

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on **Veterans and Military** recommends **HB 2392** be amended on page 2, following line 22, by inserting:

"(c) A person punished under K.S.A. 48-2201, and amendments thereto, is entitled to one appeal but is not entitled to any appeal under this section.";

Also on page 2, in line 33, by striking all after "(1)"; in line 34, by striking "(2)"; in line 36, by striking all before "in" and inserting "(2) engages"; in line 43, after "protected" by inserting "junior";

On page 3, in line 12, by striking all after the comma; by striking all in line 13; in line 14, by striking all before the period and inserting "has the primary duty to recruit persons for military service"; in line 42, after "shall" by inserting "be guilty of the offense of sexual harassment and shall"; in line 43, by striking "person" and inserting "person's conduct meets the following elements";

On page 4, in line 1, by striking all after "(a)"; by striking all in lines 2 through 4; in line 5, by striking all before the colon and inserting "Such person made sexual advances, demands or requests for sexual favors or knowingly engaged in other conduct of a sexual nature;

(b) such conduct was unwelcome; and

(c) under the circumstances, such conduct";

Also on page 4, in line 6, after "(1)" by inserting "Would cause a reasonable person to believe, and such person did believe, that"; also in line 6, by striking "or rejection of"; also in line 6, by striking "is" and inserting "would be"; also in line 6, after "made" by inserting a

comma; in line 7, after "implicitly" by inserting a comma; also in line 7, by striking the third "or" and inserting a comma; also in line 7, after "career" by inserting ", benefits or entitlements"; in line 8, after "(2)" by inserting "would cause a reasonable person to believe, and such person did believe, that"; in line 9, by striking "against such person" and inserting "affecting such person's job, pay, career, benefits or entitlements"; in line 10, by striking all after "(3)"; by striking all in line 11; in line 12, by striking all before the period and inserting "was so severe, repetitive or pervasive that a reasonable person would perceive, and such person did perceive, an intimidating, hostile or offensive work environment";

On page 6, in line 8, before "Any" by inserting "(a)"; in line 11, by striking "(a)" and inserting "(1)"; following line 13, by inserting:

"(b) As used in this section, "another person" means a member, cadet, trainee or recruit of the state military forces, the United States armed forces or the state military forces of another state.";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

Also on page 6, in line 15, after "person" by inserting "commits a violent offense against a spouse, intimate partner or immediate family member of such person."

(b) Any person subject to this code shall be punished at the direction of a commanding officer if such person, with the intent to threaten or intimidate a spouse, intimate partner or immediate family member of such person, commits an offense under this code against";

Also on page 6, in line 16, by striking all after "(1)"; in line 17, by striking all before the semicolon and inserting "Any person"; in line 18, by striking "commits a violent offense against"; in line 20, after "person" by inserting ", with the intent to threaten or intimidate a spouse, intimate partner or immediate family member of such person,"; in line 22, by striking all after "person"; in line 23, by striking all before the period and inserting ", with the intent to

commit a violent offense against a spouse, intimate partner or immediate family member of such person, violates a protection order";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 7, by striking all in line 39; in line 40, by striking "nipple" and inserting "private area of a person";

On page 9, in line 20, before "Any" by inserting "(a)"; in line 22, by striking "(a)" and inserting "(1)"; following line 26, by inserting:

"(b) Any person subject to this code shall be punished at the direction of a commanding officer if such person:

(1) Wrongfully promises, offers or gives something of value to a person who occupies an official position or has official duties; and

(2) intends to influence the decisions or actions of the person regarding an official matter in which the state of Kansas or the United States is interested.";

Also on page 9, in line 27, before "Any" by inserting "(a)"; in line 29, by striking "(a)" and inserting "(1)"; following line 33, by inserting:

"(b) Any person subject to this code shall be punished at the direction of a commanding officer if such person promises, offers or gives something of value to a person who occupies an official position or who has official duties as compensation for or in recognition of services rendered by such person regarding an official matter in which the state of Kansas or the United States is interested.";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 10, in line 31, after "UCMJ" by inserting "article"; in line 41, after "is" by inserting "grossly";

On page 12, in line 1, by striking the quotation mark; in line 7, by striking the quotation

mark; following line 7, by inserting:

"New Sec. 34. Any person subject to this code shall be punished at the direction of a commanding officer if such person willfully disobeys a lawful command of such person's superior commissioned officer.";

On page 13, in line 4, before "Judge" by inserting "State"; also in line 4, by striking "general"; also in line 4, by striking "commissioned officer" and inserting "judge advocate appointed by the adjutant general who is"; in line 5, by striking all after "supervising"; in line 6, by striking all before the period and inserting ", overseeing and managing all legal personnel and services of the state military forces and military legal matters therein and for the administration of military justice"; in line 26, by striking the colon; in line 30, after the first comma by inserting "air force,";

On page 16, in line 11, by striking "Article 2 of the KCMJ" and inserting "K.S.A. 48-2102, and amendments thereto"; in line 42, after "the" by inserting "state"; in line 43, by striking "general";

On page 19, in line 17, after "weeks" by inserting "but not to exceed two hours per day, holidays included";

On page 37, in line 14, by striking "the"; also in line 14, before "commanding" by inserting "a";

And by renumbering sections accordingly; and the bill be passed as amended.

Chairperson