

HOUSE BILL No. 2413

By Committee on Federal and State Affairs

2-14

1 AN ACT concerning firearms; requiring safe storage of firearms;
2 establishing criminal penalties for violations.

3
4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) (1) It shall be unlawful for any person to store or keep
6 any firearm, rifle or shotgun, large capacity magazine firearm or machine
7 gun in any place unless such firearm is secured in a locked container or
8 equipped with a tamper-resistant mechanical lock or other safety device,
9 properly engaged so as to render the weapon inoperable by any person
10 other than the owner or other lawfully authorized user.

11 (2) It shall be unlawful for any person to store or to keep any stun gun
12 in any place unless the weapon is secured in a locked container accessible
13 only to the owner or other lawfully authorized user.

14 (3) It shall be unlawful to store a rifle or shotgun that is not a large-
15 capacity firearm in an area where a person younger than 18 years of age
16 has access to such place.

17 (4) For purposes of this section, such firearm or weapon shall not be
18 deemed stored or kept if carried by or under the control of the owner or
19 other lawfully authorized user.

20 (b) A violation of subsection (a) is a class A nonperson misdemeanor.

21 (c) It shall be unlawful to store a rifle or shotgun that is a large-
22 capacity firearm or machine gun in a place where a person younger than
23 18 years of age may have access to such firearm.

24 (d) A violation of subsection (c) is a level 9, nonperson felony.

25 (e) A violation of the provisions of this section shall be evidence of
26 wanton or reckless conduct in any criminal or civil proceeding if a person
27 under the age of 18 who was not a trespasser or was a foreseeable
28 trespasser acquired access to a weapon and such access results in the
29 personal injury to or the death of any person.

30 (f) This section shall not apply to the storage or keeping of any
31 firearm, rifle or shotgun with matchlock, flintlock, percussion cap or
32 similar type of ignition system manufactured in or prior to the year 1899,
33 or to any replica of any such firearm, rifle or shotgun if such replica is not
34 designed or redesigned for using rimfire or conventional centerfire fixed
35 ammunition.

36 (g) "Large-capacity magazine" means any magazine that holds more

1 than 10 rounds of ammunition.

2 Sec. 2. This act shall take effect and be in force from and after its

3 publication in the statute book.