

**527.205 Use of a weapon of mass destruction in the second degree.**

- (1) A person is guilty of use of a weapon of mass destruction in the second degree when intentionally, without lawful authority, he or she:
  - (a) Places a weapon of mass destruction at any location in the Commonwealth and, as a result, any person other than the defendant receives physical injury; or
  - (b) Places a weapon of mass destruction on:
    1. The real property or any building of any public or private elementary or secondary school, vocational school, or institution of postsecondary education;
    2. A school bus or other vehicle owned, operated, or leased by a school;
    3. The real property or any building, public or private, that is the site of an official school-sanctioned function; or
    4. The real property or any building owned or leased by a government agency,and no person dies or receives any physical injury.
- (2) A weapon of mass destruction is used with lawful authority if it is used with the written permission of an agency of the Commonwealth or of a city, county, charter county, or urban-county government having jurisdiction over the use of destructive devices as defined in KRS 237.030 or the use of explosives.
- (3) Use of a weapon of mass destruction in the second degree is a Class B felony.

**Effective:** June 21, 2001

**History:** Created 2001 Ky. Acts ch. 113, sec. 5, effective June 21, 2001.