

State Laws and Published Ordinances – Kansas

Current through acts received as of July 1st from the 2019-2020 Legislative Session.

Office of the Attorney General
Memorial Hall, 2nd Floor
120 SW 10th Avenue
Topeka, KS 66612
Voice: (888) 428-8436
<https://ag.ks.gov/>



Kansas City Field Division
1251 NW Briarcliff Parkway, Suite 600
Kansas City, MO 64116
Voice: (816) 559-0700
<https://www.atf.gov/kansas-city-field-division>



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Chapter 12 – Cities and Municipalities
Article 16 – Miscellaneous Provisions

Section 12-16,124. Firearms and ammunition; regulation by city or county, limitations.

- (a) No city or county shall adopt or enforce any ordinance, resolution or regulation, and no agent of any city or county shall take any administrative action, governing the requirement of fees, licenses or permits for, the commerce in or the sale, purchase, transfer, ownership, storage, carrying, transporting or taxation of firearms or ammunition, or any component or combination thereof.
- (b) Any ordinance, resolution or regulation prohibited by subsection (a) that was adopted prior to July 1, 2015, shall be null and void.
- (c) Nothing in this section shall:
- (1) Prohibit a city or county from adopting and enforcing any ordinance, resolution or regulation relating to the personnel policies of such city or county and the carrying of firearms by employees of such city or county, except that any such ordinance, resolution or regulation shall comply with the provisions of K.S.A. 75-7c01 et seq., and amendments thereto;
 - (2) prohibit a city or county from adopting any ordinance, resolution or regulation pursuant to K.S.A. 75-7c20, and amendments thereto;
 - (3) prohibit a law enforcement officer, as defined in K.S.A. 22-2202, and amendments thereto, from acting within the scope of such officer's duties; or
 - (4) prohibit a city or county from levying and collecting any retailers' sales tax on the sale of firearms, ammunition or any component or combination thereof as authorized by K.S.A. 12-189, and amendments thereto.

Chapter 21 – Crimes and Punishments
Article 63 – Crimes against the Public Safety

Section 21-6301. Criminal use of weapons.

- (a) Criminal use of weapons is knowingly:
- (3) setting a spring gun;
 - (4) possessing any device or attachment of any kind designed, used or intended for use in suppressing the report of any firearm;
 - (5) selling, manufacturing, purchasing or possessing a shotgun with a barrel less than 18 inches in length, or any firearm designed to discharge or capable of discharging automatically more than once by a single function of the trigger, whether the person knows or has reason to know the length of the barrel or that the firearm is designed or capable of discharging automatically;
 - (6) possessing, manufacturing, causing to be manufactured, selling, offering for sale, lending, purchasing or giving away any cartridge which can be fired by a handgun and which has a plastic-coated bullet that has a core of less than 60% lead by weight, whether the person knows or has reason to know that the plastic-coated bullet has a core of less than 60% lead by weight;
 - (7) selling, giving or otherwise transferring any firearm with a barrel less than 12 inches long to any person under 18 years of age whether the person knows or has reason to know the length of the barrel;
 - (8) selling, giving or otherwise transferring any firearms to any person who is both addicted to and an unlawful user of a controlled substance;
 - (9) selling, giving or otherwise transferring any firearm to any person who is or has been a mentally ill person subject to involuntary commitment for care and treatment, as defined in K.S.A. 59-2946, and amendments thereto, or a person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment as defined in K.S.A. 59-29b46, and amendments thereto;
 - (10) possessing any firearm by a person who is both addicted to and an unlawful user of a controlled substance;
 - (11) possessing any firearm by any person, other than a law enforcement officer, in or on any school property or grounds upon which is located a building or structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of pupils enrolled in kindergarten or any of the grades one through 12 or at any regularly scheduled school sponsored activity or event whether the person knows or has reason to know that such person was in or on any such property or grounds;

(12) refusing to surrender or immediately remove from school property or grounds or at any regularly scheduled school sponsored activity or event any firearm in the possession of any person, other than a law enforcement officer, when so requested or directed by any duly authorized school employee or any law enforcement officer;

(13) possessing any firearm by a person who is or has been a mentally ill person subject to involuntary commitment for care and treatment, as defined in K.S.A. 59-2946, and amendments thereto, or persons with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment as defined in K.S.A. 59-29b46, and amendments thereto;

(14) possessing a firearm with a barrel less than 12 inches long by any person less than 18 years of age.

(15) possessing any firearm while a fugitive from justice;

(16) possessing any firearm by a person who is an alien illegally or unlawfully in the United States;

(17) possessing any firearm by a person while such person is subject to a court order that:

(A) Was issued after a hearing, of which such person received actual notice, and at which such person had an opportunity to participate;

(B) restrains such person from harassing, stalking or threatening an intimate partner of such person or a child of such person or such intimate partner, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or the child; and

(C)

(i) Includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or

(ii) by its terms explicitly prohibits the use, attempted use or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury; or

(18) possessing any firearm by a person who, within the preceding five years, has been convicted of a misdemeanor for a domestic violence offense, or a misdemeanor under a law of another jurisdiction which is substantially the same as such misdemeanor offense.

(c) Subsections (a)(1), (a)(2) and (a)(5) shall not apply to:

(1) Law enforcement officers, or any person summoned by any such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) wardens, superintendents, directors, security personnel and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime, while acting within the scope of their authority;

(3) members of the armed services or reserve forces of the United States or the Kansas national guard while in the performance of their official duty; or

(4) the manufacture of, transportation to, or sale of weapons to a person authorized under subsections (c)(1), (c)(2) and (c)(3) to possess such weapons.

(d) Subsections (a)(4) and (a)(5) shall not apply to any person who sells, purchases, possesses or carries a firearm, device or attachment which has been rendered unserviceable by steel weld in the chamber and marriage weld of the barrel to the receiver and which has been registered in the national firearms registration and transfer record in compliance with 26 U.S.C. § 5841 et seq. in the name of such person and, if such person transfers such firearm, device or attachment to another person, has been so registered in the transferee's name by the transferor.

(e) Subsection (a)(6) shall not apply to a governmental laboratory or solid plastic bullets.

(f) Subsection (a)(4) shall not apply to a law enforcement officer who is:

(1) Assigned by the head of such officer's law enforcement agency to a tactical unit which receives specialized, regular training;

(2) designated by the head of such officer's law enforcement agency to possess devices described in subsection (a)(4); and

(3) in possession of commercially manufactured devices which are:

(A) Owned by the law enforcement agency;

(B) in such officer's possession only during specific operations; and

(C) approved by the bureau of alcohol, tobacco, firearms and explosives of the United States department of justice.

(g) Subsections (a)(4), (a)(5) and (a)(6) shall not apply to any person employed by a laboratory which is certified by the United States department of justice, national institute of justice, while actually engaged in the duties of their employment and on the premises of such certified laboratory. Subsections (a)(4), (a)(5) and (a)(6) shall not affect the manufacture of, transportation to or sale of weapons to such certified laboratory.

(h) Subsections (a)(4) and (a)(5) shall not apply to or affect any person or entity in compliance with the national firearms act, 26 U.S.C. § 5801 et seq.

(i)

(1) Subsection (a)(4) shall not apply to or affect any person in possession of a device or attachment designed, used or intended for use in suppressing the report of any firearm, if such device or attachment satisfies the description of a Kansas-made firearm accessory as set forth in K.S.A. 2019 Supp. 50-1204, and amendments thereto..

(2) The provisions of this subsection shall apply to any violation of subsection (a)(4) that occurred on or after April 25, 2013.

(j) Subsection (a)(11) shall not apply to:

(1) Possession of any firearm in connection with a firearms safety course of instruction or firearms education course approved and authorized by the school;

(2) possession of any firearm specifically authorized in writing by the superintendent of any unified school district or the chief administrator of any accredited nonpublic school;

(3) possession of a firearm secured in a motor vehicle by a parent, guardian, custodian or someone authorized to act in such person's behalf who is delivering or collecting a student; or

(4) possession of a firearm secured in a motor vehicle by a registered voter who is on the school grounds, which contain a polling place for the purpose of voting during polling hours on an election day; or

(5) possession of a concealed handgun by an individual who is not prohibited from possessing a firearm under either federal or state law.

(k) Subsections (a)(9) and (a)(13) shall not apply to a person who has received a certificate of restoration pursuant to K.S.A. 75-7c26, and amendments thereto.

(l) Subsection (a)(14) shall not apply if such person, less than 18 years of age, was:

(1) In attendance at a hunter's safety course or a firearms safety course;

(2) engaging in practice in the use of such firearm or target shooting at an established range authorized by the governing body of the jurisdiction in which such range is located, or at another private range with permission of such person's parent or legal guardian;

(3) engaging in an organized competition involving the use of such firearm, or participating in or practicing for a performance by an organization exempt from federal income tax pursuant to § 501(c)(3) of the internal revenue code of 1986 which uses firearms as a part of such performance;

(4) hunting or trapping pursuant to a valid license issued to such person pursuant to article 9 of chapter 32 of the Kansas Statutes Annotated, and amendments thereto;

(5) traveling with any such firearm in such person's possession being unloaded to or from any activity described in subsections (l)(1) through (l)(4), only if such firearm is secured, unloaded and outside the immediate access of such person;

(6) on real property under the control of such person's parent, legal guardian or grandparent and who has the permission of such parent, legal guardian or grandparent to possess such firearm; or

(7) at such person's residence and who, with the permission of such person's parent or legal guardian, possesses such firearm for the purpose of exercising the rights contained in K.S.A. 2017 Supp. 21-5222, 21-5223 or 21-5225, and amendments thereto.

(m) As used in this section:

(1) "Domestic violence" means the use or attempted use of physical force, or the threatened use of a deadly weapon, committed against a person with whom the offender is involved or has been involved in a dating relationship or is a family or household member.

(2) "Fugitive from justice" means any person having knowledge that a warrant for the commission of a felony has been issued for the apprehension of such person under K.S.A. 22-2713, and amendments thereto.

(3) “Intimate partner” means, with respect to a person, the spouse of the person, a former spouse of the person, an individual who is a parent of a child of the person or an individual who cohabitates or has cohabitated with the person.

Section 21-6303. Criminal distribution of firearms to a felon.

(a) Criminal distribution of firearms to a felon is knowingly:

(1) Selling, giving or otherwise transferring any firearm to any person who, within the preceding 5 years, has been convicted of a felony, other than those specified in subsection (c), under the laws of this or any other jurisdiction or has been released from imprisonment for a felony and was not found to have been in possession of a firearm at the time of the commission of the felony;

(2) selling, giving or otherwise transferring any firearm to any person who, within the preceding 10 years, has been convicted of a felony to which this subsection applies, but was not found to have been in possession of a firearm at the time of the commission of the felony, or has been released from imprisonment for such a felony, and has not had the conviction of such felony expunged or been pardoned for such felony; or

(3) selling, giving or otherwise transferring any firearm to any person who has been convicted of a felony under the laws of this or any other jurisdiction and was found to have been in possession of a firearm at the time of the commission of the felony.

(b) Criminal distribution of firearms to a felon is a class A nonperson misdemeanor.

(c) Subsection (a)(2) shall apply to a felony under K.S.A. 2019 Supp. 21-5402, 21-5403, 21-5404, 21-5405, 21-5408, subsection (b) or (d) of 21-5412, subsection (b) or (d) of 21-5413, subsection (a) or (b) of 21-5415, subsection (b) of 21-5420, 21-5503, subsection (b) of 21-5504, subsection (b) of 21-5505, and subsection (b) of 21-5807, and amendments thereto, K.S.A. 2019 Supp. 21-5705 or 21-5706, and amendments thereto, or K.S.A. 21-3401, 21-3402, 21-3403, 21-3404, 21-3410, 21-3411, 21-3414, 21-3415, 21-3419, 21-3420, 21-3421, 21-3427, 21-3442, 21-3502, 21-3506, 21-3518, 21-3716, 65-4127a, 65-4127b or 65-4160 through 65-4165, prior to their repeal, or a crime under a law of another jurisdiction which is substantially the same as such felony.

(d) It is not a defense that the distributor did not know or have reason to know:

(1) The precise felony the recipient committed;

(2) that the recipient was in possession of a firearm at the time of the commission of the recipient's prior felony; or

(3) that the convictions for such felony have not been expunged or pardoned.

Section 21-6304. Criminal possession of a firearm by a convicted felon.

(a) Criminal possession of a weapon by a convicted felon is possession of any weapon by a person who:

(1) Has been convicted of a person felony or a violation of article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer, or any violation of any provision of the uniform controlled substances act prior to July 1, 2009, or a crime under a law of another jurisdiction which is substantially the same as such felony or violation, or was adjudicated a juvenile offender because of the commission of an act which if done by an adult would constitute the commission of a person felony or a violation of article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer, or any violation of any provision of the uniform controlled substances act prior to July 1, 2009, and was found to have been in possession of a firearm at the time of the commission of the crime;

(2) within the preceding 5 years has been convicted of a felony, other than those specified in subsection (a)(3)(A), under the laws of Kansas or a crime under a law of another jurisdiction which is substantially the same as such felony, has been released from imprisonment for a felony or was adjudicated as a juvenile offender because of the commission of an act which if done by an adult would constitute the commission of a felony, and was not found to have been in possession of a firearm at the time of the commission of the crime; or

(3) within the preceding 10 years, has been convicted of a:

(A) Felony under K.S.A. 2019 Supp. 21-5402, 21-5403, 21-5404, 21-5405, 21-5408, subsection (b) or (d) of 21-5412, subsection (b) or (d) of 21-5413, subsection (a) of 21-5415, subsection (b) of 21-5420, 21-5503, subsection (b) of 21-5504, subsection (b) of 21-5505, and subsection (b) of 21-5807, and amendments thereto; article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto; K.S.A. 21-3401, 21-3402, 21-3403, 21-3404, 21-3410, 21-3411, 21-3414, 21-3415, 21-3419, 21-3420, 21-3421, 21-3427, 21-3442, 21-3502, 21-3506, 21-3518, 21-3716, 65-4127a, 65-4127b, 65-4159 through 65-4165 or 65-7006, prior to their repeal; an attempt, conspiracy or criminal solicitation as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2019 Supp. 21-5301, 21-5302 or 21-5303, and amendments thereto, of any such felony; or a crime under a law of another jurisdiction which is substantially the same as such felony, has been released from imprisonment

for such felony, or was adjudicated as a juvenile offender because of the commission of an act which if done by an adult would constitute the commission of such felony, was not found to have been in possession of a firearm at the time of the commission of the crime, and has not had the conviction of such crime expunged or been pardoned for such crime. The provisions of subsection (j)(2) of K.S.A. 2019 Supp. 21-6614, and amendments thereto, shall not apply to an individual who has had a conviction under this paragraph expunged; or

(B) nonperson felony under the laws of Kansas or a crime under the laws of another jurisdiction which is substantially the same as such nonperson felony, has been released from imprisonment for such nonperson felony or was adjudicated as a juvenile offender because of the commission of an act which if done by an adult would constitute the commission of a nonperson felony, and was found to have been in possession of a firearm at the time of the commission of the crime.

(b) Criminal possession of a weapon by a convicted felon is a severity level 8, nonperson felony.

(c) As used in this section:

(2) "**weapon**" means a firearm or a knife.

Section 21-6306. Defacing identification marks of a firearm.

(a) Defacing identification marks of a firearm is intentionally changing, altering, removing or obliterating the name of the maker, model, manufacturer's number or other mark of identification of any firearm.

(c) Possession of any firearm upon which any such mark has been intentionally changed, altered, removed or obliterated shall be prima facie evidence that the possessor has changed, altered, removed or obliterated the same.

Section 21-6332. Possession of a firearm under the influence.

(a) Possession of a firearm under the influence is knowingly possessing or carrying a loaded firearm on or about such person, or within such person's immediate access and control while in a vehicle, while under the influence of alcohol or drugs, or both, to such a degree as to render such person incapable of safely operating a firearm.

(c) This section shall not apply to:

(1) A person who possesses or carries a firearm while in such person's own dwelling or place of business or on land owned or possessed by such person; or

(2) the transitory possession or use of a firearm during an act committed in self-defense or in defense of another person or any other act committed if legally justified or excused, provided such possession or use lasts no longer than is immediately necessary.

(d) If probable cause exists for a law enforcement officer to believe a person is in possession of a firearm under the influence of alcohol or drugs, or both, such law enforcement officer shall request such person submit to one or more tests of the person's blood, breath, urine or other bodily substance to determine the presence of alcohol or drugs. The selection of the test or tests shall be made by the officer.

(g) If a person who holds a valid license to carry a concealed handgun issued pursuant to K.S.A. 75-7c01 et seq., and amendments thereto, is convicted of a violation of this section, such person's license to carry a concealed handgun shall be revoked for a minimum of 1 year for a first offense and 3 years for a second or subsequent offense.

Article 66 – Sentencing

Section 21-6614. Expungement of certain convictions, arrest records and diversion agreements.

(k)

(1) Subject to the disclosures required pursuant to subsection (i), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose arrest records, conviction or diversion of a crime has been expunged under this statute may state that such person has never been arrested, convicted or diverted of such crime.

(2) Notwithstanding the provisions of subsection (k)(1), and except as provided in K.S.A. 2019 Supp. 21-6304(a)(3)(A), and amendments thereto, the expungement of a prior felony conviction does not relieve the individual of complying with any state or federal law relating to the use, shipment, transportation, receipt or possession of firearms by persons previously convicted of a felony.

Chapter 75 – State Departments; Public Officers and Employees
Article 7c – Firearms – Concealed Firearms

Section 75-7c02. Definitions.

As used in the personal and family protection act:

- (a) **“Attorney general”** means the attorney general of the state of Kansas.
- (b) **“Handgun”** means a **“firearm,”** as defined in K.S.A. 75-7b01, and amendments thereto.
- (c) **“Athletic event”** means athletic instruction, practice or competition held at any location and including any number of athletes.
- (d) **“Dependent”** means a resident of the household of an active duty member of any branch of the armed forces of the United States who depends in whole or in substantial part upon the member for financial support.

Section 75-7c03. License to carry concealed handgun; issuance; form

- (a) The attorney general shall issue licenses to carry concealed handguns to persons who comply with the application and training requirements of this act and who are not disqualified under K.S.A. 75-7c04, and amendments thereto. Such licenses shall be valid throughout the state for a period of 4 years from the date of issuance. The availability of licenses to carry concealed handguns under this act shall not be construed to impose a general prohibition on the carrying of handguns without such license, whether carried openly or concealed, or loaded or unloaded.
- (b) The license shall be a separate card, in a form prescribed by the attorney general, that is approximately the size of a Kansas driver's license and shall bear the licensee's signature, name, address, date of birth and driver's license number or nondriver's identification card number except that the attorney general shall assign a unique number for military applicants or their dependents described in K.S.A. 75-7c05(a)(1)(B), and amendments thereto.

Section 75-7c04. Same; disqualifications; handgun safety and training course; training requirements for license in other jurisdictions, list

- (a) The attorney general shall not issue a license pursuant to this act if the applicant:
 - (1) Is not a resident of the county where application for licensure is made or is not a resident of the state;
 - (2) is prohibited from shipping, transporting, possessing or receiving a firearm or ammunition under 18 U.S.C. § 922(g) or (n), and amendments thereto, or K.S.A. 21-4204, prior to its repeal, or K.S.A. 2019 Supp. 21-6301(a)(10) through (a)(13) or K.S.A. 2019 Supp. 21-6304(a)(1) through (a)(3), and amendments thereto; or
 - (3) is less than 21 years of age.
- (b)
 - (1) The attorney general shall adopt rules and regulations establishing procedures and standards as authorized by this act for an 8-hour handgun safety and training course required by this section. Such standards shall include:
 - (A) A requirement that trainees receive training in the safe storage of handguns, actual firing of handguns and instruction in the laws of this state governing the carrying of concealed handguns and the use of deadly force;
 - (B) general guidelines for courses which are compatible with the industry standard for basic handgun training for civilians;
 - (C) qualifications of instructors; and
 - (D) a requirement that the course be:
 - (i) A handgun course certified or sponsored by the attorney general; or
 - (ii) a handgun course certified or sponsored by the national rifle association or by a law enforcement agency, college, private or public institution or organization or handgun training school, if the attorney general determines that such course meets or exceeds the standards required by rules and regulations adopted by the attorney general and is taught by instructors certified by the attorney general or by the national rifle association, if the attorney general determines that the requirements for certification of instructors by such association meet or exceed the standards required by rules and regulations adopted by the attorney general. Any person wanting to be certified by the attorney general as an instructor shall submit to the attorney general an application in the form required by the attorney general and a fee not to exceed \$150.
 - (2) The cost of the handgun safety and training course required by this section shall be paid by the applicant. The following shall constitute satisfactory evidence of satisfactory completion of an approved handgun safety and training course:

- (A) Evidence of completion of a course that satisfies the requirements of subsection (b)(1), in the form provided by rules and regulations adopted by the attorney general;
- (B) an affidavit from the instructor, school, club, organization or group that conducted or taught such course attesting to the completion of the course by the applicant;
- (C) evidence of completion of a course offered in another jurisdiction which is determined by the attorney general to have training requirements that are equal to or greater than those required by this act; or
- (D) a determination by the attorney general pursuant to subsection (c).

(c) The attorney general may:

- (1) Create a list of concealed carry handgun licenses or permits issued by other jurisdictions which the attorney general finds have training requirements that are equal to or greater than those of this state; and
- (2) review each application received pursuant to K.S.A. 75-7c05, and amendments thereto, to determine if the applicant's previous training qualifications were equal to or greater than those of this state.

(d) For the purposes of this section:

- (1) **"Equal to or greater than"** means the applicant's prior training meets or exceeds the training established in this section by having required, at a minimum, the applicant to:
 - (A) Receive instruction on the laws of self-defense; and
 - (B) demonstrate training and competency in the safe handling, storage and actual firing of handguns.
- (2) **"Jurisdiction"** means another state or the District of Columbia.
- (3) **"License or permit"** means a concealed carry handgun license or permit from another jurisdiction which has not expired and, except for any residency requirement of the issuing jurisdiction, is currently in good standing.

Section 75-7c05. Same; application; fees; fingerprints; criminal history records report; issuance or denial of license; retired law enforcement officers; corrections officers.

(a) The application for a license pursuant to this act shall be completed, under oath, on a form prescribed by the attorney general and shall only include:

(1)

(A) Subject to the provisions of subsection (a)(1)(B), the name, address, social security number, Kansas driver's license number or Kansas nondriver's license identification number, place and date of birth, a photocopy of the applicant's driver's license or nondriver's identification card and a photocopy of the applicant's certificate of training course completion; (B) in the case of an applicant who presents proof that such person is on active duty with any branch of the armed forces of the United States, or is the dependent of such a person, and who does not possess a Kansas driver's license or Kansas nondriver's license identification, the number of such license or identification shall not be required;

- (2) a statement that the applicant is in compliance with criteria contained within K.S.A. 2019 Supp. 75-7c04, and amendments thereto;
- (3) a statement that the applicant has been furnished a copy of this act and is knowledgeable of its provisions;
- (4) a conspicuous warning that the application is executed under oath and that a false answer to any question, or the submission of any false document by the applicant, subjects the applicant to criminal prosecution under K.S.A. 2019 Supp. 21-5903, and amendments thereto; and
- (5) a statement that the applicant desires a concealed handgun license as a means of lawful self-defense.

(b) Except as otherwise provided in subsection (i), the applicant shall submit to the sheriff of the county where the applicant resides, during any normal business hours:

- (1) A completed application described in subsection (a);
- (2) a nonrefundable license fee of \$132.50, if the applicant has not previously been issued a statewide license or if the applicant's license has permanently expired, which fee shall be in the form of two cashier's checks, personal checks or money orders of \$32.50 payable to the sheriff of the county where the applicant resides and \$100 payable to the attorney general;
- (3) if applicable, a photocopy of the proof of training required by K.S.A. 75-7c04(b)(1), and amendments thereto; and
- (4) a full frontal view photograph of the applicant taken within the preceding 30 days.

(c)

(1) Except as otherwise provided in subsection (i), the sheriff, upon receipt of the items listed in subsection (b), shall provide for the full set of fingerprints of the applicant to be taken and forwarded to the attorney general for purposes of a criminal history records check as provided by subsection (d). In addition, the sheriff shall forward to the attorney general the application and the portion of the original license fee which is payable to the attorney general. The cost of taking such fingerprints shall be included in the portion of the fee retained by the sheriff. Notwithstanding anything in this section to the contrary, an applicant shall not be required to submit fingerprints for a renewal application under K.S.A. 2018 Supp. 75-7c08, and amendments thereto.

(2) The sheriff of the applicant's county of residence or the chief law enforcement officer of any law enforcement agency, at the sheriff's or chief law enforcement officer's discretion, may participate in the process by submitting a voluntary report to the attorney general containing readily discoverable information, corroborated through public records, which, when combined with another enumerated factor, establishes that the applicant poses a significantly greater threat to law enforcement or the public at large than the average citizen. Any such voluntary reporting shall be made within 45 days after the date the sheriff receives the application. Any sheriff or chief law enforcement officer submitting a voluntary report shall not incur any civil or criminal liability as the result of the good faith submission of such report.

(3) All funds retained by the sheriff pursuant to the provisions of this section shall be credited to a special fund of the sheriff's office which shall be used solely for the purpose of administering this act.

(d) Each applicant shall be subject to a state and national criminal history records check which conforms to applicable federal standards, including an inquiry of the national instant criminal background check system for the purpose of verifying the identity of the applicant and whether the applicant has been convicted of any crime or has been the subject of any restraining order or any mental health related finding that would disqualify the applicant from holding a license under this act. The attorney general is authorized to use the information obtained from the state or national criminal history record check to determine the applicant's eligibility for such license.

(e) Within 90 days after the date of receipt of the items listed in subsection (b), the attorney general shall:

(1) Issue the license and certify the issuance to the department of revenue; or

(2) deny the application based solely on: (A) The report submitted by the sheriff or other chief law enforcement officer under subsection (c)(2) for good cause shown therein; or (B) the ground that the applicant is disqualified under the criteria listed in K.S.A. 2018 Supp. 75-7c04, and amendments thereto. If the attorney general denies the application, the attorney general shall notify the applicant in writing, stating the ground for denial and informing the applicant the opportunity for a hearing pursuant to the Kansas administrative procedure act.

(f) Each person issued a license shall pay to the department of revenue a fee for the cost of the license which shall be in amounts equal to the fee required pursuant to K.S.A. 8-243 and 8-246, and amendments thereto, for replacement of a driver's license.

(g)

(1) A person who is a retired law enforcement officer, as defined in K.S.A. 2019 Supp. 21-5111, and amendments thereto, shall be: (A) Required to pay an original license fee as provided in subsection (b)(2), to be forwarded by the sheriff to the attorney general; (B) exempt from the required completion of a handgun safety and training course if such person was certified by the Kansas commission on peace officer's standards and training, or similar body from another jurisdiction, not more than eight years prior to submission of the application; (C) required to pay the license renewal fee; (D) required to pay to the department of revenue the fees required by subsection (f); and (E) required to comply with the criminal history records check requirement of this section.

(2) Proof of retirement as a law enforcement officer shall be required and provided to the attorney general in the form of a letter from the agency head, or their designee, of the officer's retiring agency that attests to the officer having retired in good standing from that agency as a law enforcement officer for reasons other than mental instability and that the officer has a nonforfeitable right to benefits under a retirement plan of the agency.

(h) A person who is a corrections officer, a parole officer or a corrections officer employed by the federal bureau of prisons, as defined by K.S.A. 75-5202, and amendments thereto, shall be: (1) Required to pay an original license fee as provided in subsection (b)(2); (2) exempt from the required completion of a handgun safety and training course if such person was issued a certificate of firearms training by the department of corrections or the federal bureau of prisons or similar body not more than one year prior to submission of the application; (3) required to pay the license renewal fee; (4) required to pay to the department of revenue the fees required by subsection (f); and (5) required to comply with the criminal history records check requirement of this section.

(i) A person who presents proof that such person is on active duty with any branch of the armed forces of the United States and is stationed at a United States military installation located outside this state, may submit by mail an application described in subsection (a) and the other materials required by subsection (b) to the sheriff of the county where the applicant resides. Provided the applicant is fingerprinted at a United States military installation, the applicant may submit a

full set of fingerprints of such applicant along with the application. Upon receipt of such items, the sheriff shall forward to the attorney general the application and the portion of the original license fee which is payable to the attorney general.

Section 75-7c25. Orders of involuntary commitment for treatment of mental illness or alcohol or substance abuse; entry in certain databases; possession of firearms prohibited, when.

(a) After July 1, 2007, all orders of involuntary commitment for care and treatment pursuant to K.S.A. 59-2966 or 59-29b66, and amendments thereto, and any orders of termination of discharge shall be immediately forwarded to the Kansas bureau of investigation for entry into the appropriate state and federal databases.

(b) Upon a finding that the mentally ill person is a danger to self or others, the court shall notify the mentally ill person subject to involuntary commitment for care and treatment that it is a violation of the law to possess a firearm. Upon a finding that a proposed patient is a person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment, the court shall notify the person that it is a violation of the law to possess a firearm. Upon release, the state hospital shall notify the patient that it is a violation of the law for the patient to possess a firearm and provide information to the patient regarding the restoration procedure.

Section 75-7c26. Discharge of person involuntarily committed for treatment for mental illness or alcohol or substance abuse; restoration of ability to legally possess firearm, when.

(a) a person who has been discharged pursuant to K.S.A. 59-2973 or 59-29b73, and amendments thereto, may file a petition in the court where treatment was ordered pursuant to K.S.A. 59-2966 or 59-29b66, and amendments thereto, for the restoration of the ability to legally possess a firearm.

(b) Notice of the filing of such petition shall be served on the petitioner who originally filed the action pursuant to K.S.A. 59-2952, 59-2957, 59-29b52 or 59-29b57, and amendments thereto, or the petitioner's attorney and the county or district attorney as appropriate.

(c) If the court finds the person is no longer likely to cause harm to such person's self or others, the court shall issue a certificate of restoration to the person. Such restoration shall have the effect of restoring the person's ability to legally possess a firearm, and the certification of restoration shall so state.

(d) The certificate of registration issued pursuant to this section shall only apply to the possession of a firearm for the purposes of an alleged violation of subsection (a)(7) of K.S.A. 21-4204, prior to its repeal, or subsection (a)(13) of K.S.A. 21-6301, and amendments thereto.

Section 75-7c27. Petition for relief of firearm prohibitions; procedure.

(a) An individual who has been adjudicated as a mentally ill person subject to involuntary commitment for care and treatment, or who is prohibited from shipping, transporting, possessing or receiving firearms or ammunition by subsection (d)(4) or (g)(4) of 18 U.S.C. § 922, may petition for relief of disabilities for the purpose of firearm prohibitions imposed under state and federal laws.

(b) A petitioner shall submit such petition to a court of competent jurisdiction within this state.

(c) The court may only consider petitions for relief due to mental health adjudications or commitments that occurred within the state.

(d) The court shall consider the petition for relief, in accordance with the principles of due process. Such petitioner shall submit, and such court shall receive and consider:

(1) The circumstances regarding the firearm disability imposed by federal law;

(2) such petitioner's mental health records;

(3) such petitioner's criminal history records; and

(4) such petitioner's reputation, developed through character witness statements, testimony or other character evidence.

(e) The court shall grant relief only if such court determines there is clear and convincing evidence that:

(1) The petitioner will not be likely to act in a manner dangerous to public safety; and

(2) granting such relief would not be contrary to the public interest.

(f) If the court denies the petition for relief, the petitioner may petition a court of proper jurisdiction for a de novo judicial review of the court's decision to deny such petition.

(g) Documentation of a granted petition shall be submitted to the Kansas bureau of investigation. The Kansas bureau of investigation shall immediately cause such order to be entered into the appropriate state and federal databases.

(h) As used in this section:

(1) **“Mentally ill person subject to involuntary commitment for care and treatment”** has the same meaning as defined in K.S.A. 59-2946, and amendments thereto.

(2) **“Due process”** requires that:

- (A) The petitioner shall have the opportunity to submit such petitioner's own evidence to the court;
- (B) an independent decision maker, other than the individual who gathered the evidence for the court acting on the application, shall review such evidence; and
- (C) a record of the proceedings shall be created and maintained for review.

Atwood Code of Ordinances

Current through Ordinance 881, enacted July 19, 2018. (Supplement 4)

Chapter 46 – Zoning

Article III – Districts

Division 2 – Regulations Applicable to Multiple Districts

Section 46-251. Table of permitted uses.

The following table summarizes uses permitted in each of the zoning districts described in this article:

Land Use Category	Code	Permitted Zoning District									
		A1	R1	R2	R3	MH	MP	C1	C2	M1	M2
Ammunition Manufacturing and Complete Assembly of Guided Missiles and Space Vehicles	3412										
Ammunition, Small Arms, Manufacturing	3416										P
Guns, Small Arms, Manufacturing	3415										P

Baxter Springs Code of Ordinances

Current through Ordinance 944, passed November 26, 2019.

Title 9 – Public Peace, Morals and Welfare

Chapter 9.40 – Firearms

Section 9.40.01 Definition.

As used in this chapter, the term **“firearm”** shall mean any handgun, pistol, or revolver.

Section 9.40.02 Prohibited places.

Pursuant to the Personal and Family Protection Act, Chapter 32 of the 2006 Session Laws of Kansas, as amended by Chapter 210 of the 2006 Session Laws of Kansas, it shall be unlawful to carry a concealed firearm into:

(m) Any elementary or secondary school building or structure used for student instruction or attendance, attendance center, administrative office, services center or other facility;

Derby Code of Ordinances

Current through Ordinance 2370, enacted November 13, 2018. (Supplement 17)

Title 9 – Crimes and Offenses

Chapter 9.28 – Offenses Against Public Safety

Section 9.28.010. Criminal use of weapons.

A. Criminal use of weapons is knowingly:

- 4. Selling, giving or otherwise transferring any firearm with a barrel less than twelve inches long to any person under eighteen years of age whether the person knows or has reason to know the length of the barrel;
- 5. Selling, giving or otherwise transferring any firearms to any person who is both addicted to and an unlawful user of a controlled substance;
- 6. Selling, giving or otherwise transferring any firearm to any person who is or has been a mentally ill person subject to involuntary commitment for care and treatment, as defined in K.S.A. 59-2946, and amendments thereto, or a person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment as defined in K.S.A. 59-29b46, and amendments thereto;
- 7. Possessing any firearm by a person who is both addicted to and an unlawful user of a controlled substance;

8. Possessing any firearm by any person, other than a law enforcement officer, in or on any school property or grounds upon which is located a building or structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of pupils enrolled in kindergarten or any of the grades one through twelve or at any regularly scheduled school sponsored activity or event whether the person knows or has reason to know that such person was in or on any such property or grounds;

10. Possessing a firearm with a barrel less than twelve inches long by any person less than eighteen years of age.

D. Subsection A.8. shall not apply to:

1. Possession of any firearm in connection with a firearms safety course of instruction or firearms education course approved and authorized by the school;
2. Possession of any firearm specifically authorized in writing by the superintendent of any unified school district or the chief administrator of any accredited nonpublic school;
3. Possession of a firearm secured in a motor vehicle by a parent, guardian, custodian or someone authorized to act in such person's behalf who is delivering or collecting a student;
4. Possession of a firearm secured in a motor vehicle by a registered voter who is on the school grounds, which contain a polling place for the purpose of voting during polling hours on an election day; or
5. Possession of a concealed handgun by an individual who is not prohibited from possessing a firearm under either federal or state law.

E. Subsection A.6. shall not apply to a person who has received a certificate of restoration pursuant to K.S.A. 75-7c26, and amendments thereto.

F. Subsection A.10. shall not apply if such person, less than eighteen years of age, was:

1. In attendance at a hunter's safety course or a firearms safety course;
2. Engaging in practice in the use of such firearm or target shooting at an established range authorized by the governing body of the jurisdiction in which such range is located, or at another private range with permission of such person's parent or legal guardian;
3. Engaging in an organized competition involving the use of such firearm, or participating in or practicing for a performance by an organization exempt from federal income tax pursuant to section 501(c)(3) of the Internal Revenue Code of 1986 which uses firearms as a part of such performance;
4. Hunting or trapping pursuant to a valid license issued to such person pursuant to article 9 of chapter 32 of the Kansas Statutes Annotated, and amendments thereto;
5. Traveling with any such firearm in such person's possession being unloaded to or from any activity described in subsections F.1. through F.4., only if such firearm is secured, unloaded and outside the immediate access of such person;
6. On real property under the control of such person's parent, legal guardian or grandparent and who has the permission of such parent, legal guardian or grandparent to possess such firearm; or
7. At such person's residence and who, with the permission of such person's parent or legal guardian, possesses such firearm for the purpose of exercising the rights contained in K.S.A. 21-5222, 21-5223 or 21-5225, and amendments thereto.

Section 9.28.050. Criminal distribution of firearms to a felon.

A. Criminal distribution of firearms to a felon is knowingly:

1. Selling, giving or otherwise transferring any firearm to any person who, within the preceding five years, has been convicted of a felony, other than those specified in subsection C., under the laws of this or any other jurisdiction or has been released from imprisonment for a felony and was not found to have been in possession of a firearm at the time of the commission of the felony;
2. Selling, giving or otherwise transferring any firearm to any person who, within the preceding ten years, has been convicted of a felony to which this subsection applies, but was not found to have been in possession of a firearm at the time of the commission of the felony, or has been released from imprisonment for such a felony, and has not had the conviction of such felony expunged or been pardoned for such felony; or
3. Selling, giving or otherwise transferring any firearm to any person who has been convicted of a felony under the laws of this or any other jurisdiction and was found to have been in possession of a firearm at the time of the commission of the felony.

C. Subsection A.2. shall apply to a felony under K.S.A. 21-5402, 21-5403, 21-5404, 21-5405, 21-5408, subsection (b) or (d) of 21-5412, subsection (b) or (d) of 21-5413, subsection (a) or (b) of 21-5415, subsection (b) of 21-5420, 21-5503, subsection (b) of 21-5504, subsection (b) of 21-5505, and subsection (b) of 21-5807, and amendments thereto, K.S.A. 21-5705 or 21-5706, and amendments thereto, or K.S.A. 21-3401, 21-3402, 21-3403, 21-3404, 21-3410, 21-3411, 21-3414, 21-3415, 21-3419, 21-3420, 21-3421, 21-3427, 21-3442, 21-3502, 21-3506, 21-3518, 21-3716, 65-4127a, 65-4127b or 65-4160 through 65-4165, prior to their repeal, or a crime under a law of another jurisdiction which is substantially the same as such felony.

D. It is not a defense that the distributor did not know or have reason to know:

1. The precise felony the recipient committed;
2. That the recipient was in possession of a firearm at the time of the commission of the recipient's prior felony; or
3. That the convictions for such felony have not been expunged or pardoned.

Fairway Code of Ordinances

Current through Ordinance 1705, enacted October 14, 2019. (Supplement 5)

Chapter 8 – Offenses and Miscellaneous Provisions

Article II – Uniform Public Offense Code

Section 8-27. Criminal use of weapons.

Section 10.1 of the 2019 UPOC is hereby amended by deleting existing Section 10.1 and inserting in place thereof the following:

Section 10.1 Criminal Use of Weapons.

(1) Criminal use of weapons is knowingly:

- c. Selling, giving or otherwise transferring any firearm with a barrel less than twelve inches (12") long to any person under eighteen (18) years of age whether the person knows or has reason to know the length of the barrel;
- d. Selling, giving or otherwise transferring any firearms to any person who is both addicted to and an unlawful user of an controlled substance;
- e. Selling, giving or otherwise transferring any firearm to any person who is or has been a mentally ill person subject to involuntary commitment for care and treatment, as defined in K.S.A. 59-2946, and amendments thereto, or a person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment as defined in K.S.A. 59-29b46, and amendments thereto;
- f. Possession of any firearm by a person who is both addicted to and an unlawful user of a controlled substance;
- g. Possession of any firearm by any person, other than a law enforcement officer, in or on any school property or grounds upon which is located a building or structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of pupils enrolled in kindergarten or any of the grades 1 through 12 or at any regularly scheduled school sponsored activity event whether the person knows or has reason to know that the person was in or on that property or grounds.
- i. Possessing a firearm with a barrel less than twelve inches (12") long by any person less than eighteen (18) years of age whether the person knows or has reason to know the length of the barrel.

(3) Subsection (1)a. shall not apply to:

- a. Law enforcement officers, or any person summoned by any officers to assist in making arrests or preserving the peace while actually engaged in assisting that officer;
- b. Wardens, superintendents, directors, security personnel and keepers of prisons, penitentiaries, jails or other institutions for the detention of persons accused or convicted of crime, while acting within the scope of their authority;
- c. Members of the armed services or reserve forces of the United States or the Kansas national guard while in the performance of their official duty; or
- d. The manufacture of, transportation to, or sale of weapons to a person authorized under Subsections (3)a., (3)b., and (3)c. to possess the weapons.

(4) Subsection (1)g. shall not apply to:

- a. Possession of any firearm in connection with a firearms safety course of instruction or firearms education course approved and authorized by the school;

- b. Any possession of any firearm specifically authorized in writing by the superintendent of any unified school district or the chief administrator of any accredited nonpublic school;
- c. Possession of a firearm secured in a motor vehicle by a parent, guardian, custodian or someone authorized to act in that person's behalf who is delivering or collecting a student;
- d. Possession of a firearm secured in a motor vehicle by a registered voter who is on the school grounds, which contained a polling place for the purpose of voting during polling hours on an election day; or
- e. Possession of a handgun by an individual who is licensed by the attorney general to carry a concealed handgun under K.S.A. Supp. 75-7c01 et seq., and amendments thereto.

(5) Subsection (1)e. shall not apply to a person who has received a certificate of restoration pursuant to K.S.A. 75-7c26, and amendments thereto.

(6) Subsection (1)i. shall not apply if that person, less than eighteen (18) years of age, was:

- a. In attendance at a hunter's safety course or a firearm safety course;
- b. Engaging in practice in the use of the firearm or target shooting at an established range authorized by the governing body of the jurisdiction in which the range is located;
- c. Engaging in an organized competition involving the use of the firearm, or participating in or practicing for a performance by an organization exempt from federal income tax pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986 which uses firearms as a part of the organization's performance;
- d. Hunting or trapping pursuant to a valid license issued to that person pursuant to K.S.A. Chapter 32, Article 9, and amendments thereto;
- e. Traveling with the firearm in that person's possession being unloaded to or from any activity described in subsections(6)a. through (6)d., only if the firearm is secured, unloaded and outside the immediate access of that person;
- f. On real property under the control of that person's parent, legal guardian or grandparent and who has the permission of that parent, legal guardian or grandparent to possess the firearm; or
- g. At that person's residence and who, with the permission of that person's parent or legal guardian, possesses the firearm for the purposes of exercising the rights contained in K.S.A. Supp. 21-5222, 21-5223 or 21-5225, and amendments thereto.

Junction City Code of Ordinances

Current through Ordinance G-1245, adopted August 6, 2019. (Supplement 15)

Title I – Public Health, Safety and Welfare

Chapter 220 – Offenses

Article IX – Offenses Against the Public Safety

Section 220.750. Criminal use of weapons.

A. Criminal use of a weapon is knowingly:

- 4. Selling, giving or otherwise transferring any firearm with a barrel less than twelve (12) inches long to any person under eighteen (18) years of age whether the person knows or has reason to know the length of the barrel;
- 5. Selling, giving or otherwise transferring any firearms to any person who is both addicted to and an unlawful use of a controlled substance;
- 6. Selling, giving or otherwise transferring any firearm to any person who is or has been a mentally ill person subject to involuntary commitment for care and treatment, as defined in K.S.A. 59-2946, and amendments thereto, or a person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment as defined in K.S.A. 59-29b46, and amendments thereto.
- 7. Possession of any firearm by a person who is both addicted to and an unlawful user of a controlled substance;
- 8. Possession of a firearm by any person, other than a law enforcement officer, in or on any school property or grounds upon which is located a building or structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of pupils enrolled in kindergarten or any of the grades 1 through 12 or at any regularly scheduled school sponsored activity or event whether the person knows or has reason to know that such person was in or on any such property or grounds; or

D. Subsection (A)(8) shall not apply to:

1. Possession of any firearm in connection with a firearms safety course of instruction or firearms education course approved or authorized by the school;
2. Any possession of any firearm specifically authorized in writing by the superintendent of any unified school district or the chief administrator of any accredited nonpublic school;
3. Possession of a firearm secured in a motor vehicle by a parent, guardian, custodian or someone authorized to act in such person's behalf who is delivering or collecting the student; or
4. Possession of a firearm secured in a motor vehicle by a registered voter who is on the school grounds, which contain a polling place for the purpose of voting during polling hours on an election day; or
5. Possession of a concealed handgun by an individual who is not prohibited from possessing a firearm under either federal or state law.

E. Subsection (A)(6) shall not apply to a person who has received a certificate of restoration pursuant to K.S.A. 75-7c26, and amendments thereto.

Section 220.753. Criminal distribution of firearms to a felon.

A. Criminal distribution of firearms to a felon is knowingly:

1. Selling, giving or otherwise transferring any firearm to any person who, within the preceding five (5) years, has been convicted of a felony, other than those specified in Subsection (C), under the laws of this or any other jurisdiction or has been released from imprisonment for a felony and was not found to have been in possession of a firearm at the time of the commission of the felony;
2. Selling, giving or otherwise transferring any firearm to any person who, within the preceding ten (10) years, has been convicted of a felony to which this subsection applies, but was not found to have been in possession of a firearm at the time of the commission of the felony, or has been released from imprisonment for such a felony, and has not had the conviction of such felony expunged or been pardoned for such felony; or
3. Selling, giving or otherwise transferring any firearm to any person who has been convicted of a felony under the laws of this or any other jurisdiction and was found to have been in possession of a firearm at the time of the commission of the felony.

C. Subsection (A)(2) shall apply to a felony under K.S.A. 21-5402, 21-5403, 21-5404, 21-5405, 21-5408, Subsection (b) or (d) of 21-5412, Subsection (b) or (d) of 21-5413, Subsection (a) or (b) of 21-5415, Subsection (b) of 21-5420, 21-5503, Subsection (b) of 21-5504, Subsection (b) of 21-5505, and Subsection (b) of 21-5807, and amendments thereto, K.S.A. 21-5705 or 21-5706, and amendments thereto, or K.S.A. 21-3401, 21-3402, 21-3403, 21-3404, 21-3410, 21-3411, 21-3414, 21-3415, 21-3419, 21-3420, 21-3421, 21-3427, 21-3442, 21-3502, 21-3506, 21-3518, 21-3716, 65-4127a, 65-4127b or 65-4160 through 65-4165, prior to their repeal, or a crime under a law of another jurisdiction which is substantially the same as such felony.

D. It is not a defense that the distributor did not know or have reason to know:

1. The precise felony the recipient committed;
2. that the recipient was in possession of a firearm at the time of the commission of the recipient's prior felony; or
3. that the convictions for such felony have not been expunged or pardoned.

Section 220.785. Possession of a firearm while under the influence.

A. Possession of a firearm under the influence is knowingly possessing or carrying a loaded firearm on or about such person, or within such person's immediate access and control while in a vehicle, while under the influence of alcohol or drugs, or both, to such a degree as to render such person incapable of safely operating a firearm.

C. This section shall not apply to:

1. A person who possesses or carries a firearm while in such person's own dwelling or place of business or on land owned or possessed by such person; or
2. The transitory possession or use of a firearm during an act committed in self-defense or in defense of another person or any other act committed if legally justified or excused, provided such possession or use lasts no longer than is immediately necessary.

**Title VI – Business and Occupation
Chapter 600 – Licenses and Occupation Taxes
Article II – Miscellaneous Licenses and Occupation Taxes**

Section 600.270. License for second-hand dealers.

A. Definitions.

- 1. Second-hand dealer** is any person engaged in the business of buying and/or selling used or second-hand personal property, or lending money on the security of personal property deposited with the person. Second-hand dealer includes but is not limited to pawnbrokers.
- 2. Second-hand personal property** is a tangible good which is not real property. Such personal property includes but is not limited to the following: firearms, knives, electronics, recording equipment, musical instruments, and other personal property regardless if it does or does not have an identifying brand/mark/number/etc. To qualify as secondhand personal property, it must be:
 - a. In a used condition;
 - b. Not in its original factory sealed packing; or
 - c. Both (i) and (ii).
- 3. Transaction** is the purchase, trade, or sale of second-hand personal property between a second-hand dealer and another person. A transaction can contain a single or multiple goods which constitute second-hand personal property as well as cash monies.

B. Any dealer in second-hand property operating within the City limits of the City of Junction City, Kansas, either from a fixed location or operating as at transient merchant shall, effective April 1, 2018, and in addition to any other requirement of law as provided in (F) below, obtain from the Junction City Police Department a license to operate as such a dealer. There shall be no cost for said license.

C. Any person, business, or agent acting as a dealer in second-hand property after May 1, 2018 without having a license as described hereinabove shall be guilty of a Class C misdemeanor.

D. Any person or entity licensed as described above shall report to the Junction City Police Department through Leads Online on or before Tuesday of each week a description of all second-hand property purchased, traded, or sold during the preceding calendar week. This report shall include the following information:

1. Item(s) purchased, traded, and/or sold;
2. Date and time of each transaction;
3. Accurate and detailed description of any and all property purchased or acquired during the regular course of business, including all trademarks, identification numbers, serial numbers, model numbers, brand names, and other identifying marks;
4. The actual price paid or the amount of money involved in each transaction.

E. Failure of any licensee to comply with this Section subjects the licensee to the loss of said license.

F. If a license is loss as described in Subsection E, then the second-hand dealer may seek reinstatement of said license upon coming into compliance with the other requirements of this Section.

G. This Section shall not be applicable to:

1. The sale of aluminum cans;
2. Charitable organizations;
3. Antique dealers;
4. Farm equipment and utility vehicle dealerships;
5. Automobile dealerships; and
6. Used or secondhand book stores.

Larned Code of Ordinances

Current through Ordinance 1603, passed July 1, 2019. (Supplement 17)

**Title 9 – Public Peace and Welfare
Chapter 9.28 – Offenses**

Section 9.28.020. Possession by minors, Parent responsibility.

It shall hereafter be unlawful for a parent, guardian or person in loco parentis to permit his or her child or ward under the age of eighteen (18) years of age to transport or to have in possession in the City of Larned, Kansas any gun, rifle, pistol, revolver, air gun, spring gun, pellet gun, BB gun, sling shot, bow and arrow or other firearm, unless such parent, guardian or person in loco parentis shall effectively prevent the discharge or firing thereof by such child or ward within the corporate limits of the City of Larned, Kansas.

Larned Zoning Ordinance and Subdivision Regulations

Current through Ordinance 1599, enacted May 6, 2019. (Supplement 7)

Appendix A

Land Use Category	Code	Permitted Zoning District															
		A1	A2		RS	R1	R2	R3	R4		C1	C2	C3		I1	I2	
Ammunition manufacturing and complete assembly of guided missiles and space vehicles	332993 332190																P
Ammunition, small arms - manufacturing	332439																P

Neodesha Code of Ordinances

Current through Ordinance 1722, enacted October 23, 2019. (Supplement 28)

Chapter 28 – Offenses and Miscellaneous Provisions

Section 28-5 Firearms.

(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Firearm means any handgun, pistol, or revolver.

(b) Concealed firearms. It shall be unlawful to carry a concealed firearm into:

(13) Any elementary or secondary school building or structure used for student instruction or attendance, attendance center, administrative office, services center or other facility;

(f) The prohibitions set forth in subsections (b) and (d) of this section shall apply both to the interiors of the structures on all such properties and to the exterior areas; provided, however, that the prohibitions shall not apply to persons who are otherwise lawfully in possession of any such firearm while in a motor vehicle which is located in an area designated for public vehicular traffic or for public vehicular parking.

(g) The prohibitions set forth in subsections (b) and (d) of this section shall not apply to any person identified under the exclusions set forth in K.S.A. 21-4201(b) or K.S.A. 21-4201(c) regarding the criminal use of weapons.

Olathe Code of Ordinances

Current through Ordinance 20-03, passed January 7, 2020.

**Title 9 – Public Offense Code
Chapter 9.12 – Offenses Against the Public Safety**

Section 9.01.110. General definitions.

“**Firearm**” means any weapon designed or having the capacity to propel a projectile by force of an explosion or combustion.

Section 9.12.030. Criminal Disposal of Firearms.

A. Criminal disposal of firearms is knowingly:

1. Selling, giving or otherwise transferring any firearm with a barrel less than 12 inches long to any person under 18 years of age;

2. Selling, giving or otherwise transferring any firearms to any person who is both addicted to and an unlawful user of a controlled substance;
3. Selling, giving or otherwise transferring any firearm to any person who, within the preceding five years, has been convicted of a felony, other than those specified in subsection 6, under the laws of this or any other jurisdiction or has been released from imprisonment for a felony and was found not to have been in possession of a firearm at the time of the commission of the offense;
4. Selling, giving or otherwise transferring any firearm to any person who, within the preceding 10 years, has been convicted of a felony to which this subsection applies, but was not found to have been in the possession of a firearm at the time of the commission of the offense, or has been released from imprisonment for such a crime, and has not had the conviction of such crime expunged or been pardoned for such crime; or
5. Selling, giving or otherwise transferring any firearm to any person who has been convicted of a felony under the laws of this or any other jurisdiction and was found to have been in possession of a firearm at the time of the commission of the offense.
6. Subsection 4 shall apply to a felony under K.S.A. 21-3401, 21-3402, 21-3403, 21-3404, 21-3410, 21-3411, 21-3414, 21-3415, 21-3419, 21-3420, 21-3421, 21-3427, 21-3442, 21-3502, 21-3506, 21-3518, 21-3716, K.S.A. 2009 Supp. 21-36a05 or 21-36a06, and amendments thereto or K.S.A. 65-4127a, 65-4127b, or 65-4159 through 65-4165, and 65-7006, prior to such section's repeal, or a crime under a law of another jurisdiction which is substantially the same as such felony.

Unified Development Ordinance
 Current through Ordinance 19-74, passed December 3, 2019
Chapter 18.20 – Zoning Districts

Section 18.20.500. Use matrix

Purpose: The permitted, conditional and accessory uses within each zoning district are set out in the Use Matrix, below.

Key: P = By right S = Special Use A = Accessory

Use	AG Agriculture	R-1 (Residential Single-Family)	R-2 (Residential Two-Family)	R-3 (Residential Low-Density MF)	R-4 (Residential Medium Density MF)	O (Office)	C-1 (Neighborhood Center)	C-2 (Community Center)	C-3 (Regional Center)	C-4 (Corridor Commercial)	BP (Business Park)	M-1 (Light Industrial)	M-2 (Heavy Industrial)	M-3 (Intense Industrial)	D (Downtown)-Core	D (Downtown)-Mixed Use	D (Downtown)-Santa Fe	LBCS Function	LBCS Structure	NAICS	Definition
Gun Shops and Gunsmiths									P	P										451110	An establishment principally engaged in selling, exchanging, or transferring firearms, handguns, rifles, or ammunition at wholesale or retail.

Key:

P = By Right

Pratt Code of Ordinances
 Current through Ordinance 1914, enacted December 16, 2019. (Supplement 19)

Title 5 – Business Licenses and Regulations
Chapter 5.08 – Pawnbrokers and Secondhand Dealers

Section 5.08.010. Regulation of pawnbrokers and secondhand dealers.

Every pawnbroker, gun dealer, antique dealer, and every secondhand dealer and junk dealer buying secondhand metals, diamonds, jewelry, clothing or any other secondhand articles, shall:

A. Keep at his or her place of business a register in which he or she shall enter in writing a minute description of any and all property pledged or purchased by the pawnbroker, and any and all property purchased or received by the secondhand dealer in the conduct of his or her business, including any number that may be in or upon any such article, together with the time of purchase and the name and place of residence (giving street and number if within the city), and the name of the person selling or leaving the property; also, the amount paid for such property, together with his or her original signature;

B. Shall make such entries immediately after the purchase of such property and such entries shall be made in ink and shall not in any manner be erased, obliterated or defaced;

C. It shall be the further duty of every such dealer or buyer to make out and deliver to the police of the city whenever demanded, within twelve (12) hours of the demand, a legible and correct copy from such register of all the property received during the preceding day, together with the time when received or purchased and a good description of the person or persons from whom the same was purchased, with the person's name and address, and the register of the dealer shall be open for inspection to any member of the police department at all reasonable hours.

Roeland Park Code of Ordinances

Current through Ordinance 989, enacted June 6, 2020. (Supplement 11)

Chapter V – Business Licenses and Regulations

Article 6 – Home Occupations

Section 5-603. Permitted Occupations.

The following are permitted home occupations providing they do not violate any of the provisions of Section 5-602:

(k) Firearms dealer, provided that gross sales do not exceed \$5,000.00 per year, that every person dealing firearms has a current valid federal firearms license and that not more than 12 transactions occur at the residence during any calendar year;

Article 9 – Pawnbrokers and Precious Metal Dealers

Section 5-902. Pledge or Purchase; Weapons.

No pawnbroker shall receive as a pledge or purchase any revolver, pistol, blackjack or sawed-off shotgun and no pawnbroker shall display in such pawnbroker's store window or place of business and such weapon for sale or offer any such weapon for sale.

Shawnee Code of Ordinances

Current through Ordinance 3316, enacted February 10, 2020. (Supplement 3, Update 1)

Title 17 – Zoning

Chapter 17.5 – Table of General Use Regulations

Section 17.51.010. Table of General Use Regulations.

The table of general use regulations set out in this section is a matrix designed to provide a listing of permitted, special use and non-permitted uses in each zoning district. Additionally, this list provides by reference other applicable sections of the code which may be applicable to a specific use, along with a parking code identification.

Land Use Category	PO	CN	CH	TSQ	PI	Special Conditions	Parking Code
Ammunition – Mfg.					S		

PO = Planned Office

CN = Commercial Neighborhood

CH = Commercial Highway

CH(O) = Commercial Highway Overlay

TSQ = Town Square

PI = Planned Industrial

P = Permitted Use

S = Special Use Permit Required

Blank = Use not permitted

Tonganoxie Code of Ordinances
Current through Ordinance 1484, passed March 2,2020.

Appendix A
Use Groups by Category

Category	Definition	Uses	R-R	R-E	R-SF	R-I	R-MF1	R-MF2	R-MF3	MHP	PUD-R	HBD	LBD	GBD	PUD-C	BP	ILT	IMD	IH	Com. Plan
Retail Sales/Service	The sale, lease or rental of new or used products to the general public. Also personal services, product repair or services for consumer and business goods.	Gun Shop												X	X		X			

Wyandotte County/Kansas City Code of Ordinances
Current through Ordinance O-60-19, passed September 12, 2019. (Supplement 35)

Chapter 22 – Miscellaneous Provisions and Offenses
Article V – Offenses Against Public Safety
Division 2 – Weapons
Subdivision I – In General

Section 22-177. Unlawful use of weapons.

(a) Unlawful use of weapons is knowingly:

(7) Selling, giving or otherwise transferring any firearm with a barrel less than 12 inches long to any person under 18 years of age whether the person knows or has reason to know the length of the barrel;

(8) Selling, giving or otherwise transferring any firearms to any person who is both addicted to and an unlawful user of a controlled substance;

(9) Selling, giving or otherwise transferring any firearm to any person who is or has been a mentally ill person subject to involuntary commitment for care and treatment, as defined in K.S.A. 59-2946, and amendments thereto, or a person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment as defined in K.S.A. 59-29b46, and amendments thereto;

(10) Possessing any firearm by a person who is both addicted to and an unlawful user of a controlled substance;

(11) Possessing any firearm by any person, other than a law enforcement officer in or on any school property or grounds upon which is located a building or structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of pupils enrolled in kindergarten or any of the grades 1 through 12 or at any regularly scheduled school sponsored activity or event whether the person knows or has reason to know that such person was in or on any such property or grounds;

(d) Subsection (a)(11) of this section shall not apply to:

(1) Possession of any firearm in connection with a firearms safety course of instruction or firearms education course approved and authorized by the school;

(2) Possession of any firearm specifically authorized in writing by the superintendent of any unified school district or the chief administrator of any accredited nonpublic school;

(3) Possession of a firearm secured in a motor vehicle by a parent, guardian, custodian or someone authorized to act in such person's behalf who is delivering or collecting a student;

(4) Possession of a firearm secured in a motor vehicle by a registered voter who is on the school grounds, which contain a polling place for the purpose of voting during polling hours on an election day; or

(5) Possession of a concealed handgun by an individual who is not prohibited from possessing a firearm under either federal or state law.

(e) Subsection (a)(9) shall not apply to a person who has received a certificate of restoration pursuant to K.S.A. Supp. 75-7c26, and amendments thereto.

Section 22-179. Record of sales and purchases.

No wholesale or retail dealer in firearms shall possess for the purpose of sale or sell any handgun unless such person keeps a full and complete record of the name of the maker, the model, the manufacturer's number, or other mark of identification of the firearm, the name and address of the person from whom purchased and to whom sold, and the date of such purchase or sale. Such record shall be open to inspection at all times to any police officer or other peace officer of the state.

Section 22-180. Criminal distribution of firearms to a felon.

(a) Criminal distribution of firearms to a felon is knowingly:

(1) Selling, giving or otherwise transferring any firearm to any person who, within the preceding five years, has been convicted of a felony, other than those specified in subsection (c), under the laws of this or any other jurisdiction or has been released from imprisonment for a felony and was not found to have been in possession of a firearm at the time of the commission of the felony;

(2) Selling, giving or otherwise transferring any firearm to any person who, within the preceding 10 years, has been convicted of a felony to which this subsection applies, but was not found to have been in possession of a firearm at the time of the commission of the felony, or has been released from imprisonment for such a felony, and has not had the conviction of such felony expunged or been pardoned for such felony; or

(3) Selling, giving or otherwise transferring any firearm to any person who has been convicted of a felony under the laws of this or any other jurisdiction and was found to have been in possession of a firearm at the time of the commission of the felony.

(c) Subsection (a)(2) shall apply to a felony under K.S.A. 21-5402, 21-5403, 21-5404, 21-5405, 21-5408, subsection (b) or (d) of 21-5412, subsection (b) or (d) of 21-5413, subsection (a) or (b) of 21-5415, subsection (b) of 21-5420, 21-5503, subsection (b) of 21-5504, subsection (b) of 21-5505, and subsection (b) of 21-5807, and amendments thereto, K.S.A. 21-5705 or 21-5706, and amendments thereto, or K.S.A. 21-3401, 21-3402, 21-3403, 21-3404, 21-3410, 21-3411, 21-3414, 21-3415, 21-3419, 21-3420, 21-3421, 21-3427, 21-3442, 21-3502, 21-3506, 21-3518, 21-3716, 65-4127a, 65-4127b or 65-4160 through 65-4165, prior to their repeal, or a crime under a law of another jurisdiction which is substantially the same as such felony.

(d) It is not a defense that the distributor did not know or have reason to know:

(1) The precise felony the recipient committed;

(2) That the recipient was in possession of a firearm at the time of the commission of the recipient's prior felony; or

(3) That the convictions for such felony have not been expunged or pardoned.

Subdivision II – Carrying of Firearms

Section 22-187. Definitions.

The following words, terms and phrases, when used in this subdivision, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Firearm means a weapon, as defined by new Section 2(b) of Senate Bill No. 418 adopted by the Kansas Legislature and found at Chapter 210 of the 2006 Session Law (Personal and Family Protection Act), and amendments thereto, or any other firearm.

Section 22-189. Carrying concealed weapons; prohibited acts.

(a) It shall be unlawful for any person licensed or recognized as a valid out-of-state licensee pursuant to the Personal and Family Protection Act, and amendments thereto, to carry a concealed weapon into:

(13) Any elementary or secondary school building or structure used for student instruction or attendance;