

As Amended by House Committee

Session of 2024

HOUSE BILL No. 2808

By Committee on Federal and State Affairs

Requested by Tuck Duncan on behalf of the Kansas Public Transit Association

2-19

AN ACT concerning crimes, punishment and criminal procedure; creating the crimes of causing harm to a public transportation employee ~~and~~, aggravated causing harm to a public transportation employee **and abuse of sports official; providing penalties therefor.**

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

Section 1. (a) Causing harm to a public transportation employee is:

(1) Causing physical contact with a public transportation employee by spitting, throwing or otherwise transferring bodily fluids, pathogens or human waste onto the person of the public transportation employee;

(2) throwing an object such as a brick, rock, bottle, projectile, firework, chemical agent or explosive device that a reasonable person knows or should know could cause physical injury if the object struck a public transportation employee; or

(3) physically striking a public transportation employee by punching, kicking, slapping or otherwise striking the public transportation employee.

(b) Aggravated causing harm to a public transportation employee is:

(1) Causing physical contact resulting in a serious injury to a public transportation employee;

(2) brandishing a firearm or other weapon in such a manner that the display of the firearm or other weapon creates a substantial threat of serious physical injury or death to such a public transportation employee; or

(3) attempting to strangle such a public transportation employee causing serious injury to a public transportation employee.

(c) (1) Causing physical contact with a public transportation employee is a class A person misdemeanor.

(2) Aggravated causing harm to a public transportation employee is a severity level 7, person felony.

(d) "Public transportation employee" means any employee or contract employee of a transportation system as the term "transportation system" is defined in K.S.A. 75-5034, and amendments thereto.

Sec. 2. (a) Abuse of a sports official is intentionally:

(1) Striking, shoving, kicking, spitting on or otherwise causing physical contact with a sports official or threatening to engage in such

1 **conduct;**

2 **(2) approaching a sports official in a menacing, threatening, irate**
3 **or violent manner that would cause a reasonable person to fear for**
4 **such person's safety; or**

5 **(3) directing threatening, abusive or obscene language or making**
6 **obscene gestures toward a sports official that would cause a**
7 **reasonable person to fear for such person's safety.**

8 **(b) Abuse of a sports official is a:**

9 **(1) Class B person misdemeanor, except as provided in subsection**
10 **(b)(2); and**

11 **(2) class A person misdemeanor, if the sports official is less than**
12 **18 years of age.**

13 **(c) For the purposes of this section, "sports official" means a**
14 **person who serves as a referee, umpire, linesman, timekeeper,**
15 **assistant, inspector or judge, or performs similar functions at a**
16 **competitive event, whether paid or unpaid.**

17 **(d) This section shall be a part of and supplemental to the Kansas**
18 **criminal code.**

19 **Sec. 2 3.** This act shall take effect and be in force from and after its
20 publication in the statute book.