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MEMORANDUM

To: Senate Committee on Judiciary
From: Office of Revisor of Statutes
Date: March 14, 2024
Subject: Bill Brief for HB 2665

House Bill 2665 increases the criminal penalties for a driver who leaves the scene of a vehicular accident when the accident results in the death of any person or more than one person, if the driver knew or reasonably should have known that such accident resulted in injury or death.

The bill amends K.S.A. 8-1602, the statute that criminalizes leaving the scene of an accident. Current law provides that the driver of any vehicle involved in an accident resulting in injury to, great bodily harm to or death of any person or damage to any attended vehicle or property shall immediately stop such vehicle at the scene of such accident and remain at the scene until the driver has fulfilled the requirements of K.S.A. 8-1604, which requires a driver to give certain information after an accident. Violation of the offense is an unclassified misdemeanor if total property damages are less than \$1,000, a class A person misdemeanor if there is injury to any person or total property damages are \$1,000 or more, a severity level 8, person felony if there is great bodily harm to any person, a severity level 6, person felony if death of any person occurs, and a severity level 5, person felony if death of any person occurs and the driver knew or reasonably should have known that such accident resulted in injury or death. A person's driver's license may be revoked for a violation of this section.

The bill would keep the current penalties except in the instance of the death of any person when the driver knew or reasonably should have known that the accident resulted in injury or death. The current law provision would increase from a severity level 5, person felony to a severity level 4, person felony. A new provision is added that when the death of more than one person occurs and the driver knew or reasonably should have known that the accident resulted in injury or death, the penalty would be a severity level 3, person felony.

The bill would take effect from and after publication in the statute book, July 1, 2024.