

Crime of Human Smuggling; HB 2350

HB 2350 creates the crimes of human smuggling and aggravated human smuggling, provides for criminal penalties, and makes these provisions supplemental to the Kansas Criminal Code.

Crime of Human Smuggling

The bill defines the crime of human smuggling as intentionally transporting, harboring, or concealing an individual into or within Kansas when the person:

- Knows, or should have known, that the individual is entering into or remaining in the United States illegally;
- Benefits financially or receives anything of value; and
- Knows, or should have known, that the individual being smuggled is likely to be exploited for the financial gain of another.

The bill makes the crime of human smuggling a severity level 5 person felony.

Crime of Aggravated Human Smuggling

The bill defines aggravated human smuggling as human smuggling that:

- Is committed using a deadly weapon or by threat of use of a deadly weapon;
- Causes bodily harm, great bodily harm, or disfigurement to the individual being smuggled; or
- Causes the individual being smuggled to become a victim of a sex offense, or human trafficking, or causes the person to commit selling sexual relations, all as defined in statute.

The bill makes the crime of aggravated human smuggling a severity level 3 person felony.