

**HOUSE BILL No. 2443**

By Representative Highberger

12-28

1 AN ACT concerning crimes, punishment and criminal procedure; relating  
2 to firearms; creating the crime of unlawful abandonment of a firearm.

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

5 Section 1. (a) Unlawful abandonment of a firearm is abandoning or  
6 otherwise leaving a firearm in a public place where such firearm may be  
7 accessible to a person other than the owner of such firearm, with no  
8 requirement of a culpable mental state.

9 (b) Unlawful abandonment of a firearm is a:

10 (1) Class C misdemeanor; or

11 (2) severity level 10, nonperson felony, if the unlawful conduct  
12 results in the bodily harm or death of a person.

13 (c) As used in this section:

14 (1) "Abandoning or otherwise leaving" means to place a firearm such  
15 that the person no longer has immediate access or control over such  
16 firearm.

17 (2) "Public place" means any area open to or used by the general  
18 public. A private residence shall not be considered a public place unless  
19 such residence is used for business purposes and is open to the general  
20 public.

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