

SCS HCS HB 2034 -- WEAPONS

This bill changes the laws regarding weapons. In its main provisions, the bill:

(1) Expands the criminal liability immunity for owners of firearm ranges to include authorized users of the ranges and immunity from any civil liability for actions arising out of the use of the firearm range;

(2) Specifies that all owners and authorized users of existing hunting preserves or areas that are designated as hunting preserves will be immune from any criminal and civil liability arising out of or as a consequence of noise or sound emission resulting from the normal use of the hunting preserve and the preserves will not be subject to an action for public or private nuisance or trespass. No firearm range or hunting preserve will be immune from civil liability for compensatory damage arising from physical injury to another person, tangible personal property, or fixtures or structures placed on real property;

(3) Specifies that a landowner who invites or allows any person to use the property for recreational purposes without charge confers upon the person the legal status of trespasser and does not assume responsibility for or incur liability for any injury to any person or property caused by an act or omission of the person while engaged in recreational activities without the failure to exercise just ordinary care;

(4) Defines "blasting agent" and "detonator" as they relate to an offense regarding weapons;

(5) Creates the crime of unlawful refusal to transfer a firearm when a person denies the sale of a firearm to a non-licensee solely on the basis that the non-licensee purchased a firearm that was later the subject of a trace request by law enforcement. Anyone violating this provision will be guilty of a class A misdemeanor;

(6) Specifies that no person may possess, manufacture, transport, repair, or sell a firearm silencer as a curio, ornament, or keepsake unless he or she is an importer, manufacturer, dealer, or collector licensed by federal law;

(7) Specifies that a person may be guilty of unlawful possession of a firearm if he or she knowingly has any firearm in his or her possession and has previously been convicted of a felony in this state or a crime in any other state that would be a felony in this state;

(8) Creates the crime of unlawful possession of an explosive weapon when a person possesses any explosive weapon and has pled guilty to or has been convicted of a dangerous felony, has attempted to commit a dangerous felony, has committed a crime in any other state which would be a dangerous felony in this state, has been imprisoned in this state or elsewhere during the five-year period immediately preceding the date of the possession, is a fugitive from justice, is habitually in an intoxicated or drugged condition, or is currently adjudged mentally incompetent. Anyone violating this provision will be guilty of a class C felony;

(9) Closes any records of permits to obtain concealable firearms retained by any sheriff prior to August 28, 2007, unless mandated by a court order relating to a criminal investigation; and

(10) Removes the requirement that a person must reside in the state for a period of six months prior to applying for a concealed carry endorsement.