

STATE OF KANSAS

SENATE CHAMBER

MADAM PRESIDENT:

I move to amend **Senate Substitute for HB 2049**, on page 2, in line 13, by striking all after "(A)"; in line 14, by striking all before the semicolon and inserting "Marijuana infraction punishable by a \$50 fine"; in line 15, by striking "A" and inserting "B"; in line 20, by striking "drug severity level 5 felony" and inserting "class A nonperson misdemeanor";

On page 3, following line 33, by inserting:

"Sec. 3. K.S.A. 2015 Supp. 21-5102 is hereby amended to read as follows: 21-5102. A crime is an act or omission defined by law and for which, upon conviction, a sentence of death, imprisonment or fine, or both imprisonment and fine, is authorized or, in the case of a traffic infraction ~~or~~ a cigarette or tobacco infraction or a marijuana infraction, a fine is authorized. Crimes are classified as felonies, misdemeanors, traffic infractions ~~and~~ cigarette or tobacco infractions and marijuana infractions.

(a) A felony is a crime punishable by death or by imprisonment in any state correctional institution or a crime which is defined as a felony by law.

(b) A traffic infraction is a violation of any of the statutory provisions listed in ~~subsection (e) of K.S.A. 8-2118(c)~~, and amendments thereto.

(c) A cigarette or tobacco infraction is a violation of K.S.A. 2015 Supp. 21-6109 through 21-6114 and 21-6116 and ~~subsection (m) or (n) of K.S.A. 79-3321(m) or (n)~~, and amendments thereto.

(d) A marijuana infraction is a violation of K.S.A. 2015 Supp. 21-5706(c)(3), and amendments thereto.

(e) All other crimes are misdemeanors.";

Also on page 3, in line 34, after "Supp." by inserting "21-5102,";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after "Supp." by inserting "21-5102,"

Senator _____