

HOUSE BILL No. 2403

By Committee on Federal and State Affairs

2-10

1 AN ACT regarding firearms; relating to the storage of firearms and stun
2 guns; creating certain crimes dealing with improper storage.

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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, including, but not limited to, large-capacity
7 magazine firearm or machine gun in any place unless such firearm is
8 secured in a locked container or equipped with a tamper-resistant
9 mechanical lock or other safety device, properly engaged so as to render
10 the weapon inoperable by any person other than the owner or other
11 lawfully authorized user.

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

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

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

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

22 (c) It shall be unlawful for any person in the case of a rifle or shotgun
23 that is a large-capacity firearm or machine gun to store or keep such
24 firearm in a place where a person younger than 18 years of age has access
25 to such place.

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

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

33 (f) This section shall not apply to the storage or keeping of any
34 firearm, rifle or shotgun with matchlock, flintlock, percussion cap or
35 similar type of ignition system manufactured in or prior to the year 1899,
36 or to any replica of any such firearm, rifle or shotgun if such replica is not

1 designed or redesigned for using rimfire or conventional centerfire fixed
2 ammunition.

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