



Legislation Details (With Text)

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Amending Chapter 50, Code of Ordinances, by adding a new Section 50-276 to prohibit the possession, manufacture, transport, repair, and sale of certain weapons.

Sponsors: Quinton Lucas, Andrea Bough, Ryana Parks-Shaw

Indexes:

Code sections:

Attachments: 1. Docket Memo 230642, 2. Authenticated Ordinance 230642

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| 8/3/2023 | 1 | Council | referred | |

ORDINANCE NO. 230642

Sponsor: Mayor Quinton Lucas

Amending Chapter 50, Code of Ordinances, by adding a new Section 50-276 to prohibit the possession, manufacture, transport, repair, and sale of certain weapons.

WHEREAS, firearm homicides and shootings are on the rise and Kansas City is on track to surpass its record setting year in 2020 where there were 179 homicides recorded by KCPD; and

WHEREAS, all shootings are dangerous, but shootings are even more dangerous to the public when weapons capable of firing multiple rounds in rapid succession are used; and

WHEREAS, machine guns, modified semi-automatic weapons, and other particularly dangerous weapons have been found throughout the city, used in shootings, and recovered by law enforcement in and around Kansas City, Missouri; and

WHEREAS, Section 21.750 of the Missouri Revised Statutes permits political subdivisions to pass any ordinance that “conforms exactly with any of the provisions of sections 571.010 to 571.070;” and

WHEREAS, Section 571.020 of the Missouri Revised Statutes prohibits the possession, manufacture, transport, repair, and sale of any firearm silencer or short-barreled rifle or shotgun in violation of federal law; and

WHEREAS, Section 571.020 of the Missouri Revised Statutes prohibits the possession, manufacture, transport, repair, and sale of any machine gun in violation of federal law; and

WHEREAS, federal law prohibits possessing, selling, and transferring machine guns, which include “switches/Glock switches,” “auto-sears,” “bump stocks,” and any other parts or combination of parts designed to convert a weapon into one capable of firing more than one shot by a single function of the trigger; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 50, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by adding a new Section 50-276, Possession-manufacture-transport-repair-sale of prohibited weapons, said section to read as follows:

Sec. 50-276: Possession-manufacture-transport-repair-sale of prohibited weapons.

(a) *Definitions.*

- (1) *Machine gun.* A “machine gun” is any firearm that is capable of firing more than one shot automatically, without manual reloading, by a single function of the trigger, regardless of whether the firearm was originally manufactured as a machine gun or was modified by a switch, Glock switch, auto sear, bump stock, trigger crank, or any other manufactured or homemade component. The word “machine gun” includes include any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun, and any combination of parts from which a machinegun can be assembled if such parts are in the possession or under the control of a person.
- (2) *Firearm silencer.* A “firearm silencer” is any instrument, attachment, or appliance that is designed or adapted to muffle the noise made by the firing of any firearm.
- (3) *Short barrel.* A “short barrel” is a barrel length of less than sixteen inches for a rifle and eighteen inches for a shotgun, both measured from the face of the bolt or standing breech, or an overall rifle or shotgun length of less than twenty-six inches.
- (4) *Shotgun.* A “shotgun” is any firearm designed or adapted to be fired from the shoulder and to use the energy of the explosive in a fixed shotgun shell to fire a number of shot or a single projectile through a smooth bore barrel by a single function of the trigger.

(b) *Unlawful possession, manufacture, transport, repair, or sale of a prohibited weapon.* A person commits the unlawful possession, manufacture, transport, repair, or sale of a prohibited weapon if the person knowingly possesses, manufactures, transports, repairs, or sells a machine gun, firearm silencer, or short-barreled rifle or shotgun in violation of federal law.

(c) *Violation.* Any person violating any provision of this section shall be deemed guilty of an ordinance violation.

(d) *Penalty.* The punishment for violating any provision of this section shall be the same as the punishment for the ordinance violation of unlawful use of weapons, which is defined by Sections 50-261 and 50-262.

(e) Severability. If any section, subsection, word, or phrase in this law is held unenforceable, invalid, or illegal, every other section, subsection, word, and phrase shall continue to have the full force and effect of law.

Approved as to form:

Alan Holtkamp
Senior Associate City Attorney