HOUSE BILL No. 2601

By Committee on Corrections and Juvenile Justice

AN ACT concerning crimes, criminal procedure and punishment; relating to providing information to law enforcement; relating to interference with law enforcement; amending K.S.A. 22-2402 and K.S.A. 2011 Supp. 21-5904 and repealing the existing sections.

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

Section 1. K.S.A. 2011 Supp. 21-5904 is hereby amended to read as follows: 21-5904. (a) Interference with law enforcement is:

(1) Falsely reporting to a law enforcement officer or state investigative agency that a crime has been committed, knowing that such information is false and intending that the officer or agency shall act in reliance upon such information; or

(2) knowingly obstructing, resisting or opposing any person authorized by law to serve process in the service or execution or in the attempt to serve or execute any writ, warrant, process or order of a court, or in the discharge of any official duty; or

(3) refusing to provide information demanded by a law enforcement officer pursuant to K.S.A. 22-2402, and amendments thereto.

(b) (4) Interference with law enforcement:

(1) As defined in subsection (a)(1) or (a)(3) is a class A misdemeanor;

(2) as defined in subsection (a)(2) is a:

(A) Severity level 9, nonperson felony in the case of a felony, or resulting from parole or any authorized disposition for a felony; and

(B) class A nonperson misdemeanor in the case of a misdemeanor, or resulting from any authorized disposition for a misdemeanor, or a civil case.

Sec. 2. K.S.A. 22-2402 is hereby amended to read as follows: 22-2402. (1) Without making an arrest, a law enforcement officer may stop any person in a public place whom such officer reasonably suspects is committing, has committed or is about to commit a crime and may demand of the name, address and date of birth of such suspect and an explanation of such suspect's actions.

(2) When a law enforcement officer has stopped a person for questioning pursuant to this section and reasonably suspects that such
officer's personal safety requires it, such officer may frisk such person for firearms or other dangerous weapons. If the law enforcement officer finds a firearm or weapon, or other thing, the possession of which may be a crime or evidence of crime, such officer may take and keep it until the completion of the questioning, at which time such officer shall either return it, if lawfully possessed, or arrest such person.

Sec. 3. K.S.A. 22-2402 and K.S.A. 2011 Supp. 21-5904 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.