

SESSION OF 2013

**CONFERENCE COMMITTEE REPORT BRIEF
HOUSE BILL NO. 2033**

As Agreed to April 2, 2013

Brief*

HB 2033 would prohibit municipalities from regulating the transportation, possession, carrying, sales, transfers, purchases, gifting, licensing, registration, or uses of a knife or knife-making components. In addition, the bill would prohibit a municipality from passing any ordinance, resolution, or rule that would be more restrictive regarding knife manufacturing than the manufacture of any other commercial product.

The bill would amend provisions related to the criminal use of weapons and criminal carrying of a weapon by removing certain types of knives, as well as by eliminating certain exceptions for carrying specific types of pocket knives and switchblade knives.

The bill also would exclude from the definition of municipality the following entities: school districts, jails, and juvenile correctional facilities.

The bill would reinstate throwing stars to lists of prohibited weapons in the criminal use and criminal possession statutes.

Conference Committee Action

The Conference Committee agreed to include language added by the Senate Committee of the Whole that would

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exclude school districts, jails, and juvenile correctional facilities from the definition of municipality and the provisions in the bill concerning knives.

The Conference Committee agreed to restore provisions deleted by the Senate Committee of the Whole that would have eliminated throwing stars from the current statutes pertaining to criminal possession and criminal use of weapons.

Background

Representatives Carlson and Howell appeared as proponents of the bill. In addition, a representative of Knife Rights, Inc. also supported the bill.

A representative of the Kansas Association of Chiefs of Police testified against the bill at the hearing in the House Committee on Federal and State Affairs.

The Senate Committee on Federal and State Affairs recommended the bill as passed by the House.

The Senate Committee of the Whole amended the bill to remove throwing stars from the statutes concerning criminal use and carrying of a weapon, and to change the definition of municipality to exclude school districts, jails, and juvenile correctional facilities from provisions in the bill.

Municipality is defined in KSA 75-3102 as any county, township, city, school district, or other political or taxing subdivision of the state, or any agency, authority, institution, or other instrumentality thereof. That statute is referenced in the bill for defining municipality.

The fiscal note provided by the Division of the Budget on the original bill indicated the League of Kansas Municipalities

reported the enactment of the bill would have no fiscal effect on cities.

knives; knife; municipality; school district; jails; juvenile detention facilities; weapon; criminal use of weapons; throwing star

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