

As Amended by House Committee

Session of 2023

HOUSE BILL No. 2350

By Committee on Corrections and Juvenile Justice

2-8

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 **intentionally** transporting,
7 harboring or concealing an individual into or within Kansas ~~who~~ **when** the
8 person:

9 (A) Knows, or should have known, **that the individual** is entering
10 into or remaining in the United States illegally;

11 (B) **benefits financially or receives anything of value; and**

12 (C) **knows, or should have known, that the individual being**
13 **smuggled is likely to be exploited for the financial gain of another.**

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

15 (A) Is committed using a deadly weapon **or by threat of use of a**
16 **deadly weapon;**

17 (B) causes bodily harm, great bodily harm or disfigurement to the
18 individual being smuggled; or

19 (C) causes the individual being smuggled to become a victim of a sex
20 offense described in article 55 of chapter 21 of the Kansas Statutes
21 Annotated, and amendments thereto, **or human trafficking as defined in**
22 **K.S.A. 2022 Supp. 21-5426, and amendments thereto, or causes the**
23 **person to commit selling sexual relations as defined in K.S.A. 2022**
24 **Supp. 21-6419, and amendments thereto.**

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

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

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

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