AN ACT concerning crimes, criminal procedure and punishment; relating to the crime of unlawful denial of due process; relating to the national defense authorization act.

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

Section 1. (a) Unlawful denial of due process of law is knowingly attempting, conducting or assisting the:
   (1) Indefinite detention of a person apprehended within the United States without charge or trial;
   (2) prosecution of a person apprehended within the United States by a military tribunal; or
   (3) transfer of a person apprehended within the United States to any foreign jurisdiction pursuant to a prosecution brought by the United States or any subdivision thereof.
   (b) Unlawful denial of due process of law is a class A nonperson misdemeanor.
   (c) The provisions of this act shall not apply to the court martial of any member of the United States military pursuant to the uniform code of military justice, 10 U.S.C. Chapter 47.
   (d) It shall not be a defense that the person was acting under the authority of sections 1021 or 1022 of the national defense authorization act for fiscal year 2012, public law 112-81, or any other law of the state of Kansas or the United States.
   (e) A person who violates the provisions of this section may also be prosecuted for, convicted of, and punished for kidnapping or aggravated kidnapping, K.S.A. 2012 Supp. 21-5408, and amendments thereto.

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