

KANSAS OFFICE *of*  
**REVISOR *of* STATUTES**

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: March 7, 2024  
Subject: Bill Brief on SB 420

SB 420 eliminates the element of concealment from the crime of breach of privacy related to installing or using a device to photograph or record another identifiable person under or through the clothing being worn by that other person or another identifiable person who is nude or in a state of undress.

The bill amends K.S.A. 21-6101, the criminal code statute that creates the crime of breach of privacy. Current law provides that one means of committing the crime is knowingly and without lawful authority installing or using a concealed camcorder, motion picture camera or photographic camera of any type to secretly videotape, film, photograph or record, by electronic or other means, another identifiable person under or through the clothing being worn by that other person or another identifiable person who is nude or in a state of undress, for the purpose of viewing the body of, or the undergarments worn by, that other person, without the consent or knowledge of that other person, with the intent to invade the privacy of that other person, under circumstances in which that other person has a reasonable expectation of privacy. The bill would remove the words “concealed” and “secretly” from this provision.