

*{As Amended by Senate Committee of the Whole}*

**Substitute for SENATE BILL No. 65**

By Committee on Federal and State Affairs

2-5

<p>Balloun Amendments for          Substitute for Senate Bill No. 65 #2          House Committee on Federal and State Affairs          Prepared by Jason Long          Office of Revisor of Statutes          March 16, 2016</p>
--

1 AN ACT concerning firearms, relating to the personal and family  
 2 protection act; amending K.S.A. 2015 Supp. 75-7c10 and 75-7c20 and  
 3 repealing the existing sections.

relating to firearms, unlawful possession thereof; 21-6301,
--

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

Section 1. K.S.A. 2015 Supp. 75-7c10 is hereby amended to read as follows: 75-7c10. Subject to the provisions of K.S.A. 2015 Supp. 75-7c20, and amendments thereto:

(a) The carrying of a concealed handgun shall not be prohibited in any building unless such building is conspicuously posted in accordance with rules and regulations adopted by the attorney general.

(b) Nothing in this act shall be construed to prevent:

(+) any ~~public or~~ private employer from restricting or prohibiting by personnel policies persons from carrying a concealed handgun while on the premises of the employer's business or while engaged in the duties of the person's employment by the employer, except that no employer may prohibit possession of a handgun in a private means of conveyance, even if parked on the employer's premises; or

~~(2) any private business or city, county or political subdivision from restricting or prohibiting persons from carrying a concealed handgun within a building or buildings of such entity, provided that the building is posted in accordance with rules and regulations adopted by the attorney general pursuant to subsection (f), as a building where carrying a concealed handgun is prohibited.~~

(c) (1) Any private entity which provides adequate security measures in a private building and which conspicuously posts signage in accordance with this section prohibiting the carrying of a concealed handgun in such building shall not be liable for any wrongful act or omission relating to actions of persons carrying a concealed handgun concerning acts or omissions regarding such handguns.

(2) Any private entity which does not provide adequate security measures in a private building and which allows the carrying of a concealed handgun shall not be liable for any wrongful act or omission relating to actions of persons carrying a concealed handgun concerning acts or omissions regarding such handguns.

(3) Nothing in this act shall be deemed to increase the liability of any

1 private entity where liability would have existed under the personal and  
2 family protection act prior to the effective date of this act.

3 (d) The governing body or the chief administrative officer, if no  
4 governing body exists, of any of the following institutions may permit any  
5 employee, *who is legally qualified*, to carry a concealed handgun in any  
6 building of such institution, if the employee meets such institution's own  
7 policy requirements regardless of whether such building is conspicuously  
8 posted in accordance with the provisions of this section:

9 (1) A unified school district;

10 (2) A postsecondary educational institution, as defined in K.S.A. 74-  
11 3201b, and amendments thereto;

12 (3) a state or municipal-owned medical care facility, as defined in  
13 K.S.A. 65-425, and amendments thereto;

14 (4) a state or municipal-owned adult care home, as defined in K.S.A.  
15 39-923, and amendments thereto;

16 (5) a community mental health center organized pursuant to K.S.A.  
17 19-4001 et seq., and amendments thereto; or

18 (6) an indigent health care clinic, as defined by K.S.A. 2015 Supp.  
19 65-7402, and amendments thereto.

20 (e) *No public employer shall restrict or otherwise prohibit by  
21 personnel policies any employee, who is legally qualified, from carrying  
22 any concealed handgun while engaged in the duties of such employee's  
23 employment outside of such employer's place of business, including while  
24 in a means of conveyance.*

25 ~~(e)~~ (f) (1) It shall be a violation of this section to carry a concealed  
26 handgun in violation of any restriction or prohibition allowed by  
27 subsection (a) or (b) if the building is posted in accordance with rules and  
28 regulations adopted by the attorney general pursuant to subsection ~~(f)~~ (f).  
29 Any person who violates this section shall not be subject to a criminal  
30 penalty but may be subject to denial to such premises or removal from  
31 such premises.

32 (2) Notwithstanding the provisions of subsection (a) or (b), it is not a  
33 violation of this section for the United States attorney for the district of  
34 Kansas, the attorney general, any district attorney or county attorney, any  
35 assistant United States attorney if authorized by the United States attorney  
36 for the district of Kansas, any assistant attorney general if authorized by  
37 the attorney general, or any assistant district attorney or assistant county  
38 attorney if authorized by the district attorney or county attorney by whom  
39 such assistant is employed, to possess a handgun within any of the  
40 buildings described in subsection (a) or (b), subject to any restrictions or  
41 prohibitions imposed in any courtroom by the chief judge of the judicial  
42 district.

43 (3) Notwithstanding the provisions of subsection (a) or (b), it is not a

1 violation of this section for a law enforcement officer, as that term is  
2 defined in K.S.A. 2015 Supp. 75-7c22, and amendments thereto, who  
3 satisfies the requirements of either K.S.A. 2015 Supp. 75-7c22(a) or (b),  
4 and amendments thereto, to possess a handgun within any of the buildings  
5 described in subsection (a) or (b), subject to any restrictions or  
6 prohibitions imposed in any courtroom by the chief judge of the judicial  
7 district.

8 ~~(f)~~ (g) On and after July 1, 2014, the provisions of this section shall  
9 not apply to the carrying of a concealed handgun in the state capitol.

10 ~~(g)~~ (h) For the purposes of this section:

11 (1) "Adequate security measures" shall have the same meaning as the  
12 term is defined in K.S.A. 2015 Supp. 75-7c20, and amendments thereto;

13 (2) "building" shall not include any structure, or any area of any  
14 structure, designated for the parking of motor vehicles; and

15 (3) "public employer" means the state and any municipality as those  
16 terms are defined in K.S.A. 75-6102, and amendments thereto.

17 ~~(h)~~ (i) Nothing in this act shall be construed to authorize the carrying  
18 or possession of a handgun where prohibited by federal law.

19 ~~(i)~~ (j) The attorney general shall adopt rules and regulations  
20 prescribing the location, content, size and other characteristics of signs to  
21 be posted on a building where carrying a concealed handgun is prohibited  
22 pursuant to subsections (a) and (b). Such regulations shall prescribe, at a  
23 minimum, that:

24 (1) The signs be posted at all exterior entrances to the prohibited  
25 buildings;

26 (2) the signs be posted at eye level of adults using the entrance and  
27 not more than 12 inches to the right or left of such entrance;

28 (3) the signs not be obstructed or altered in any way; and  
29 (4) signs which become illegible for any reason be immediately  
30 replaced.

31 Sec. 2. K.S.A. 2015 Supp. 75-7c20 is hereby amended to read as  
32 follows: 75-7c20. (a) The carrying of a concealed handgun shall not be  
33 prohibited in any public area of any state or municipal building unless  
34 such ~~building~~ public area has adequate security measures to ensure that no  
35 weapons are permitted to be carried into such ~~building~~ public area and the  
36 ~~building~~ public area is conspicuously posted in accordance with K.S.A.  
37 2015 Supp. 75-7c10, and amendments thereto.

38 (b) ~~The carrying of a concealed handgun as authorized by the~~  
39 ~~personal and family protection act shall not be prohibited throughout any~~  
40 ~~state or municipal building which contains both public access entrances~~  
41 ~~and restricted access entrances shall provide adequate security measures at~~  
42 ~~the public access entrances in order to prohibit the carrying of any~~  
43 ~~weapons into such building in its entirety unless such building has~~

1 *adequate security measures at all public access entrances to ensure that*  
2 *no weapons are permitted to be carried into such building and the*  
3 *building is conspicuously posted in accordance with K.S.A. 2015 Supp.*  
4 *75-7c10, and amendments thereto.*

5 (c) No state agency or municipality shall prohibit an employee from  
6 carrying a concealed handgun at the employee's work place unless the  
7 building has adequate security measures *at all public access entrances to*  
8 *ensure that no weapons are permitted to be carried into such building* and  
9 the building is conspicuously posted in accordance with K.S.A. 2015  
10 Supp. 75-7c10, and amendments thereto.

11 (d) It shall not be a violation of the personal and family protection act  
12 for a person to carry a concealed handgun into a state or municipal  
13 building, *or any public area thereof*, so long as that person has authority to  
14 enter through a restricted access entrance into such building, *or public*  
15 *area thereof*, which provides adequate security measures *at all public*  
16 *access entrances* and the building, *or public area thereof* is  
17 conspicuously posted in accordance with K.S.A. 2015 Supp. 75-7c10, and  
18 amendments thereto.

19 (e) A state agency or municipality which provides adequate security  
20 measures in a state or municipal building and which conspicuously posts  
21 signage in accordance with K.S.A. 2015 Supp. 75-7c10, and amendments  
22 thereto, prohibiting the carrying of a concealed handgun in such building  
23 shall not be liable for any wrongful act or omission relating to actions of  
24 persons carrying a concealed handgun concerning acts or omissions  
25 regarding such handguns.

26 (f) A state agency or municipality which does not provide adequate  
27 security measures in a state or municipal building and which allows the  
28 carrying of a concealed handgun shall not be liable for any wrongful act or  
29 omission relating to actions of persons carrying a concealed handgun  
30 concerning acts or omissions regarding such handguns.

31 (g) Nothing in this act shall limit the ability of a corrections facility, a  
32 jail facility or a law enforcement agency to prohibit the carrying of a  
33 handgun or other firearm concealed or unconcealed by any person into any  
34 secure area of a building located on such premises, except those areas of  
35 such building outside of a secure area and readily accessible to the public  
36 shall be subject to the provisions of subsection (b) (a).

37 (h) Nothing in this section shall limit the ability of the chief judge of  
38 each judicial district to prohibit the carrying of a concealed handgun by  
39 any person into courtrooms or ancillary courtrooms within the district  
40 provided that other means of security are employed such as armed law  
41 enforcement or armed security officers.

42 (i) The governing body or the chief administrative officer, if no  
43 governing body exists, of a state or municipal building, may exempt the

1 building, *or any public area thereof*, from this section until January 1,  
2 2014, by notifying the Kansas attorney general and the law enforcement  
3 agency of the local jurisdiction by letter of such exemption. Thereafter,  
4 such governing body or chief administrative officer may exempt a state or  
5 municipal building ~~for a period of only four years~~, *or any public area*  
6 *thereof, until July 1, 2017*, by adopting a resolution, or drafting a letter,  
7 listing the legal description of such building, listing the reasons for such  
8 exemption, and including the following statement: "A security plan has  
9 been developed for the building being exempted which supplies adequate  
10 security to the occupants of the building and merits the prohibition of the  
11 carrying of a concealed handgun." A copy of the security plan for the  
12 building shall be maintained on file and shall be made available, upon  
13 request, to the Kansas attorney general and the law enforcement agency of  
14 local jurisdiction. Notice of this exemption, together with the resolution  
15 adopted or the letter drafted, shall be sent to the Kansas attorney general  
16 and to the law enforcement agency of local jurisdiction. The security plan  
17 shall not be subject to disclosure under the Kansas open records act.

18 (j) The governing body or the chief administrative officer, if no  
19 governing body exists, of any of the following institutions may exempt  
20 any building of such institution, *or any public area thereof*, from this  
21 ~~section for a period of only four years until July 1, 2017~~, by stating the  
22 reasons for such exemption and sending notice of such exemption to the  
23 Kansas attorney general:

24 (1) A state or municipal-owned medical care facility, as defined in  
25 K.S.A. 65-425, and amendments thereto;

26 (2) a state or municipal-owned adult care home, as defined in K.S.A.  
27 39-923, and amendments thereto;

28 (3) a community mental health center organized pursuant to K.S.A.  
29 19-4001 et seq, and amendments thereto;

30 (4) an indigent health care clinic, as defined by K.S.A. 2015 Supp.  
31 65-7402, and amendments thereto; or

32 (5) a postsecondary educational institution, as defined in K.S.A. 74-  
33 3201b, and amendments thereto, including any buildings located on the  
34 grounds of such institution and any buildings leased by such institution.

35 (k) The provisions of this section shall not apply to any building  
36 located on the grounds of the Kansas state school for the deaf or the  
37 Kansas state school for the blind.

38 (l) Nothing in this section shall be construed to prohibit any law  
39 enforcement officer, as defined in K.S.A. 2015 Supp. 75-7c22, and  
40 amendments thereto, who satisfies the requirements of either K.S.A. 2015  
41 Supp. 75-7c22(a) or (b), and amendments thereto, from carrying a  
42 concealed handgun into any state or municipal building, *or any public*  
43 *area thereof*, in accordance with the provisions of K.S.A. 2015 Supp. 75-

1 7c22, and amendments thereto, subject to any restrictions or prohibitions  
2 imposed in any courtroom by the chief judge of the judicial district.

3 (m) For purposes of this section:

4 (1) "Adequate security measures" means the use of electronic  
5 equipment and personnel at public entrances to detect and restrict the  
6 carrying of any weapons into the state or municipal building *or any public*  
7 *area thereof*, including, but not limited to, metal detectors, metal detector  
8 wands or any other equipment used for similar purposes to ensure that  
9 weapons are not permitted to be carried into such building *or public area*  
10 by members of the public. Adequate security measures for storing and  
11 securing lawfully carried weapons, including, but not limited to, the use of  
12 gun lockers or other similar storage options may be provided at public  
13 entrances.

14 (2) The terms "municipality" and "municipal" are interchangeable  
15 and have the same meaning as the term "municipality" is defined in K.S.A.  
16 75-6102, and amendments thereto, but does not include school districts.

17 (3) "*Public area*" means *any portion of a state or municipal building*  
18 *that is open to and accessible by the public or which is otherwise*  
19 *designated as a public area by the governing body or the chief*  
20 *administrative officer, if no governing body exists, of such building.*

21 (4) "Restricted access entrance" means an entrance that is restricted to  
22 the public and requires a key, keycard, code, or similar device to allow  
23 entry to authorized personnel.

24 ~~(4)~~ (5) "State" means the same as the term is defined in K.S.A. 75-  
25 6102, and amendments thereto.

26 ~~(5)~~ (6) (A) "State or municipal building" means a building owned or  
27 leased by such public entity. It does not include a building owned by the  
28 state or a municipality which is leased by a private entity whether for  
29 profit or not-for-profit or a building held in title by the state or a  
30 municipality solely for reasons of revenue bond financing.

31 (B) ~~On and after July 1, 2014,~~ The term "state and municipal  
32 building" shall not include the state capitol.

33 ~~(6)~~ (7) "Weapon" means a weapon described in K.S.A. 2015 Supp.  
34 21-6301, and amendments thereto, except the term "weapon" shall not  
35 include any cutting instrument that has a sharpened or pointed blade.

36 (n) This section shall be a part of and supplemental to the personal  
37 and family protection act.

38 Sec. 3. K.S.A. 2015 Supp. ~~75-7c10 and 75-7c20~~ are hereby repealed.

39 Sec. 4. This act shall take effect and be in force from and after its  
40 publication in the statute book.

See attached insert

21-6301,

And by renumbering remaining sections accordingly

Sec. 3 K.S.A. 2015 Supp. 21-6301 is hereby amended to read as follows: 21-6301. (a) Criminal use of weapons is knowingly:

- (1) Selling, manufacturing, purchasing or possessing any bludgeon, sand club, metal knuckles or throwing star;
- (2) possessing with intent to use the same unlawfully against another, a dagger, dirk, billy, blackjack, slungshot, dangerous knife, straight-edged razor, stiletto or any other dangerous or deadly weapon or instrument of like character;
- (3) setting a spring gun;
- (4) possessing any device or attachment of any kind designed, used or intended for use in suppressing the report of any firearm;
- (5) selling, manufacturing, purchasing or possessing a shotgun with a barrel less than 18 inches in length, or any firearm designed to discharge or capable of discharging automatically more than once by a single function of the trigger, whether the person knows or has reason to know the length of the barrel or that the firearm is designed or capable of discharging automatically;
- (6) possessing, manufacturing, causing to be manufactured, selling, offering for sale, lending, purchasing or giving away any cartridge which can be fired by a handgun and which has a plastic-coated bullet that has a core of less than 60% lead by weight, whether the person knows or has reason to know that the plastic-coated bullet has a core of less than 60% lead by weight;
- (7) selling, giving or otherwise transferring any firearm with a barrel less than 12 inches long to any person under 18 years of age whether the person knows or has reason to know the length of the barrel;
- (8) selling, giving or otherwise transferring any firearms to any person who is both addicted to and an unlawful user of a controlled substance;
- (9) selling, giving or otherwise transferring any firearm to any person who is or has been a mentally ill person subject to involuntary commitment for care and treatment, as defined in K.S.A. 59-2946, and amendments thereto, or a person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment as defined in K.S.A. 59-29b46, and amendments thereto;
- (10) possessing any firearm by a person who is both addicted to and an unlawful user of a controlled substance;
- (11) possessing any firearm by any person, other than a law enforcement officer, in or on any school property or grounds upon which is located a building or structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of pupils enrolled in kindergarten or any of the grades one through 12 or at any regularly scheduled school sponsored activity or event whether the person knows or has reason to know that such person was in or on any such property or grounds;
- (12) refusing to surrender or immediately remove from school property or grounds or at any regularly scheduled school sponsored activity or event any firearm in the possession of any person, other than a law enforcement officer, when so requested or directed by any duly authorized school employee or any law enforcement officer;
- (13) possessing any firearm by a person who is or has been a mentally ill person subject to involuntary commitment for care and treatment, as defined in K.S.A. 59-2946, and amendments thereto, or persons with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment as defined in K.S.A. 59-29b46, and amendments thereto; or
- (14) possessing a firearm with a barrel less than 12 inches long by any person less than 18 years of age;

- (15) *possessing any firearm while a fugitive from justice;*
- (16) *possessing any firearm by a person who is an alien illegally or unlawfully in the United States;*
- (17) *possessing any firearm by a person while such person is subject to a court order that:*
  - (A) *Was issued after a hearing, of which such person received actual notice, and at which such person had an opportunity to participate;*
  - (B) *restrains such person from harassing, stalking or threatening an intimate partner of such person or a child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or the child; and*
- (C)(i) *Includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or*
  - (ii) *by its terms explicitly prohibits the use, attempted use or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury; or*
- (18) *possessing any firearm by a person who within the preceding five years has been convicted of a misdemeanor for a domestic violence offense, or a misdemeanor under a law of another jurisdiction which is substantially the same as such misdemeanor offense.*
  - (b) Criminal use of weapons as defined in:
    - (1) Subsection (a)(1), (a)(2), (a)(3), (a)(7), (a)(8), (a)(9) or (a)(12) is a class A nonperson misdemeanor;
    - (2) subsection (a)(4), (a)(5) or (a)(6) is a severity level 9, nonperson felony;
    - (3) subsection (a)(10) or (a)(11) is a class B nonperson select misdemeanor;
    - (4) subsection (a)(13), (a)(15), (a)(16), (a)(17) or (a)(18) is a severity level 8, nonperson felony; and
    - (5) subsection (a)(14) is a:
      - (A) Class A nonperson misdemeanor except as provided in subsection (b)(5)(B);
      - (B) severity level 8, nonperson felony upon a second or subsequent conviction.
  - (c) Subsections (a)(1), (a)(2) and (a)(5) shall not apply to:
    - (1) Law enforcement officers, or any person summoned by any such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;
    - (2) wardens, superintendents, directors, security personnel and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime, while acting within the scope of their authority;
    - (3) members of the armed services or reserve forces of the United States or the Kansas national guard while in the performance of their official duty; or
    - (4) the manufacture of, transportation to, or sale of weapons to a person authorized under subsections (c)(1), (c)(2) and (c)(3) to possess such weapons.
  - (d) Subsections (a)(4) and (a)(5) shall not apply to any person who sells, purchases, possesses or carries a firearm, device or attachment which has been rendered unserviceable by steel weld in the chamber and marriage weld of the barrel to the receiver and which has been registered in the national firearms registration and transfer record in compliance with 26 U.S.C. § 5841 et seq. in the



name of such person and, if such person transfers such firearm, device or attachment to another person, has been so registered in the transferee's name by the transferor.

- (e) Subsection (a)(6) shall not apply to a governmental laboratory or solid plastic bullets.
- (f) Subsection (a)(4) shall not apply to a law enforcement officer who is:
  - (1) Assigned by the head of such officer's law enforcement agency to a tactical unit which receives specialized, regular training;
  - (2) designated by the head of such officer's law enforcement agency to possess devices described in subsection (a)(4); and
  - (3) in possession of commercially manufactured devices which are:
    - (A) Owned by the law enforcement agency;
    - (B) in such officer's possession only during specific operations; and
    - (C) approved by the bureau of alcohol, tobacco, firearms and explosives of the United States department of justice.
  - (g) Subsections (a)(4), (a)(5) and (a)(6) shall not apply to any person employed by a laboratory which is certified by the United States department of justice, national institute of justice, while actually engaged in the duties of their employment and on the premises of such certified laboratory. Subsections (a)(4), (a)(5) and (a)(6) shall not affect the manufacture of, transportation to or sale of weapons to such certified laboratory.

(h) Subsections (a)(4) and (a)(5) shall not apply to or affect any person or entity in compliance with the national firearms act, 26 U.S.C. § 5801 et seq.

- (i) Subsection (a)(11) shall not apply to:
  - (1) Possession of any firearm in connection with a firearms safety course of instruction or firearms education course approved and authorized by the school;
  - (2) possession of any firearm specifically authorized in writing by the superintendent of any unified school district or the chief administrator of any accredited nonpublic school;
  - (3) possession of a firearm secured in a motor vehicle by a parent, guardian, custodian or someone authorized to act in such person's behalf who is delivering or collecting a student; ~~or~~
  - (4) possession of a firearm secured in a motor vehicle by a registered voter who is on the school grounds, which contain a polling place for the purpose of voting during polling hours on an election day; or
  - (5) possession of a concealed handgun by an individual who is not prohibited from possessing a firearm under either federal or state law.
- (j) Subsections (a)(9) and (a)(13) shall not apply to a person who has received a certificate of restoration pursuant to K.S.A. 2015 Supp. 75-7c26, and amendments thereto.
- (k) Subsection (a)(14) shall not apply if such person, less than 18 years of age, was:
  - (1) In attendance at a hunter's safety course or a firearms safety course;
  - (2) engaging in practice in the use of such firearm or target shooting at an established range authorized by the governing body of the jurisdiction in which such range is located, or at another private range with permission of such person's parent or legal guardian;

- (3) engaging in an organized competition involving the use of such firearm, or participating in or practicing for a performance by an organization exempt from federal income tax pursuant to section 501(c)(3) of the internal revenue code of 1986 which uses firearms as a part of such performance;
- (4) hunting or trapping pursuant to a valid license issued to such person pursuant to article 9 of chapter 32 of the Kansas Statutes Annotated, and amendments thereto;
- (5) traveling with any such firearm in such person's possession being unloaded to or from any activity described in subsections (k)(1) through (k)(4), only if such firearm is secured, unloaded and outside the immediate access of such person;
- (6) on real property under the control of such person's parent, legal guardian or grandparent and who has the permission of such parent, legal guardian or grandparent to possess such firearm; or
- (7) at such person's residence and who, with the permission of such person's parent or legal guardian, possesses such firearm for the purpose of exercising the rights contained in K.S.A. 2015 Supp. 21-5222, 21-5223 or 21-5225, and amendments thereto.

*(l) As used in this section:*

*(1) "Domestic violence" means the use or attempted use of physical force, or the threatened use of a deadly weapon, committed*

*by:*

*(A) A current or former spouse, parent or legal guardian of the victim;*

*(B) a person with whom the victim shares a child in common;*

*(C) a person who is cohabitating with or has cohabitated with the victim as a spouse, parent or legal guardian; or*

*(D) a person similarly situated to a spouse, parent or legal guardian of the victim.*

*(2) "Fugitive from justice" means any person having knowledge that a warrant for the commission of a felony has been issued for the apprehension of such person under K.S.A. 22-2713, and amendments thereto.*

*(3) "Intimate partner" means, with respect to a person, the spouse of the person, a former spouse of the person, an individual who is a parent of a child of the person or an individual who cohabitates or has cohabited with the person*

*(4) "Throwing star" means any instrument, without handles, consisting of a metal plate having three or more radiating points with one or more sharp edges and designed in the shape of a polygon, trefoil, cross, star, diamond or other geometric shape, manufactured for use as a weapon for throwing.*