

## 2023 Kansas Statutes

**21-6201. Riot; incitement to riot.** (a) Riot is five or more persons acting together and without lawful authority engaging in any:

- (1) Use of force or violence which produces a breach of the public peace; or
- (2) threat to use such force or violence against any person or property if accompanied by power or apparent power of immediate execution.

(b) Incitement to riot is by words or conduct knowingly urging others to engage in riot as defined in subsection (a) under circumstances which produce a clear and present danger of injury to persons or property or a breach of the public peace.

(c) (1) Riot is a:

- (A) Class A person misdemeanor, except as provided in subsection (c)(1)(B); and
- (B) severity level 8, person felony if the riot occurs in a correctional facility.

(2) Incitement to riot is a:

- (A) Severity level 8, person felony, except as provided in subsection (c)(2)(B); and
- (B) severity level 6, person felony if the incitement to riot occurs in a correctional facility.

(d) As used in this section, "correctional facility" means a "correctional institution" as defined in K.S.A. 75-5202, and amendments thereto, or a jail.

**History:** L. 2010, ch. 136, § 179; L. 2021, ch. 109, § 2; July 1.