

SENATE BILL No. 53

By Committee on Corrections and Juvenile Justice

1-22

1 AN ACT concerning crimes and punishment; relating to principles of
2 criminal liability; liability for crimes of another; amending K.S.A. 2014
3 Supp. 21-5210 and repealing the existing section.
4

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

6 Section 1. K.S.A. 2014 Supp. 21-5210 is hereby amended to read as
7 follows: 21-5210. (a) A person is criminally responsible for a crime
8 committed by another, *and criminally responsible as a principal*, if such
9 person, ~~acting with the mental culpability required for the commission~~
10 ~~thereof;~~

11 (1) *Advises, aids, abets, commands, hires, counsels, induces or*
12 *procures the other to commit the crime or intentionally aids the other in*
13 ~~committing the conduct constituting the crime; or~~

14 (2) *intentionally, knowingly or recklessly causes an act to be done*
15 *which if directly committed by such person or another constitutes a crime.*

16 (b) A person liable under subsection (a)(1) is also liable for any other
17 crime committed in pursuance of the intended crime, *including a specific*
18 *intent crime as defined in K.S.A. 2014 Supp. 21-5202, and amendments*
19 *thereto*, if reasonably foreseeable by such person as a probable
20 consequence of committing or attempting to commit the crime intended.

21 (c) A person liable under ~~this section~~ subsection (a) or (b) may be
22 charged with and convicted of the crime although the person alleged to
23 have directly committed the act constituting the crime:

24 (1) Lacked criminal or legal capacity;

25 (2) has not been convicted;

26 (3) has been acquitted; ~~or~~

27 (4) has been convicted of some other degree of the crime or of some
28 other crime based on the same act; *or*

29 (5) *is an innocent agent.*

30 Sec. 2. K.S.A. 2014 Supp. 21-5210 is hereby repealed.

31 Sec. 3. This act shall take effect and be in force from and after its
32 publication in the statute book.