

1 **As Amended by House Committee**

2 *Session of 2001*

3
4 **HOUSE BILL No. 2155**

5
6 By Committee on Education

7
8 1-24

9
10 AN ACT concerning school safety; revising the definition of weapon;
11 amending K.S.A. 2000 Supp. 72-89a01 and 72-89c01 and repealing the
12 existing sections.

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

15 Section 1. K.S.A. 2000 Supp. 72-89a01 is hereby amended to read
16 as follows: 72-89a01. As used in this act:

17 (a) "Board of education" means the board of education of a unified
18 school district or the governing authority of an accredited nonpublic
19 school.

20 (b) "School" means a public school or an accredited nonpublic school.

21 (c) "Public school" means a school operated by a unified school dis-
22 trict organized under the laws of this state.

23 (d) "Accredited nonpublic school" means a nonpublic school partic-
24 ipating in the quality performance accreditation system.

25 (e) "Chief administrative officer of a school" means, in the case of a
26 public school, the superintendent of schools and, in the case of an ac-
27 credited nonpublic school, the person designated as chief administrative
28 officer by the governing authority of the school.

29 (f) "Federal law" means the individuals with disabilities education
30 act, section 504 of the rehabilitation act, the gun-free schools act of 1994,
31 and regulations adopted pursuant to such acts.

32 (g) "Secretary of education" means the secretary of the United States
33 department of education.

34 (h) "Weapon" means (1) any weapon which will or is designed to or
35 may readily be converted to expel a projectile by the action of an explo-
36 sive; (2) the frame or receiver of any weapon described in the preceding
37 example; (3) any firearm muffler or firearm silencer; (4) any explosive,
38 incendiary, or poison gas (A) bomb, (B) grenade, (C) rocket having a
39 propellant charge of more than four ounces, (D) missile having an explo-
40 sive or incendiary charge of more than ¼ ounce, (E) mine, or (F) similar
41 device; (5) any weapon which will, or which may be readily converted to,
42 expel a projectile by the action of an explosive or other propellant, and
43 which has any barrel with a bore of more than ½ inch in diameter; (6)

1 any combination of parts either designed or intended for use in converting
2 any device into any destructive device described in the two immediately
3 preceding examples, and from which a destructive device may be readily
4 assembled; (7) any bludgeon, sandclub, metal knuckles or throwing star;
5 (8) any knife, commonly referred to as a switch-blade, which has a blade
6 that opens automatically by hand pressure applied to a button, spring or
7 other device in the handle of the knife, or any knife having a blade that
8 opens or falls or is ejected into position by the force of gravity or by an
9 outward, downward or centrifugal thrust or movement; (9) *any electronic*
10 *device designed to discharge immobilizing levels of electricity, commonly*
11 *known as a stun gun.* The term “weapon” does not include within its
12 meaning (1) an antique firearm; (2) any device which is neither designed
13 nor redesigned for use as a weapon; (3) any device, although originally
14 designed for use as a weapon, which is redesigned for use as a signaling,
15 pyrotechnic, line throwing, safety, or similar device; (4) surplus ordinance
16 sold, loaned, or given by the secretary of the army pursuant to the pro-
17 visions of section 4684(2), 4685, or 4686 of title 10 of the United States
18 Code; (5) class C common fireworks.

19 Sec. 2. K.S.A. 2000 Supp. 72-89c01 is hereby amended to read as
20 follows: 72-89c01. As used in K.S.A. 2000 Supp. 72-89c01 and 72-89c02,
21 and amendments thereto:

22 (a) “Board of education” means the board of education of a unified
23 school district or the governing authority of an accredited nonpublic
24 school.

25 (b) “School” means a public school or an accredited nonpublic school.

26 (c) “Public school” means a school operated by a unified school dis-
27 trict organized under the laws of this state.

28 (d) “Accredited nonpublic school” means a nonpublic school partic-
29 ipating in the quality performance accreditation system.

30 (e) “Chief administrative officer of a school” means, in the case of a
31 public school, the superintendent of schools or a designee of the super-
32 intendent and, in the case of an accredited nonpublic school, the person
33 designated as chief administrative officer by the governing authority of
34 the school.

35 (f) “Weapon” means (1) any weapon which will or is designed to or
36 may readily be converted to expel a projectile by the action of an explo-
37 sive; (2) the frame or receiver of any weapon described in the preceding
38 example; (3) any firearm muffler or firearm silencer; (4) any explosive,
39 incendiary, or poison gas (A) bomb, (B) grenade, (C) rocket having a
40 propellant charge of more than four ounces, (D) missile having an explo-
41 sive or incendiary charge of more than ¼ ounce, (E) mine, or (F) similar
42 device; (5) any weapon which will, or which may be readily converted to,
43 expel a projectile by the action of an explosive or other propellant, and

1 which has any barrel with a bore of more than ½ inch in diameter; (6)
2 any combination of parts either designed or intended for use in converting
3 any device into any destructive device described in the two immediately
4 preceding examples, and from which a destructive device may be readily
5 assembled; (7) any bludgeon, sandclub, metal knuckles or throwing star;
6 (8) any knife, commonly referred to as a switch-blade, which has a blade
7 that opens automatically by hand pressure applied to a button, spring or
8 other device in the handle of the knife, or any knife having a blade that
9 opens or falls or is ejected into position by the force of gravity or by an
10 outward, downward or centrifugal thrust or movement; (9) *any electronic*
11 *device ~~designed~~ designed to discharge immobilizing levels of electricity,*
12 *commonly known as a stun gun.* The term “weapon” does not include
13 within its meaning (1) an antique firearm; (2) any device which is neither
14 designed nor redesigned for use as a weapon; (3) any device, although
15 originally designed for use as a weapon, which is redesigned for use as a
16 signaling, pyrotechnic, line throwing, safety, or similar device; (4) surplus
17 ordinance sold, loaned, or given by the secretary of the army pursuant to
18 the provisions of section 4684(2), 4685, or 4686 of title 10 of the United
19 States Code; (5) class C common fireworks.

20 (g) “Controlled substance” has the meaning ascribed thereto in
21 K.S.A. 65-4101, and amendments thereto.

22 (h) “Illegal drug” means a controlled substance but does not include
23 such a substance that is legally possessed or used under the supervision
24 of a licensed health-care professional or that is legally possessed or used
25 under authority of any federal or state law.

26 Sec. 3. K.S.A. 2000 Supp. 72-89a01 and 72-89c01 are hereby
27 repealed.

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

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