

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

1 AN ACT concerning crimes, punishment and criminal procedure; creating
2 the crimes of causing harm to a public transportation employee and
3 aggravated causing harm to a public transportation employee.

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

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

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

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

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

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

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

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

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

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

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

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

32 Sec. 2. This act shall take effect and be in force from and after its
33 publication in the statute book.