

STATE OF KANSAS

SENATE CHAMBER

MADAM PRESIDENT:

I move to amend **HB 2458**, as amended by Senate Committee, on page 1, following line 27, by inserting:

"New Sec. 2. (a) Deprivation of rights under color of law is any action by any person, under color of any law, statute, county resolution, ordinance or regulation, that knowingly subjects another person to the deprivation of any rights, privileges or immunities secured or protected by the constitution or laws of the United States or the state of Kansas, by:

- (1) Causing bodily harm to another person;
 - (2) causing great bodily harm to another person or disfigurement of another person;
 - (3) causing bodily harm to another person with a deadly weapon, or in any manner whereby great bodily harm, disfigurement or death can be inflicted;
 - (4) causing physical contact with another person when done in a rude, insulting or angry manner, or in any manner whereby great bodily harm, disfigurement or death can be inflicted;
 - (5) causing mental anguish, emotional harm, embarrassment or similar distress to another person; or
 - (6) causing monetary loss to another person.
- (b) Deprivation of rights under color of law as described in:
- (1) Subsection (a)(1) or (a)(5) is a class B person misdemeanor;
 - (2) subsection (a)(2) is a severity level 4, person felony;
 - (3) subsection (a)(3) or (a)(4) is a severity level 7, person felony;
 - (4) subsection (a)(6), when the monetary loss is:

(A) Less than \$1,000, is a class A nonperson misdemeanor;

(B) at least \$1,000, but less than \$25,000, is a severity level 9, nonperson felony; and

(C) \$25,000 or more, is a severity level 7, nonperson felony.

(c) A person convicted of deprivation of rights under color of law shall be subject to the provisions of K.S.A. 2017 Supp. 21-6804(h), and amendments thereto.

(d) This section shall be part of and supplemental to the Kansas criminal code.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 2, after the semicolon by inserting "creating the crime of deprivation of rights under color of law;"

Senator _____