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300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

MEMORANDUM

To: Senate Committee on Judiciary
From: Office of Revisor of Statutes
Date: March 5, 2020
Subject: Bill Brief for SB 413

Senate Bill 413 would add private prison employees and correctional officers as persons included in the crimes of assault and battery of a law enforcement officer.

Section 1 amends K.S.A. 21-5412 to add private correctional officers and employees of private prisons as a category of persons included in the crime of assault against a law enforcement officer. Such employees of the private facility must be engaged in the duties of their employment, matching the language for the other categories of law enforcement officers in subsections (c)(1) through (3). Current law provides that assault against a law enforcement officer is a Class A person misdemeanor, and aggravated assault against a law enforcement officer is a Severity Level 6, person felony.

Section 2 amends K.S.A. 21-5413 to add private correctional officers and employees of private prisons as a category of persons included in the crime of battery against a law enforcement officer. Current law provides that battery against a law enforcement officer in this category is a Severity Level 5, person felony.

This bill would also add a definition of "private correctional officer or employee" in subsection (h) as "any officer or employee of a facility that is owned or operated by a private entity and used for placement or confinement of persons, pursuant to a contract with a governmental entity, whose duties include working at such facility."