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MEMORANDUM

To: Senate Committee on Judiciary

From: Natalie Scott, Assistant Revisor of Statutes

Jason Thompson, Senior Assistant Revisor of Statutes

Date: March 13, 2018

Subject: Bill Brief for HB 2581, as amended by House Committee of the Whole

HB 2581 amends the crime of giving a false alarm under K.S.A. 21-6207. The House floor amendment designated the amendments to the section as the Andrew T. Finch act.

The crime is first renamed to making an unlawful request for emergency service assistance, which is transmitting or communicating false or misleading information in any manner to request emergency service assistance knowing at the time that there is no reasonable ground for believing assistance is needed.

Current law provides for criminal penalties of a class A nonperson misdemeanor, severity level 10, nonperson felony, and severity level 7, nonperson felony. This bill adds to the penalties to make the crime a severity level 6, person felony when bodily harm results from the response by emergency services, a severity level 4, person felony when great bodily harm results from the response by emergency services, and a severity level 1, person felony when death results from the response by emergency services.

The bill also provides that it shall not be a defense that a person who suffers harm or death contributed, or others contributed, to the person's harm or death. Finally, the bill provides that a person who violates the provisions of this section may also be prosecuted for any form of homicide.