

**SUMMARY OF PROPOSED CHANGES TO
OLATHE MUNICIPAL CODE TITLE 9
(THE OLATHE PUBLIC OFFENSE CODE)**

The proposed ordinance would amend two sections in the Olathe Public Offense Code (“Code”) in accordance with 2025 Kansas legislation. It also would make changes to two other sections to address issues raised by prosecutors and an Olathe business.

1. Amendments Based Upon 2025 Legislation

The proposed ordinance amends two sections to reflect continuing state law and legislation passed by the 2025 Kansas Legislature:

- Section 9.07.217 (Criminal Trespass on a Critical Infrastructure Facility) is amended to reflect changes made by 2025 HB 2061 to the definition of “critical infrastructure facility” and to include language clarifying application of the offense in relation to other offenses or remedies; and
- Section 9.10.020 (Breach of Privacy) is amended to reflect changes made by Section 3 of 2025 SB 186 that exempt cable services, providers of direct-to-home satellite services, and multichannel video programming distributors from the provisions of the section.

2. Amendments to Other Sections

The proposed ordinance also amends the following sections:

- Section 9.12.060 (Air Gun, Air Rifle, Bow and Arrow, Slingshot, BB Gun, Blowgun, Blowdart Gun) by adding an exception for use of such weapons by authorized law enforcement officers or animal control officers in the course of their duties or by a person who has a wildlife control permit issued by the Kansas Department of Wildlife and Parks for purposes authorized by such permit. This exception is similar to an existing exception in the Code for use of firearms by such persons and was requested by an Olathe pest control business.
- Section 9.13.110 (Public Indecency) by:

ATTACHMENT B

- Clarifying that the exception for private residential premises does not apply to portions of such premises where a person may reasonably be expected to be observed by members of the public;
- Aligning the exception for breastfeeding with current state law; and
- Making non-substantive organizational and wording amendments to improve the overall clarity of the section.

These amendments were requested by the City Prosecutor's staff.