

## HOUSE BILL No. 2167

By Committee on Federal and State Affairs

Requested by Representative Meyer

1-30

1 AN ACT concerning firearms; creating the crime of unlawful storage of a  
2 firearm and providing criminal penalties for violations thereof;  
3 exceptions thereto.  
4

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

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

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

15 (3) It shall be unlawful to store a rifle or shotgun that is not a large-  
16 capacity firearm in an area where a person younger than 18 years of age  
17 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 to store a rifle or shotgun that is a large-  
23 capacity firearm or machine gun in a place where a person younger than  
24 18 years of age may have access to such firearm.

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

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

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

1 centerfire fixed ammunition.

2 (g) As used in this section, "large-capacity magazine" means any  
3 magazine that holds more than 10 rounds of ammunition.

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