

As Amended by House Committee

Session of 2021

HOUSE BILL No. 2027

By Joint Committee on Corrections and Juvenile Justice Oversight

12-31

1 AN ACT concerning crimes, punishment and criminal procedure; relating
2 to unlawfully tampering with electronic monitoring equipment;
3 modifying criminal penalties; amending K.S.A. 2020 Supp. 21-6322
4 and repealing the existing section.

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

7 Section 1. K.S.A. 2020 Supp. 21-6322 is hereby amended to read as
8 follows: 21-6322. (a) Unlawfully tampering with electronic monitoring
9 equipment is, knowingly and without authorization, removing, disabling,
10 altering, tampering with, damaging or destroying any electronic
11 monitoring equipment used pursuant to court ordered supervision or as a
12 condition of post-release supervision or parole.

13 (b) Unlawfully tampering with electronic monitoring equipment is a:

14 (1) Severity level—6 8, nonperson felony *in the case of electronic*
15 *monitoring equipment used pursuant to court-ordered supervision or as a*
16 *condition of postrelease supervision or parole for any felony or a*
17 **misdemeanor violation of interference with parental custody as**
18 **defined in K.S.A. 2020 Supp. 21-5409, and amendments thereto,**
19 **criminal restraint as defined in K.S.A. 2020 Supp. 21-5411, and**
20 **amendments thereto, domestic battery as defined in K.S.A. 2020 Supp.**
21 **21-5414, and amendments thereto, stalking as defined in K.S.A. 2020**
22 **Supp. 21-5427, and amendments thereto, intimidation of a witness or**
23 **victim as defined in K.S.A. 2020 Supp. 21-5909, and amendments**
24 **thereto, or violation of a protective order as defined in K.S.A. 2020**
25 **Supp. 21-5924, and amendments thereto; and**

26 (2) *class A nonperson misdemeanor in the case of electronic*
27 *monitoring equipment used pursuant to court-ordered supervision or as a*
28 *condition of postrelease supervision or parole for any misdemeanor* **not**
29 **described in subsection (b)(1) or used pursuant to court-ordered**
30 *supervision in any civil case.*

31 Sec. 2. K.S.A. 2020 Supp. 21-6322 is hereby repealed.

32 Sec. 3. This act shall take effect and be in force from and after its
33 publication in the statute book.