

*As Amended by Senate Committee*

Session of 2004

**SENATE BILL No. 293**

By Senator Lyon  
(By Request)

12-30

11 AN ACT concerning schools; relating to the Kansas school safety and  
12 security act; amending K.S.A. 72-89a01 and repealing the existing  
13 section.

14

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

16 Section 1. K.S.A. 72-89a01 is hereby amended to read as follows: 72-  
17 89a01. As used in this act:

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

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

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

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

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

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

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

35 (h) "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 **this subsection**, and from which a destructive device~~  
 5 ~~may be readily assembled; ~~(7) (6)~~ any bludgeon, sandclub, metal knuckles~~  
 6 ~~or throwing star; ~~(8) (7)~~ any knife, commonly referred to as a switch-~~  
 7 ~~blade, which has a blade that opens automatically by hand pressure ap-~~  
 8 ~~plied to a button, spring or other device in the handle of the knife, or any~~  
 9 ~~knife having a blade that opens or falls or is ejected into position by the~~  
 10 ~~force of gravity or by an outward, downward or centrifugal thrust or move-~~  
 11 ~~ment; ~~or (9) (8)~~ any electronic device designed to discharge immobilizing~~  
 12 ~~levels of electricity, commonly known as a stun gun; **or (9) any weapon**~~  
 13 ~~**as defined by resolution of the board of education adopted pursuant**~~  
 14 ~~**to subsection (e) of K.S.A. 72-8205, and amendments thereto.** The~~  
 15 ~~term “weapon” does not include within its meaning~~

16 “Weapon” does not mean: (1) An antique firearm; (2) any device which  
 17 is neither designed nor redesigned for use as a weapon; (3) any device,  
 18 although originally designed for use as a weapon, which is redesigned for  
 19 use as a signaling, pyrotechnic, line throwing, safety, or similar device; (4)  
 20 surplus ordinance sold, loaned, or given by the secretary of the army  
 21 pursuant to the provisions of section 4684(2), 4685, or 4686 of title 10 of  
 22 the United States Code; (5) class C common fireworks.

23 ***New Sec. 2. A board of education may adopt a resolution pur-***  
 24 ***suant to subsection (e) of K.S.A. 72-8205, and amendments thereto,***  
 25 ***prohibiting, on school property, the possession of weapons which***  
 26 ***are not otherwise prohibited under K.S.A. 72-89a01 et seq., and***  
 27 ***amendments thereto.***

28 Sec. ~~2~~ 3. K.S.A. 72-89a01 is hereby repealed.

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