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LEGISLATURE *of* THE STATE *of* KANSAS  
*Legislative Attorneys transforming ideas into legislation.*

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**MEMORANDUM**

To: House Committee on Corrections and Juvenile Justice

From: Office of Revisor of Statutes

Date: February 8, 2024

Subject: Bill Brief on HB 2656

HB 2656 creates the crime of engaging in a street stunt, provides criminal penalties for that new crime and adds the new crime as a method of committing fleeing or attempting to elude a police officer.

Section 1 creates a new section of law creating the new crime of engaging in a street stunt. The crime is defined as operating a motor vehicle in a group of two or more vehicles while engaging in a course of conduct affecting other vehicular traffic in an intersection or roadway disrupting the normal flow of traffic and (1) causing other drivers or persons on or near the roadway to remain stopped when such drivers or persons are otherwise legally entitled to proceed or to take evasive action to avoid being struck by a motor vehicle when a reasonable person would fear for the safety of themselves or others; (2) resulting in damage to another person's vehicle or property; or (3) resulting in injury to the person. Engaging in a street stunt as defined in subsection (a)(1) is a class A person misdemeanor on a first conviction and a severity level 10, person felony on a second or subsequent conviction and engaging in a street stunt as defined in subsection (a)(2) or (a)(3) is a severity level 9, person felony on a first conviction and a severity level 5, person felony on a second or subsequent conviction.

The section also defines "course of conduct" which means three or more of the listed traffic infractions over a period of time that evidences a continuity of purpose. A person who violates this new section may also be prosecuted for any offense in the Kansas criminal code.

Section 2 amends K.S.A. 8-1568, the statute that criminalizes fleeing or attempting to elude a police officer. The section is amended to provides that a person violates the section when they knowingly fail or refuse to bring their vehicle to a stop or otherwise flees to attempts to elude police when given a visual or audible signal to bring the vehicle to a stop when the person

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is attempting to elude capture for the commission of engaging in a street stunt. Violation of this new version of the offense would be a severity level 7, person felony.