

HOUSE BILL No. 2350

By Committee on Corrections and Juvenile Justice

2-8

Proposed Amendments on HB 2350 - financial gain and exploitation
House Corrections and Juvenile Justice
Prepared by the Office of Revisor of Statutes
February 16, 2023

1 AN ACT concerning crimes, punishment and criminal procedure; relating
2 to crimes against persons; creating the crimes of human smuggling and
3 aggravated human smuggling; providing criminal penalties therefor.
4

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

6 Section 1. (a) (1) Human smuggling is transporting, harboring or
7 concealing an individual into or within Kansas ~~who~~ the person knows, or
8 should have known, ~~is~~ entering into or remaining in the United States
9 illegally.

10 (2) Aggravated human smuggling is human smuggling that:

- 11 (A) Is committed using a deadly weapon;
- 12 (B) causes bodily harm, great bodily harm or disfigurement to the
13 individual being smuggled; or
- 14 (C) causes the individual being smuggled to become a victim of a sex
15 offense described in article 55 of chapter 21 of the Kansas Statutes
16 Annotated, and amendments thereto.

17 (b) (1) Human smuggling is a severity level 5, person felony; and

18 (2) aggravated human smuggling is a severity level 3, person felony

19 (c) This section shall be a part of and supplemental to the Kansas
20 criminal code.

21 Sec. 2. This act shall take effect and be in force from and after its
22 publication in the statute book.

intentionally

when

;
(A)

that the individual

;
(B) benefits financially or receives anything of value; and
(C) knows, or should have known, that the individual being
smuggled is likely to be exploited for the financial gain of
another

or by threat of use of a deadly weapon

, or human trafficking as defined in K.S.A. 2022 Supp.
21-5426, and amendments thereto, or causes the person
to commit selling sexual relations, as defined in K.S.A.
2022 Supp. 21-6419, and amendments thereto