

41 ~~(j)~~ (k) "Domestic violence offense" means any crime committed  
42 whereby the underlying factual basis includes an act of domestic  
43 violence.

1       ~~(k)~~ (l) "Dwelling" means a building or portion thereof, a tent, a  
2 vehicle or other enclosed space which is used or intended for use as a  
3 human habitation, home or residence.

4       ~~(j)~~ (m) "Expungement" means the sealing of records such that the  
5 records are unavailable except to the petitioner and criminal justice  
6 agencies as provided by K.S.A. 22-4701 et seq., and amendments  
7 thereto, and except as provided in this act.

8       ~~(i)~~ (n) "Firearm" means any weapon designed or having the  
9 capacity to propel a projectile by force of an explosion or combustion.

10       (o) "Firefighter" means a regular or volunteer member of an  
11 organized fire department of any city, county, township or other political  
12 subdivision of the state whose duties include the fighting and  
13 extinguishment of fires and the protection of life and property therefrom.

14       ~~(h)~~ (p) "Forcible felony" includes any treason, murder, voluntary  
15 manslaughter, rape, robbery, burglary, arson, kidnapping, aggravated  
16 battery, aggravated sodomy and any other felony which involves the  
17 use or threat of physical force or violence against any person.

18       ~~(g)~~ (q) "Intent to defraud" means an intention to deceive another  
19 person, and to induce such other person, in reliance upon such  
20 deception, to assume, create, transfer, alter or terminate a right,  
21 obligation or power with reference to property.

22       ~~(f)~~ (r) "Law enforcement officer" means:

23       (1) Any person who by virtue of such person's office or public  
24 employment is vested by law with a duty to maintain public order or  
25 to make arrests for crimes, whether that duty extends to all crimes or  
26 is limited to specific crimes;

27       (2) any officer of the Kansas department of corrections or, for the  
28 purposes of K.S.A. 2013 Supp. 21-5412 and subsection (d) of K.S.A.  
29 2013 Supp. 21-5413, and amendments thereto, any employee of the  
30 Kansas department of corrections; or

31       (3) any university police officer or campus police officer, as  
32 defined in K.S.A. 22-2401a, and amendments thereto.

33       ~~(e)~~ (s) "Obtain" means to bring about a transfer of interest in or  
34 possession of property, whether to the offender or to another.

35       ~~(d)~~ (t) "Obtains or exerts control" over property includes, but is  
36 not limited to, the taking, carrying away, sale, conveyance, transfer of  
37 title to, interest in, or possession of property.

38       ~~(c)~~ (u) "Owner" means a person who has any interest in property.

39       ~~(b)~~ (v) "Person" means an individual, public or private  
40 corporation, government, partnership, or unincorporated association.

41       ~~(a)~~ (w) "Personal property" means goods, chattels, effects,  
42 evidences of rights in action and all written instruments by which any  
43 pecuniary obligation, or any right or title to property real or personal,

1 shall be created, acknowledged, assigned, transferred, increased,  
2 defeated, discharged, or dismissed.

3 ~~(w)~~ (x) "Possession" means having joint or exclusive control over  
4 an item with knowledge of or intent to have such control or knowingly  
5 keeping some item in a place where the person has some measure of  
6 access and right of control.

7 ~~(v)~~ (y) "Property" means anything of value, tangible or  
8 intangible, real or personal.

9 ~~(u)~~ (z) "Prosecution" means all legal proceedings by which a  
10 person's liability for a crime is determined.

11 ~~(t)~~ (aa) "Prosecutor" means the same as prosecuting attorney in  
12 K.S.A. 22-2202, and amendments thereto.

13 ~~(s)~~ (bb) "Public employee" is a person employed by or acting for  
14 the state or by or for a county, municipality or other subdivision or  
15 governmental instrumentality of the state for the purpose of exercising  
16 their respective powers and performing their respective duties, and  
17 who is not a "public officer."

18 ~~(r)~~ (cc) "Public officer" includes the following, whether elected  
19 or appointed:

20 (1) An executive or administrative officer of the state, or a county,  
21 municipality or other subdivision or governmental instrumentality of  
22 or within the state;

23 (2) a member of the legislature or of a governing board of a  
24 county, municipality, or other subdivision of or within the state;

25 (3) a judicial officer, which shall include a judge of the district  
26 court, juror, master or any other person appointed by a judge or court  
27 to hear or determine a cause or controversy;

28 (4) a hearing officer, which shall include any person authorized  
29 by law or private agreement, to hear or determine a cause or  
30 controversy and who is not a judicial officer;

31 (5) a law enforcement officer; and

32 (6) any other person exercising the functions of a public officer  
33 under color of right.

34 ~~(q)~~ (dd) "Real property" or "real estate" means every estate,  
35 interest, and right in lands, tenements and hereditaments.

36 ~~(p)~~ (ee) "Solicit" or "solicitation" means to command, authorize,  
37 urge, incite, request or advise another to commit a crime.

38 ~~(o)~~ (ff) "State" or "this state" means the state of Kansas and all  
39 land and water in respect to which the state of Kansas has either  
40 exclusive or concurrent jurisdiction, and the air space above such land  
41 and water. "Other state" means any state or territory of the United  
42 States, the District of Columbia and the Commonwealth of Puerto  
43 Rico.

1       ~~(ee)~~ *(gg)* **"Stolen property"** means property over which control  
 2 **has been obtained by theft.**

3       ~~(ff)~~ *(hh)* **"Threat"** means a communicated intent to inflict  
 4 **physical or other harm on any person or on property.**

5       ~~(gg)~~ *(ii)* **"Written instrument"** means any paper, document or  
 6 **other instrument containing written or printed matter or the**  
 7 **equivalent thereof, used for purposes of reciting, embodying,**  
 8 **conveying or recording information, and any money, token, stamp,**  
 9 **seal, badge, trademark, or other evidence or symbol of value, right,**  
 10 **privilege or identification, which is capable of being used to the**  
 11 **advantage or disadvantage of some person.**

12       ~~Section 1.~~ **Sec. 2.** K.S.A. 2013 Supp. 21-5412 is hereby amended to  
 13 read as follows: 21-5412. (a) Assault is knowingly placing another person  
 14 in reasonable apprehension of immediate bodily harm;

15       (b) Aggravated assault is assault, as defined in subsection (a),  
 16 committed:

- 17       (1) With a deadly weapon;
- 18       (2) while disguised in any manner designed to conceal identity; or
- 19       (3) with intent to commit any felony.

20       (c) Assault of a law enforcement officer is assault, as defined in  
 21 subsection (a), committed against:

22       ~~(1)~~—a uniformed or properly identified state, county or city law  
 23 enforcement officer, **university or campus police officer, animal control**  
 24 **officer or firefighter** while such **firefighter or** officer is engaged in the  
 25 performance of such **firefighter's or** officer's duty; ~~or~~

26       ~~(2)~~—a uniformed or properly identified university or campus police  
 27 officer while such officer is engaged in the performance of such officer's  
 28 duty.

29       (d) Aggravated assault of a law enforcement officer is assault of a law  
 30 enforcement officer, as defined in subsection (c), committed:

- 31       (1) With a deadly weapon;
- 32       (2) while disguised in any manner designed to conceal identity; or
- 33       (3) with intent to commit any felony.

34       *(e) Assault of a health care provider is assault, as defined in*  
 35 *subsection (a), committed against a health care provider while such*  
 36 *provider is engaged in the performance of such provider's duty.*

37       *(f) Aggravated assault of a health care provider is assault of a health*  
 38 *care provider, as defined in subsection (e), committed:*

- 39       (1) With a deadly weapon;
- 40       (2) while disguised in any manner designed to conceal identity; or
- 41       (3) with intent to commit any felony.

42       **(g) Assault of a sports official is assault, as defined in subsection**  
 43 **(a), committed against a sports official while such sports official is**

1 **engaged in the performance of such sports official's duty.**

2 ~~(e)~~ **(h)** (1) Assault is a class C person misdemeanor.

3 (2) Aggravated assault is a severity level 7, person felony.

4 (3) Assault of a law enforcement officer is a class A person  
5 misdemeanor.

6 (4) Aggravated assault of a law enforcement officer is a severity level  
7 6, person felony. ~~A person convicted of aggravated assault of a law~~  
8 ~~enforcement officer shall be subject to the provisions of subsection (g) of~~  
9 ~~K.S.A. 2013 Supp. 21-6804, and amendments thereto.~~

10 (5) *Assault of a health care provider is a class A person*  
11 *misdemeanor.*

12 (6) *Aggravated assault of a health care provider is a severity level 6,*  
13 *person felony.*

14 **(7) Assault of a sports official is a class B person misdemeanor.**

15 ~~(h)~~ **(i)** *As used in this section, "health care provider" means:*

16 (1) *A person licensed by the state board of healing arts;*

17 (2) *a person engaged in a postgraduate training program approved*  
18 *by the state board of healing arts;*

19 (3) *an attendant certified by the emergency medical services board;*

20 (4) *a person registered or licensed by the state board of pharmacy;*

21 (5) *a person licensed by the behavioral sciences regulatory board;*

22 (6) *a licensed optometrist, dietician, speech-language pathologist,*  
23 *audiologist, dentist, dental hygienist, practical nurse or professional*  
24 *nurse;*

25 (7) *a person certified by the secretary for aging and disability*  
26 *services as a nurse aide, medication aide or paid nutrition assistant;*

27 (8) *a person performing services for a medical care facility licensed*  
28 *under K.S.A. 65-425 et seq., and amendments thereto, but who does not*  
29 *receive compensation, either directly or indirectly, for those services;*

30 (9) *a person currently enrolled in a postsecondary educational*  
31 *institution, as defined in K.S.A. 74-3201b, and amendments thereto, and*  
32 *performing healthcare-related services for a medical care facility licensed*  
33 *under K.S.A. 65-425 et seq., and amendments thereto; and*

34 (10) *a person currently enrolled in a training program approved by*  
35 *the emergency medical services board pursuant to K.S.A 65-6111, and*  
36 *amendments thereto.*

37 **(j) As used in this section, "sports official" means the same as**  
38 **provided in K.S.A. 2013 Supp. 21-6507, and amendments thereto.**

39 ~~Sec. 2.~~ **3.** K.S.A. 2013 Supp. 21-5413 is hereby amended to read as  
40 follows: 21-5413. (a) Battery is:

41 (1) Knowingly or recklessly causing bodily harm to another person;  
42 or

43 (2) knowingly causing physical contact with another person when

1 done in a rude, insulting or angry manner;

2 (b) Aggravated battery is:

3 (1) (A) Knowingly causing great bodily harm to another person or  
4 disfigurement of another person;

5 (B) knowingly causing bodily harm to another person with a deadly  
6 weapon, or in any manner whereby great bodily harm, disfigurement or  
7 death can be inflicted; or

8 (C) knowingly causing physical contact with another person when  
9 done in a rude, insulting or angry manner with a deadly weapon, or in any  
10 manner whereby great bodily harm, disfigurement or death can be  
11 inflicted;

12 (2) (A) recklessly causing great bodily harm to another person or  
13 disfigurement of another person; or

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

17 (3) (A) committing an act described in K.S.A. 8-1567, and  
18 amendments thereto, when great bodily harm to another person or  
19 disfigurement of another person results from such act; or

20 (B) committing an act described in K.S.A. 8-1567, and amendments  
21 thereto, when bodily harm to another person results from such act under  
22 circumstances whereby great bodily harm, disfigurement or death can  
23 result from such act.

24 (c) Battery against a law enforcement officer is:

25 (1) Battery, as defined in subsection (a)(2), committed against a:

26 ~~(A) Uniformed or properly identified university or campus police~~  
27 ~~officer while such officer is engaged in the performance of such officer's~~  
28 ~~duty; or~~

29 ~~(B)~~ uniformed or properly identified **firefighter, university or**  
30 **campus police officer, animal control officer** or state, county or city law  
31 enforcement officer, other than a state correctional officer or employee, a  
32 city or county correctional officer or employee, a juvenile correctional  
33 facility officer or employee or a juvenile detention facility officer, or  
34 employee, while such **firefighter or** officer is engaged in the performance  
35 of such **firefighter's or** officer's duty; or

36 (2) battery, as defined in subsection (a)(1), committed against a:

37 ~~(A) Uniformed or properly identified university or campus police~~  
38 ~~officer while such officer is engaged in the performance of such officer's~~  
39 ~~duty; or~~

40 ~~(B)~~ uniformed or properly identified **firefighter, university or**  
41 **campus police officer, animal control officer** or state, county or city law  
42 enforcement officer, other than a state correctional officer or employee, a  
43 city or county correctional officer or employee, a juvenile correctional

1 facility officer or employee or a juvenile detention facility officer, or  
 2 employee, while such **firefighter or** officer is engaged in the performance  
 3 of such **firefighter's or** officer's duty; or

4 (3) battery, as defined in subsection (a) committed against a:

5 (A) State correctional officer or employee by a person in custody of  
 6 the secretary of corrections, while such officer or employee is engaged in  
 7 the performance of such officer's or employee's duty;

8 (B) juvenile correctional facility officer or employee by a person  
 9 confined in such juvenile correctional facility, while such officer or  
 10 employee is engaged in the performance of such officer's or employee's  
 11 duty;

12 (C) juvenile detention facility officer or employee by a person  
 13 confined in such juvenile detention facility, while such officer or employee  
 14 is engaged in the performance of such officer's or employee's duty; or

15 (D) city or county correctional officer or employee by a person  
 16 confined in a city holding facility or county jail facility, while such officer  
 17 or employee is engaged in the performance of such officer's or employee's  
 18 duty.

19 (d) Aggravated battery against a law enforcement officer is:

20 (1)—~~An~~ Aggravated battery, as defined in subsection (b)(1)(A)  
 21 committed against a:

22 ~~(A) uniformed or properly identified state, county or city law~~  
 23 ~~enforcement officer, **university or campus police officer, animal control**~~  
 24 ~~**officer or firefighter** while the **such firefighter or** officer is engaged in~~  
 25 ~~the performance of the **such firefighter's or** officer's duty; ~~or~~~~

26 ~~(B) uniformed or properly identified university or campus police~~  
 27 ~~officer while such officer is engaged in the performance of such officer's~~  
 28 ~~duty;~~

29 (2)—~~an~~ aggravated battery, as defined in subsection (b)(1)(B) or (b)(1)  
 30 (C), committed against a:

31 ~~(A) uniformed or properly identified state, county or city law~~  
 32 ~~enforcement officer, **university or campus police officer, animal control**~~  
 33 ~~**officer or firefighter** while the **such firefighter or** officer is engaged in~~  
 34 ~~the performance of the **such firefighter's or** officer's duty; ~~or~~~~

35 ~~(B) uniformed or properly identified university or campus police~~  
 36 ~~officer while such officer is engaged in the performance of such officer's~~  
 37 ~~duty; or~~

38 (3) knowingly causing, with a motor vehicle, bodily harm to a:

39 ~~(A) uniformed or properly identified state, county or city law~~  
 40 ~~enforcement officer, **university or campus police officer, animal control**~~  
 41 ~~**officer or firefighter** while the **such firefighter or** officer is engaged in~~  
 42 ~~the performance of the **such firefighter's or** officer's duty; ~~or~~~~

43 ~~(B) uniformed or properly identified university or campus police~~



1 ~~officer while such officer is engaged in the performance of such officer's~~  
2 ~~duty.~~

3 (e) Battery against a school employee is—a battery, as defined in  
4 subsection (a), committed against a school employee in or on any school  
5 property or grounds upon which is located a building or structure used by a  
6 unified school district or an accredited nonpublic school for student  
7 instruction or attendance or extracurricular activities of pupils enrolled in  
8 kindergarten or any of the grades one through 12 or at any regularly  
9 scheduled school sponsored activity or event, while such employee is  
10 engaged in the performance of such employee's duty.

11 (f) Battery against a mental health employee is—a battery, as defined in  
12 subsection (a), committed against a mental health employee by a person in  
13 the custody of the secretary of social and rehabilitation services, while  
14 such employee is engaged in the performance of such employee's duty.

15 (g) *Battery against a health care provider is:*

16 (1) *Battery, as defined in subsection (a)(2), committed against a*  
17 *health care provider while such provider is engaged in the performance of*  
18 *such provider's duty;*

19 (2) *battery, as defined in subsection (a)(1), committed against a*  
20 *health care provider while such provider is engaged in the performance of*  
21 *such provider's duty; or*

22 (3) *intentionally causing human bodily fluid to make physical contact*  
23 *with a health care provider while such provider is engaged in the*  
24 *performance of such provider's duty.*

25 (h) *Aggravated battery against a health care provider is:*

26 (1) *Aggravated battery, as defined in subsection (b)(1)(A), committed*  
27 *against a health care provider while such provider is engaged in the*  
28 *performance of such provider's duty;*

29 (2) *aggravated battery, as defined in subsection (b)(1)(B) or (b)(1)*  
30 *(C), committed against a health care provider while such provider is*  
31 *engaged in the performance of such provider's duty; or*

32 (3) *intentionally causing human bodily fluid to make physical contact*  
33 *with a health care provider while such provider is engaged in the*  
34 *performance of such provider's duty and the offender has knowledge that*  
35 *the source of the human bodily fluid is infected with human*  
36 *immunodeficiency virus, hepatitis B or hepatitis C at the time the offense*  
37 *is committed.*

38 (i) **Battery against a sports official is battery, as defined in**  
39 **subsection (a), committed against a sports official while such sports**  
40 **official is engaged in the performance of such sports official's duty.**

41 ~~(g)~~ **(j)** (1) Battery is a class B person misdemeanor.

42 (2) Aggravated battery as defined in:

43 (A) Subsection (b)(1)(A) is a severity level 4, person felony;

- 1 (B) subsection (b)(1)(B) or (b)(1)(C) is a severity level 7, person  
 2 felony;
- 3 (C) subsection (b)(2)(A) or (b)(3)(A) is a severity level 5, person  
 4 felony; and
- 5 (D) subsection (b)(2)(B) or (b)(3)(B) is a severity level 8, person  
 6 felony.
- 7 (3) Battery against a law enforcement officer as defined in:
- 8 (A) Subsection (c)(1) is a class A person misdemeanor;
- 9 (B) subsection (c)(2) is a severity level 7, person felony; and
- 10 (C) subsection (c)(3) is a severity level 5, person felony.
- 11 (4) Aggravated battery against a law enforcement officer as defined  
 12 in:
- 13 (A) Subsection (d)(1) or (d)(3) is a severity level 3, person felony;  
 14 and
- 15 (B) subsection (d)(2) is a severity level 4, person felony.
- 16 (5) Battery against a school employee is a class A person  
 17 misdemeanor.
- 18 (6) Battery against a mental health employee is a severity level 7,  
 19 person felony.
- 20 (7) *Battery against a health care provider as defined in:*
- 21 (A) *Subsection (g)(1) is a class A person misdemeanor; and*
- 22 (B) *subsection (g)(2) or (g)(3) is a severity level 7, person felony.*
- 23 (8) *Aggravated battery against a health care provider as defined in:*
- 24 (A) *Subsection (h)(1) is a severity level 3, person felony; and*
- 25 (B) *subsection (h)(2) or (h)(3) is a severity level 4, person felony.*
- 26 **(9) Battery against a sports official is a class A person**  
 27 **misdemeanor.**
- 28 ~~(h)~~ ~~(j)~~ **(k)** As used in this section:
- 29 (1) "Correctional institution" means any institution or facility under  
 30 the supervision and control of the secretary of corrections;
- 31 (2) "state correctional officer or employee" means any officer or  
 32 employee of the Kansas department of corrections or any independent  
 33 contractor, or any employee of such contractor, working at a correctional  
 34 institution;
- 35 (3) "juvenile correctional facility officer or employee" means any  
 36 officer or employee of the juvenile justice authority or any independent  
 37 contractor, or any employee of such contractor, working at a juvenile  
 38 correctional facility, as defined in K.S.A. 2013 Supp. 38-2302, and  
 39 amendments thereto;
- 40 (4) "juvenile detention facility officer or employee" means any officer  
 41 or employee of a juvenile detention facility as defined in K.S.A. 2013  
 42 Supp. 38-2302, and amendments thereto;
- 43 (5) "city or county correctional officer or employee" means any

1 correctional officer or employee of the city or county or any independent  
 2 contractor, or any employee of such contractor, working at a city holding  
 3 facility or county jail facility;

4 (6) "school employee" means any employee of a unified school  
 5 district or an accredited nonpublic school for student instruction or  
 6 attendance or extracurricular activities of pupils enrolled in kindergarten or  
 7 any of the grades one through 12; ~~and~~

8 (7) "mental health employee" means an employee of the department  
 9 of social and rehabilitation services working at Larned state hospital,  
 10 Osawatomie state hospital and Rainbow mental health facility, Kansas  
 11 neurological institute and Parsons state hospital and training center and the  
 12 treatment staff as defined in K.S.A. 59-29a02, and amendments thereto;

13 (8) *"health care provider" means:*

14 (A) *A person licensed by the state board of healing arts;*

15 (B) *a person engaged in a postgraduate training program approved*  
 16 *by the state board of healing arts;*

17 (C) *an attendant certified by the emergency medical services board;*

18 (D) *a person registered or licensed by the state board of pharmacy;*

19 (E) *a person licensed by the behavioral sciences regulatory board;*

20 (F) *a licensed optometrist, dietician, speech-language pathologist,*  
 21 *audiologist, dentist, dental hygienist, practical nurse or professional*  
 22 *nurse;*

23 (G) *a person certified by the secretary for aging and disability*  
 24 *services as a nurse aide, medication aide or paid nutrition assistant;*

25 (H) *a person performing services for a medical care facility licensed*  
 26 *under K.S.A. 65-425 et seq., and amendments thereto, but who does not*  
 27 *receive compensation, either directly or indirectly, for those services;*

28 (I) *a person currently enrolled in a postsecondary educational*  
 29 *institution, as defined in K.S.A. 74-3201b, and amendments thereto, and*  
 30 *performing healthcare-related services for a medical care facility licensed*  
 31 *under K.S.A. 65-425 et seq., and amendments thereto; and*

32 (J) *a person currently enrolled in a training program approved by the*  
 33 *emergency medical services board pursuant to K.S.A 65-6111, and*  
 34 *amendments thereto; ~~and~~*

35 (9) *"human bodily fluid" means any naturally produced secretion or*  
 36 *waste product generated by the human body and shall include, but not be*  
 37 *limited to, any quantity of human blood, urine, saliva, mucus, vomitus,*  
 38 *seminal fluid or feces; and*

39 **(10) "sports official" means the same as provided in K.S.A. 2013**  
 40 **Supp. 21-6507, and amendments thereto.**

41 Sec. ~~3~~ 4. K.S.A. 2013 Supp. 21-6325 is hereby amended to read as  
 42 follows: 21-6325. (a) Unlawful interference with a firefighter is  
 43 knowingly:

1 (1) Interfering with any firefighter while *such firefighter is* engaged  
2 in the performance of such firefighter's ~~duties~~ *duty*; or

3 (2) obstructing, interfering with or impeding the efforts of any  
4 firefighter to reach the location of a fire or other emergency.

5 (b) Unlawful interference with a firefighter is a class-B ~~A~~ person  
6 misdemeanor.

7 (c) A person who violates the provisions of this section may also be  
8 prosecuted for, convicted of, and punished for assault or battery.

9 Sec. ~~4~~ **5**. K.S.A. 2013 Supp. 21-6326 is hereby amended to read as  
10 follows: 21-6326. (a) Unlawful interference with an emergency medical  
11 services attendant is knowingly:

12 (1) Interfering with any attendant while *such attendant is* engaged in  
13 the performance of such attendant's ~~duties~~ *duty*; or

14 (2) obstructing, interfering with or impeding the efforts of any  
15 attendant to reach the location of an emergency.

16 (b) Unlawful interference with an emergency medical services  
17 attendant is a class-B ~~A~~ person misdemeanor.

18 (c) As used in this section, "attendant" means the same as in K.S.A.  
19 65-6112, and amendments thereto.

20 (d) A person who violates the provisions of this section may also be  
21 prosecuted for, convicted of, and punished for assault or battery.

22 New Sec. ~~5~~ **6**. (a) Unlawful interference with a health care provider  
23 is knowingly interfering with any health care provider while such provider  
24 is engaged in the performance of such provider's duty.

25 (b) Unlawful interference with a health care provider is a class A  
26 person misdemeanor.

27 (c) As used in this section, "health care provider" means:

28 (1) A person licensed by the state board of healing arts;

29 (2) a person engaged in a postgraduate training program approved by  
30 the state board of healing arts;

31 (3) a person registered or licensed by the state board of pharmacy;

32 (4) a person licensed by the behavioral sciences regulatory board;

33 (5) a licensed optometrist, dietician, speech-language pathologist,  
34 audiologist, dentist, dental hygienist, practical nurse or professional nurse;

35 (6) a person certified by the secretary for aging and disability services  
36 as a nurse aide, medication aide or paid nutrition assistant;

37 (7) a person performing services for a medical care facility licensed  
38 under K.S.A. 65-425 et seq., and amendments thereto, but who does not  
39 receive compensation, either directly or indirectly, for those services;

40 (8) a person currently enrolled in a postsecondary educational  
41 institution, as defined in K.S.A. 74-3201b, and amendments thereto, and  
42 performing healthcare-related services for a medical care facility licensed  
43 under K.S.A. 65-425 et seq., and amendments thereto; and

1 (9) a person currently enrolled in a training program approved by the  
2 emergency medical services board pursuant to K.S.A 65-6111, and  
3 amendments thereto.

4 (d) A person who violates the provisions of this section may also be  
5 prosecuted for, convicted of, and punished for assault or battery.

6 (e) This section shall be part of and supplemental to the Kansas  
7 criminal code.

8 ~~Sec.-6:~~ **7.** K.S.A. 2013 Supp. **21-5111**, 21-5412, 21-5413, 21-6325  
9 and 21-6326 are hereby repealed.

10 ~~Sec.-7:~~ **8.** This act shall take effect and be in force from and after its  
11 publication in the statute book.