



Legislation Text

File #: 230643, Version: 1

ORDINANCE NO. 230643

Sponsor: Mayor Quinton Lucas

Amending Chapter 50, Code of Ordinances, by repealing and enacting a new Section 50-272 relating to the unlawful transfer of weapons to minor.

WHEREAS, youth violence is on the rise in Kansas City; and

WHEREAS, eight (8) individuals under the age of eighteen (18) were homicide suspects in 2022; and

WHEREAS, ten (10) individuals under the of eighteen (18) were murdered in 2022; and

WHEREAS, as of July 21st, there have already been nine (9) homicide victims under the age of 18 in 2023; and

WHEREAS, Section 571.060 of the Missouri Revised Statutes prohibits the sale, lease, loan, giving away, or delivery of any firearm to a person less than eighteen years old without the consent of the child's custodial parent or guardian; and

WHEREAS, for the purposes of Missouri's prohibition on delivering firearms to minors, Section 571.010 defines "firearm" as "any weapon that is designed or adapted to expel a projectile by the action of an explosive;" 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;" 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 repealing and enacting a new Section 50-272, Unlawful transfer of weapons; parental or guardian consent for delivery of a firearm to minors; failure to report stolen or lost firearm, and enacting in lieu thereof a new section of like number and subject matter, to read as follows:

Sec. 50-272. Unlawful transfer of weapons; parental or guardian consent for delivery of a firearm to minors; failure to report stolen or lost firearm.

(a) Definitions.

(1) Recklessly. The word "recklessly" as used in this section means a person who consciously

disregards a substantial and unjustifiable risk that circumstances exist or that a result will follow, and such disregard constitutes a gross deviation from the standard of care which a reasonable person would exercise in the situation.

(2) *Minor.* The word “minor” as used in this section means a person less than 18 years old.

(3) *Bullet-Cartridge.* An object consisting of a cartridge case, primer, powder, and projectile arranged in such a way that the projectile can be expelled by the action of an explosion.

(b) *Unlawful transfer of a weapon.* A person commits the unlawful transfer of a weapon if the person recklessly sells, leases, loans, gives away or delivers any firearm, which includes a bullet-cartridge, to a minor without the consent of the minor’s custodial parent or guardian; provided, that this does not prohibit the delivery of such weapons to any peace officer or member of the Armed Forces or National Guard while performing the officer's or member’s official duty

(c) *Violation.* A person violating this section shall be 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