

**HOUSE BILL No. 2525**

By Representative O'Neal

1-15

10 AN ACT concerning crimes and punishment; relating to criminal use of  
11 explosives; amending K.S.A. 2003 Supp. 21-3731 and repealing the  
12 existing section.

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

15 Section 1. K.S.A. 2003 Supp. 21-3731 is hereby amended to read as  
16 follows: 21-3731. (a) Criminal use of explosives is the possession, manu-  
17 facture or transportation of commercial explosives; chemical compounds  
18 that form explosives; incendiary or explosive material, liquid or solid; det-  
19 onators; blasting caps; military explosive fuse assemblies; squibs; electric  
20 match or functional improvised fuse assemblies; or any completed explo-  
21 sive devices commonly known as pipe bombs or molotov cocktails. For  
22 purposes of this section, explosives shall not include ~~class "c" fireworks,~~  
23 legally obtained and transferred commercial explosives by licensed indi-  
24 viduals ~~and~~, ammunition ~~and~~, commercially available loading powders  
25 and products used as ammunition, **and class "c" 1.4 fireworks unless**  
26 **the class "c" 1.4 fireworks are used for a purpose not intended by**  
27 **manufacturers of class "c" 1.4 fireworks.**

28 (b) (1) Criminal use of explosives as defined in subsection (a) is a  
29 severity level ~~8~~ 6, person felony.

30 (2) Criminal use of explosives as defined in subsection (a) if: (A) The  
31 possession, manufacture or transportation is intended to be used to com-  
32 mit a crime or is delivered to another with knowledge that such other  
33 intends to use such substance to commit a crime; (B) a public safety  
34 officer is placed at risk to defuse such explosive; or (C) the explosive is  
35 introduced into a building in which there is another human being, is a  
36 severity level ~~6~~ 5, person felony.

37 Sec. 2. K.S.A. 2003 Supp. 21-3731 is hereby repealed.

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