

Senate Substitute for HOUSE BILL No. 2052

By Committee on Federal and State Affairs

3-25

1 AN ACT concerning firearms; dealing with the personal and family
2 protection act; amending K.S.A. 2012 Supp. 21-6302, 21-6309, 45-221,
3 75-7c05, 75-7c06, 75-7c10 and 75-7c17 and repealing the existing
4 sections; also repealing K.S.A. 2012 Supp. 45-221j and 45-221k.
5

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

7 New Section 1. (a) Unlawful discharge of a firearm is the reckless
8 discharge of a firearm within or into the corporate limits of any city.

9 (b) This section shall not apply to the discharge of any firearm within
10 or into the corporate limits of any city if:

11 (1) The firearm is discharged in the lawful defense of one's person,
12 another person or one's property;

13 (2) the firearm is discharged at a private or public shooting range;

14 (3) the firearm is discharged to lawfully take wildlife unless
15 prohibited by the department of wildlife, parks and tourism or the
16 governing body of the city;

17 (4) the firearm is discharged by authorized law enforcement officers,
18 animal control officers or a person who has a wildlife control permit issued
19 by the Kansas department of wildlife, parks and tourism;

20 (5) the firearm is discharged by special permit of the chief of police
21 or by the sheriff when the city has no police department;

22 (6) the firearm is discharged using blanks; or

23 (7) the firearm is discharged in lawful self-defense or defense of
24 another person against an animal attack.

25 (c) A violation of subsection (a) shall be a class B nonperson
26 misdemeanor.

27 New Sec. 2. (a) The carrying of a concealed handgun as authorized
28 by the personal and family protection act shall not be prohibited in any
29 state or municipal building unless such building has adequate security
30 measures to ensure that no weapons are permitted to be carried into such
31 building and the building is conspicuously posted in accordance with
32 K.S.A. 2012 Supp. 75-7c10, and amendments thereto.

33 (b) Any state or municipal building which contains both public access
34 entrances and restricted access entrances shall provide adequate security
35 measures at the public access entrances in order to prohibit the carrying of
36 any weapons into such building.

1 (c) No state agency or municipality shall prohibit an employee who is
2 licensed to carry a concealed handgun under the provisions of the personal
3 and family protection act from carrying such concealed handgun at the
4 employee's work place unless the building has adequate security measures
5 and the building is conspicuously posted in accordance with K.S.A. 2012
6 Supp. 75-7c10, and amendments thereto.

7 (d) It shall not be a violation of the personal and family protection act
8 for a person to carry a concealed handgun into a state or municipal
9 building so long as that person is licensed to carry a concealed handgun
10 under the provisions of the personal and family protection act and has
11 authority to enter through a restricted access entrance into such building
12 which provides adequate security measures and the building is
13 conspicuously posted in accordance with K.S.A. 2012 Supp. 75-7c10, and
14 amendments thereto.

15 (e) A state agency or municipality which provides adequate security
16 measures in a state or municipal building and which conspicuously posts
17 signage in accordance with K.S.A. 2012 Supp. 75-7c10, and amendments
18 thereto, prohibiting the carrying of a concealed handgun on the premises
19 of such building, as authorized by the personal and family protection act,
20 such state agency or municipality shall not be liable for any wrongful act
21 or omission relating to actions of persons licensed to carry a concealed
22 handgun concerning acts or omissions regarding such handguns.

23 (f) A state agency or municipality which does not provide adequate
24 security measures in a state or municipal building and which allows the
25 carrying of a concealed handgun as authorized by the personal and family
26 protection act shall not be liable for any wrongful act or omission relating
27 to actions of persons licensed to carry a concealed handgun concerning
28 acts or omissions regarding such handguns.

29 (g) Subject to provisions of subsection (b), nothing in this act shall
30 limit the ability of a corrections facility, a jail facility or a law enforcement
31 agency to prohibit the carrying of a concealed handgun by any person into
32 any building located on such premises.

33 (h) The governing body or the chief administrative officer, if no
34 governing body exists, of a state or municipal building, may exempt the
35 building from this section until January 1, 2014, by notifying the Kansas
36 attorney general and the law enforcement agency of the local jurisdiction
37 by letter of such exemption. Thereafter, such governing body or chief
38 administrative officer may exempt a state or municipal building for a
39 period of four years by adopting a resolution, or drafting a letter, listing the
40 legal description of such building, listing the reasons for such exemption,
41 and including the following statement: "A security plan has been
42 developed for the building being exempted which supplies adequate
43 security to the occupants of the building and merits the prohibition of the

1 carrying of a concealed handgun as authorized by the personal and family
2 protection act." A copy of the security plan for the building shall be
3 maintained on file and shall be made available, upon request, to the
4 Kansas attorney general and the law enforcement agency of local
5 jurisdiction. Notice of this exemption, together with the resolution adopted
6 or the letter drafted, shall be sent to the Kansas attorney general and to the
7 law enforcement agency of local jurisdiction. The security plan shall not
8 be subject to disclosure under the Kansas open records act.

9 (l) For purposes of this section:

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

19 (2) The terms "municipality" and "municipal" are interchangeable
20 and have the same meaning as the term "municipality" is defined in K.S.A.
21 75-6102, and amendments thereto.

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

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

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

32 (6) "Weapon" means a weapon described in K.S.A. 2012 Supp. 21-
33 6301, and amendments thereto.

34 (j) This section shall be a part of and supplemental to the personal
35 and family protection act.

36 Sec. 3. K.S.A. 2012 Supp. 21-6302 is hereby amended to read as
37 follows: 21-6302. (a) Criminal carrying of a weapon is knowingly
38 carrying:

39 (1) Any bludgeon, sandclub, metal knuckles or throwing star, or any
40 knife, commonly referred to as a switch-blade, which has a blade that
41 opens automatically by hand pressure applied to a button, spring or other
42 device in the handle of the knife, or any knife having a blade that opens or
43 falls or is ejected into position by the force of gravity or by an outward,

1 downward or centrifugal thrust or movement;

2 (2) concealed on one's person, a dagger, dirk, billy, blackjack,
3 slungshot, dangerous knife, straight-edged razor, stiletto or any other
4 dangerous or deadly weapon or instrument of like character, except that an
5 ordinary pocket knife with no blade more than four inches in length shall
6 not be construed to be a dangerous knife, or a dangerous or deadly weapon
7 or instrument;

8 (3) on one's person or in any land, water or air vehicle, with intent to
9 use the same unlawfully, a tear gas or smoke bomb or projector or any
10 object containing a noxious liquid, gas or substance;

11 (4) any pistol, revolver or other firearm concealed on one's person
12 except when on the person's land or in the person's abode or fixed place of
13 business; or

14 (5) a shotgun with a barrel less than 18 inches in length or any other
15 firearm designed to discharge or capable of discharging automatically
16 more than once by a single function of the trigger whether the person
17 knows or has reason to know the length of the barrel or that the firearm is
18 designed or capable of discharging automatically.

19 (b) Criminal carrying of a weapon as defined in:

20 (1) Subsections (a)(1), (a)(2), (a)(3) or (a)(4) is a class A nonperson
21 misdemeanor; and

22 (2) subsection (a)(5) is a severity level 9, nonperson felony.

23 (c) Subsection (a) shall not apply to:

24 (1) Law enforcement officers, or any person summoned by any such
25 officers to assist in making arrests or preserving the peace while actually
26 engaged in assisting such officer;

27 (2) *law enforcement officers from another state or a retired law*
28 *enforcement officer meeting the requirements of the federal law*
29 *enforcement officers safety act, 18 U.S.C. §§ 926B and 926C;*

30 ~~(3)~~ (3) wardens, superintendents, directors, security personnel and
31 keepers of prisons, penitentiaries, jails and other institutions for the
32 detention of persons accused or convicted of crime, while acting within the
33 scope of their authority;

34 ~~(4)~~ (4) members of the armed services or reserve forces of the United
35 States or the Kansas national guard while in the performance of their
36 official duty; or

37 ~~(5)~~ (5) the manufacture of, transportation to, or sale of weapons to a
38 person authorized under subsections (c)(1), (c)(2) and (c)(3) to possess
39 such weapons.

40 (d) Subsection (a)(4) shall not apply to:

41 (1) Watchmen, while actually engaged in the performance of the
42 duties of their employment;

43 (2) licensed hunters or fishermen, while engaged in hunting or

1 fishing;

2 (3) private detectives licensed by the state to carry the firearm
3 involved, while actually engaged in the duties of their employment;

4 (4) detectives or special agents regularly employed by railroad
5 companies or other corporations to perform full-time security or
6 investigative service, while actually engaged in the duties of their
7 employment;

8 (5) the state fire marshal, the state fire marshal's deputies or any
9 member of a fire department authorized to carry a firearm pursuant to
10 K.S.A. 31-157, and amendments thereto, while engaged in an investigation
11 in which such fire marshal, deputy or member is authorized to carry a
12 firearm pursuant to K.S.A. 31-157, and amendments thereto;

13 (6) special deputy sheriffs described in K.S.A. 19-827, and
14 amendments thereto, who have satisfactorily completed the basic course of
15 instruction required for permanent appointment as a part-time law
16 enforcement officer under K.S.A. 74-5607a, and amendments thereto;

17 (7) the United States attorney for the district of Kansas, the attorney
18 general, any district attorney or county attorney, any assistant United
19 States attorney if authorized by the United States attorney for the district
20 of Kansas, any assistant attorney general if authorized by the attorney
21 general, or any assistant district attorney or assistant county attorney if
22 authorized by the district attorney or county attorney by whom such
23 assistant is employed. The provisions of this paragraph shall not apply to
24 any person not in compliance with K.S.A. 75-7c19, and amendments
25 thereto; or

26 (8) any person carrying a concealed handgun as authorized by K.S.A.
27 2012 Supp. 75-7c01 through 75-7c17, and amendments thereto.

28 (e) Subsection (a)(5) shall not apply to:

29 (1) Any person who sells, purchases, possesses or carries a firearm,
30 device or attachment which has been rendered unserviceable by steel weld
31 in the chamber and marriage weld of the barrel to the receiver and which
32 has been registered in the national firearms registration and transfer record
33 in compliance with 26 U.S.C. § 5841 et seq. in the name of such person
34 and, if such person transfers such firearm, device or attachment to another
35 person, has been so registered in the transferee's name by the transferor;

36 (2) any person employed by a laboratory which is certified by the
37 United States department of justice, national institute of justice, while
38 actually engaged in the duties of their employment and on the premises of
39 such certified laboratory. Subsection (a)(5) shall not affect the manufacture
40 of, transportation to or sale of weapons to such certified laboratory; or

41 (3) any person or entity in compliance with the national firearms act,
42 26 U.S.C. § 5801 et seq.

43 (f) Subsection (a)(1) shall not apply to any ordinary pocket knife

1 which has a spring, detent or other device which creates a bias towards
2 closure of the blade and which requires hand pressure applied to such
3 spring, detent or device through the blade of the knife to overcome the bias
4 towards closure to assist in the opening of the knife.

5 (g) It shall not be a violation of this section if a person violates the
6 provisions of K.S.A. 2012 Supp. 75-7c03, and amendments thereto, but
7 has an otherwise valid license to carry a concealed handgun which is
8 issued or recognized by this state.

9 (h) As used in this section, "throwing star" means the same as
10 prescribed by K.S.A. 2012 Supp. 21-6301, and amendments thereto.

11 Sec. 4. K.S.A. 2012 Supp. 21-6309 is hereby amended to read as
12 follows: 21-6309. (a) It shall be unlawful to possess, with no requirement
13 of a culpable mental state, a firearm ~~on the grounds in any of the following~~
14 ~~places:~~

15 (1) Within any building located within the capitol complex;

16 (2) within the governor's residence;

17 (3) on the grounds of or in any building on the grounds of the
18 governor's residence;

19 (4) within any other state-owned or leased building if the secretary of
20 administration has so designated by rules and regulations and
21 conspicuously placed signs clearly stating that firearms are prohibited
22 within such building; or

23 (5) within any county courthouse, unless, by county resolution, the
24 board of county commissioners authorize the possession of a firearm
25 within such courthouse.

26 (b) Violation of this section is a class A misdemeanor.

27 (c) This section shall not apply to:

28 (1) A commissioned law enforcement officer;

29 (2) a full-time salaried law enforcement officer of another state or the
30 federal government who is carrying out official duties while in this state;

31 (3) any person summoned by any such officer to assist in making
32 arrests or preserving the peace while actually engaged in assisting such
33 officer; *or*

34 (4) a member of the military of this state or the United States engaged
35 in the performance of duties; ~~or~~.

36 ~~(5) a person with a license issued pursuant to or recognized under~~
37 ~~K.S.A. 2012 Supp. 75-7e01 et seq., and amendments thereto, except in~~
38 ~~buildings posted in accordance with K.S.A. 2012 Supp. 75-7e10, and~~
39 ~~amendments thereto, and in the areas specified in subsections (a)(2) and~~
40 ~~(a)(3).~~

41 (d) It is not a violation of this section for the:

42 (1) Governor, the governor's immediate family, or specifically
43 authorized guest of the governor to possess a firearm within the governor's

1 residence or on the grounds of or in any building on the grounds of the
2 governor's residence; or

3 (2) United States attorney for the district of Kansas, the attorney
4 general, any district attorney or county attorney, any assistant United
5 States attorney if authorized by the United States attorney for the district
6 of Kansas, any assistant attorney general if authorized by the attorney
7 general, or any assistant district attorney or assistant county attorney if
8 authorized by the district attorney or county attorney by whom such
9 assistant is employed, to possess a firearm within any county courthouse
10 and court-related facility, subject to any restrictions or prohibitions
11 imposed in any courtroom by the chief judge of the judicial district. The
12 provisions of this paragraph shall not apply to any person not in
13 compliance with K.S.A. 2012 Supp. 75-7c19, and amendments thereto.

14 (e) *It is not a violation of this section for a person to possess a*
15 *handgun as authorized under the personal and family protection act.*

16 (f) Notwithstanding the provisions of this section, any county may
17 elect by passage of a resolution that the provisions of subsection (d)(2)
18 shall not apply to such county's courthouse or court-related facilities if
19 such:

20 (1) Facilities have adequate security measures to ensure that no
21 weapons are permitted to be carried into such facilities;

22 ~~(2) facilities have adequate measures for storing and securing~~
23 ~~lawfully carried weapons, including, but not limited to, the use of gun~~
24 ~~lockers or other similar storage options;~~

25 ~~(3) (2) county also has a policy or regulation requiring all law~~
26 ~~enforcement officers to secure and store such officer's firearm upon~~
27 ~~entering the courthouse or court-related facility. Such policy or regulation~~
28 ~~may provide that it does not apply to court security or sheriff's office~~
29 ~~personnel for such county; and~~

30 ~~(4) (3) facilities have a sign conspicuously posted at each entryway~~
31 ~~into such facility stating that the provisions of subsection (d)(2) do not~~
32 ~~apply to such facility.~~

33 ~~(f) (g) As used in this section:~~

34 ~~(1) "Adequate security measures" means the use of electronic~~
35 ~~equipment and personnel to detect and restrict the carrying of any weapons~~
36 ~~into the facility, including, but not limited to, metal detectors, metal~~
37 ~~detector wands or any other equipment used for similar purposes shall~~
38 ~~have the same meaning as the term is defined in section 2, and~~
39 ~~amendments thereto;~~

40 ~~(2) "possession" means having joint or exclusive control over a~~
41 ~~firearm or having a firearm in a place where the person has some measure~~
42 ~~of access and right of control; and~~

43 ~~(3) "capitol complex" means the same as in K.S.A. 75-4514, and~~

1 amendments thereto.

2 ~~(g)~~ (h) For the purposes of ~~subsection~~ subsections (a)(1), (a)(4) and
3 (a)(5), "building" and "courthouse" shall not include any structure, or any
4 area of any structure, designated for the parking of motor vehicles.

5 Sec. 5. K.S.A. 2012 Supp. 45-221 is hereby amended to read as
6 follows: 45-221. (a) Except to the extent disclosure is otherwise required
7 by law, a public agency shall not be required to disclose:

8 (1) Records the disclosure of which is specifically prohibited or
9 restricted by federal law, state statute or rule of the Kansas supreme court
10 or rule of the senate committee on confirmation oversight relating to
11 information submitted to the committee pursuant to K.S.A. 2012 Supp. 75-
12 4315d, and amendments thereto, or the disclosure of which is prohibited or
13 restricted pursuant to specific authorization of federal law, state statute or
14 rule of the Kansas supreme court or rule of the senate committee on
15 confirmation oversight relating to information submitted to the committee
16 pursuant to K.S.A. 2012 Supp. 75-4315d, and amendments thereto, to
17 restrict or prohibit disclosure.

18 (2) Records which are privileged under the rules of evidence, unless
19 the holder of the privilege consents to the disclosure.

20 (3) Medical, psychiatric, psychological or alcoholism or drug
21 dependency treatment records which pertain to identifiable patients.

22 (4) Personnel records, performance ratings or individually identifiable
23 records pertaining to employees or applicants for employment, except that
24 this exemption shall not apply to the names, positions, salaries or actual
25 compensation employment contracts or employment-related contracts or
26 agreements and lengths of service of officers and employees of public
27 agencies once they are employed as such.

28 (5) Information which would reveal the identity of any undercover
29 agent or any informant reporting a specific violation of law.

30 (6) Letters of reference or recommendation pertaining to the character
31 or qualifications of an identifiable individual, except documents relating to
32 the appointment of persons to fill a vacancy in an elected office.

33 (7) Library, archive and museum materials contributed by private
34 persons, to the extent of any limitations imposed as conditions of the
35 contribution.

36 (8) Information which would reveal the identity of an individual who
37 lawfully makes a donation to a public agency, if anonymity of the donor is
38 a condition of the donation, except if the donation is intended for or
39 restricted to providing remuneration or personal tangible benefit to a
40 named public officer or employee.

41 (9) Testing and examination materials, before the test or examination
42 is given or if it is to be given again, or records of individual test or
43 examination scores, other than records which show only passage or failure

1 and not specific scores.

2 (10) Criminal investigation records, except as provided herein. The
3 district court, in an action brought pursuant to K.S.A. 45-222, and
4 amendments thereto, may order disclosure of such records, subject to such
5 conditions as the court may impose, if the court finds that disclosure:

6 (A) Is in the public interest;

7 (B) would not interfere with any prospective law enforcement action,
8 criminal investigation or prosecution;

9 (C) would not reveal the identity of any confidential source or
10 undercover agent;

11 (D) would not reveal confidential investigative techniques or
12 procedures not known to the general public;

13 (E) would not endanger the life or physical safety of any person; and

14 (F) would not reveal the name, address, phone number or any other
15 information which specifically and individually identifies the victim of any
16 sexual offense in article 35 of chapter 21 of the Kansas Statutes Annotated,
17 prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes
18 Annotated, and amendments thereto.

19 If a public record is discretionarily closed by a public agency pursuant
20 to this subsection, the record custodian, upon request, shall provide a
21 written citation to the specific provisions of paragraphs (A) through (F)
22 that necessitate closure of that public record.

23 (11) Records of agencies involved in administrative adjudication or
24 civil litigation, compiled in the process of detecting or investigating
25 violations of civil law or administrative rules and regulations, if disclosure
26 would interfere with a prospective administrative adjudication or civil
27 litigation or reveal the identity of a confidential source or undercover
28 agent.

29 (12) Records of emergency or security information or procedures of a
30 public agency, or plans, drawings, specifications or related information for
31 any building or facility which is used for purposes requiring security
32 measures in or around the building or facility or which is used for the
33 generation or transmission of power, water, fuels or communications, if
34 disclosure would jeopardize security of the public agency, building or
35 facility.

36 (13) The contents of appraisals or engineering or feasibility estimates
37 or evaluations made by or for a public agency relative to the acquisition *or*
38 *disposal* of property, prior to the award of formal contracts therefor.

39 (14) Correspondence between a public agency and a private
40 individual, other than correspondence which is intended to give notice of
41 an action, policy or determination relating to any regulatory, supervisory or
42 enforcement responsibility of the public agency or which is widely
43 distributed to the public by a public agency and is not specifically in

1 response to communications from such a private individual.

2 (15) Records pertaining to employer-employee negotiations, if
3 disclosure would reveal information discussed in a lawful executive
4 session under K.S.A. 75-4319, and amendments thereto.

5 (16) Software programs for electronic data processing and
6 documentation thereof, but each public agency shall maintain a register,
7 open to the public, that describes:

8 (A) The information which the agency maintains on computer
9 facilities; and

10 (B) the form in which the information can be made available using
11 existing computer programs.

12 (17) Applications, financial statements and other information
13 submitted in connection with applications for student financial assistance
14 where financial need is a consideration for the award.

15 (18) Plans, designs, drawings or specifications which are prepared by
16 a person other than an employee of a public agency or records which are
17 the property of a private person.

18 (19) Well samples, logs or surveys which the state corporation
19 commission requires to be filed by persons who have drilled or caused to
20 be drilled, or are drilling or causing to be drilled, holes for the purpose of
21 discovery or production of oil or gas, to the extent that disclosure is
22 limited by rules and regulations of the state corporation commission.

23 (20) Notes, preliminary drafts, research data in the process of
24 analysis, unfunded grant proposals, memoranda, recommendations or
25 other records in which opinions are expressed or policies or actions are
26 proposed, except that this exemption shall not apply when such records are
27 publicly cited or identified in an open meeting or in an agenda of an open
28 meeting.

29 (21) Records of a public agency having legislative powers, which
30 records pertain to proposed legislation or amendments to proposed
31 legislation, except that this exemption shall not apply when such records
32 are:

33 (A) Publicly cited or identified in an open meeting or in an agenda of
34 an open meeting; or

35 (B) distributed to a majority of a quorum of any body which has
36 authority to take action or make recommendations to the public agency
37 with regard to the matters to which such records pertain.

38 (22) Records of a public agency having legislative powers, which
39 records pertain to research prepared for one or more members of such
40 agency, except that this exemption shall not apply when such records are:

41 (A) Publicly cited or identified in an open meeting or in an agenda of
42 an open meeting; or

43 (B) distributed to a majority of a quorum of any body which has

1 authority to take action or make recommendations to the public agency
2 with regard to the matters to which such records pertain.

3 (23) Library patron and circulation records which pertain to
4 identifiable individuals.

5 (24) Records which are compiled for census or research purposes and
6 which pertain to identifiable individuals.

7 (25) Records which represent and constitute the work product of an
8 attorney.

9 (26) Records of a utility or other public service pertaining to
10 individually identifiable residential customers of the utility or service,
11 except that information concerning billings for specific individual
12 customers named by the requester shall be subject to disclosure as
13 provided by this act.

14 (27) Specifications for competitive bidding, until the specifications
15 are officially approved by the public agency.

16 (28) Sealed bids and related documents, until a bid is accepted or all
17 bids rejected.

18 (29) Correctional records pertaining to an identifiable inmate or
19 release, except that:

20 (A) The name; photograph and other identifying information;
21 sentence data; parole eligibility date; custody or supervision level;
22 disciplinary record; supervision violations; conditions of supervision,
23 excluding requirements pertaining to mental health or substance abuse
24 counseling; location of facility where incarcerated or location of parole
25 office maintaining supervision and address of a releasee whose crime was
26 committed after the effective date of this act shall be subject to disclosure
27 to any person other than another inmate or releasee, except that the
28 disclosure of the location of an inmate transferred to another state pursuant
29 to the interstate corrections compact shall be at the discretion of the
30 secretary of corrections;

31 (B) ~~the ombudsman of corrections~~; the attorney general, law
32 enforcement agencies, counsel for the inmate to whom the record pertains
33 and any county or district attorney shall have access to correctional records
34 to the extent otherwise permitted by law;

35 (C) the information provided to the law enforcement agency pursuant
36 to the sex offender registration act, K.S.A. 22-4901 et seq., and
37 amendments thereto, shall be subject to disclosure to any person, except
38 that the name, address, telephone number or any other information which
39 specifically and individually identifies the victim of any offender required
40 to register as provided by the Kansas offender registration act, K.S.A. 22-
41 4901 et seq., and amendments thereto, shall not be disclosed; and

42 (D) records of the department of corrections regarding the financial
43 assets of an offender in the custody of the secretary of corrections shall be

1 subject to disclosure to the victim, or such victim's family, of the crime for
2 which the inmate is in custody as set forth in an order of restitution by the
3 sentencing court.

4 (30) Public records containing information of a personal nature where
5 the public disclosure thereof would constitute a clearly unwarranted
6 invasion of personal privacy.

7 (31) Public records pertaining to prospective location of a business or
8 industry where no previous public disclosure has been made of the
9 business' or industry's interest in locating in, relocating within or
10 expanding within the state. This exception shall not include those records
11 pertaining to application of agencies for permits or licenses necessary to
12 do business or to expand business operations within this state, except as
13 otherwise provided by law.

14 (32) Engineering and architectural estimates made by or for any
15 public agency relative to public improvements.

16 (33) Financial information submitted by contractors in qualification
17 statements to any public agency.

18 (34) Records involved in the obtaining and processing of intellectual
19 property rights that are expected to be, wholly or partially vested in or
20 owned by a state educational institution, as defined in K.S.A. 76-711, and
21 amendments thereto, or an assignee of the institution organized and
22 existing for the benefit of the institution.

23 (35) Any report or record which is made pursuant to K.S.A. 65-4922,
24 65-4923 or 65-4924, and amendments thereto, and which is privileged
25 pursuant to K.S.A. 65-4915 or 65-4925, and amendments thereto.

26 (36) Information which would reveal the precise location of an
27 archeological site.

28 (37) Any financial data or traffic information from a railroad
29 company, to a public agency, concerning the sale, lease or rehabilitation of
30 the railroad's property in Kansas.

31 (38) Risk-based capital reports, risk-based capital plans and
32 corrective orders including the working papers and the results of any
33 analysis filed with the commissioner of insurance in accordance with
34 K.S.A. 40-2c20 and 40-2d20, and amendments thereto.

35 (39) Memoranda and related materials required to be used to support
36 the annual actuarial opinions submitted pursuant to subsection (b) of
37 K.S.A. 40-409, and amendments thereto.

38 (40) Disclosure reports filed with the commissioner of insurance
39 under subsection (a) of K.S.A. 40-2,156, and amendments thereto.

40 (41) All financial analysis ratios and examination synopses
41 concerning insurance companies that are submitted to the commissioner by
42 the national association of insurance commissioners' insurance regulatory
43 information system.

1 (42) Any records the disclosure of which is restricted or prohibited by
2 a tribal-state gaming compact.

3 (43) Market research, market plans, business plans and the terms and
4 conditions of managed care or other third-party contracts, developed or
5 entered into by the university of Kansas medical center in the operation
6 and management of the university hospital which the chancellor of the
7 university of Kansas or the chancellor's designee determines would give an
8 unfair advantage to competitors of the university of Kansas medical center.

9 (44) The amount of franchise tax paid to the secretary of revenue or
10 the secretary of state by domestic corporations, foreign corporations,
11 domestic limited liability companies, foreign limited liability companies,
12 domestic limited partnership, foreign limited partnership, domestic limited
13 liability partnerships and foreign limited liability partnerships.

14 (45) Records, other than criminal investigation records, the disclosure
15 of which would pose a substantial likelihood of revealing security
16 measures that protect: (A) Systems, facilities or equipment used in the
17 production, transmission or distribution of energy, water or
18 communications services; (B) transportation and sewer or wastewater
19 treatment systems, facilities or equipment; or (C) private property or
20 persons, if the records are submitted to the agency. For purposes of this
21 paragraph, security means measures that protect against criminal acts
22 intended to intimidate or coerce the civilian population, influence
23 government policy by intimidation or coercion or to affect the operation of
24 government by disruption of public services, mass destruction,
25 assassination or kidnapping. Security measures include, but are not limited
26 to, intelligence information, tactical plans, resource deployment and
27 vulnerability assessments.

28 (46) Any information or material received by the register of deeds of
29 a county from military discharge papers, DD Form 214. Such papers shall
30 be disclosed: To the military dischargee; to such dischargee's immediate
31 family members and lineal descendants; to such dischargee's heirs, agents
32 or assigns; to the licensed funeral director who has custody of the body of
33 the deceased dischargee; when required by a department or agency of the
34 federal or state government or a political subdivision thereof; when the
35 form is required to perfect the claim of military service or honorable
36 discharge or a claim of a dependent of the dischargee; and upon the written
37 approval of the commissioner of veterans affairs, to a person conducting
38 research.

39 (47) Information that would reveal the location of a shelter or a
40 safehouse or similar place where persons are provided protection from
41 abuse or the name, address, location or other contact information of
42 alleged victims of stalking, domestic violence or sexual assault.

43 (48) Policy information provided by an insurance carrier in

1 accordance with subsection (h)(1) of K.S.A. 44-532, and amendments
2 thereto. This exemption shall not be construed to preclude access to an
3 individual employer's record for the purpose of verification of insurance
4 coverage or to the department of labor for their business purposes.

5 (49) An individual's e-mail address, cell phone number and other
6 contact information which has been given to the public agency for the
7 purpose of public agency notifications or communications which are
8 widely distributed to the public.

9 (50) Information provided by providers to the local collection point
10 administrator or to the 911 coordinating council pursuant to the Kansas
11 911 act, and amendments thereto, upon request of the party submitting
12 such records.

13 (51) Records of a public agency which identify the home address or
14 home ownership of a law enforcement officer as defined in K.S.A. 2012
15 Supp. 21-5111, and amendments thereto, parole officer, probation officer,
16 court services officer or community correctional services officer. The
17 agency head of such law enforcement office, parole office, probation
18 office, court services office or community correctional services office or
19 such individual officer shall file with the custodian of such record a
20 request to have such officer's identifying information removed from public
21 access. Within seven days of receipt of such requests, the public agency
22 shall remove such officer's identifying information from such public
23 access.

24 (52) Records of a public agency which identify the home address or
25 home ownership of a federal judge, a justice of the supreme court, a judge
26 of the court of appeals, a district judge, a district magistrate judge, the
27 United States attorney for the district of Kansas, an assistant United States
28 attorney, the attorney general, an assistant attorney general, a district
29 attorney or county attorney or an assistant district attorney or assistant
30 county attorney. Such person or such person's employer shall file with the
31 custodian of such record a request to have such person's identifying
32 information removed from public access. Within seven days of receipt of
33 such requests, the public agency shall remove such person's identifying
34 information from such public access.

35 (53) *Records of a public agency that would disclose the name, home*
36 *address, zip code, e-mail address, phone number or cell phone number or*
37 *other contact information for any person licensed to carry concealed*
38 *handguns or of any person who enrolled in or completed any weapons*
39 *training in order to be licensed or has made application for such license*
40 *under the personal and family protection act, K.S.A. 2012 Supp. 75-7c01*
41 *et seq., and amendments thereto.*

42 (b) Except to the extent disclosure is otherwise required by law or as
43 appropriate during the course of an administrative proceeding or on appeal

1 from agency action, a public agency or officer shall not disclose financial
2 information of a taxpayer which may be required or requested by a county
3 appraiser or the director of property valuation to assist in the determination
4 of the value of the taxpayer's property for ad valorem taxation purposes; or
5 any financial information of a personal nature required or requested by a
6 public agency or officer, including a name, job description or title
7 revealing the salary or other compensation of officers, employees or
8 applicants for employment with a firm, corporation or agency, except a
9 public agency. Nothing contained herein shall be construed to prohibit the
10 publication of statistics, so classified as to prevent identification of
11 particular reports or returns and the items thereof.

12 (c) As used in this section, the term "cited or identified" shall not
13 include a request to an employee of a public agency that a document be
14 prepared.

15 (d) If a public record contains material which is not subject to
16 disclosure pursuant to this act, the public agency shall separate or delete
17 such material and make available to the requester that material in the
18 public record which is subject to disclosure pursuant to this act. If a public
19 record is not subject to disclosure because it pertains to an identifiable
20 individual, the public agency shall delete the identifying portions of the
21 record and make available to the requester any remaining portions which
22 are subject to disclosure pursuant to this act, unless the request is for a
23 record pertaining to a specific individual or to such a limited group of
24 individuals that the individuals' identities are reasonably ascertainable, the
25 public agency shall not be required to disclose those portions of the record
26 which pertain to such individual or individuals.

27 (e) The provisions of this section shall not be construed to exempt
28 from public disclosure statistical information not descriptive of any
29 identifiable person.

30 (f) Notwithstanding the provisions of subsection (a), any public
31 record which has been in existence more than 70 years shall be open for
32 inspection by any person unless disclosure of the record is specifically
33 prohibited or restricted by federal law, state statute or rule of the Kansas
34 supreme court or by a policy adopted pursuant to K.S.A. 72-6214, and
35 amendments thereto.

36 (g) Any confidential records or information relating to security
37 measures provided or received under the provisions of subsection (a)(45)
38 shall not be subject to subpoena, discovery or other demand in any
39 administrative, criminal or civil action.

40 Sec. 6. K.S.A. 2012 Supp. 75-7c05 is hereby amended to read as
41 follows: 75-7c05. (a) The application for a license pursuant to this act shall
42 be completed, under oath, on a form prescribed by the attorney general and
43 shall only include:

1 (1) (A) Subject to the provisions of subsection (a)(1)(B), the name,
2 address, social security number, Kansas driver's license number or Kansas
3 nondriver's license identification number, place and date of birth, a
4 photocopy of the applicant's driver's license or nondriver's identification
5 card and a photocopy of the applicant's certificate of training course
6 completion; (B) in the case of an applicant who presents proof that such
7 person is on active duty with any branch of the armed forces of the United
8 States, or is the dependent of such a person, and who does not possess a
9 Kansas driver's license or Kansas nondriver's license identification, the
10 number of such license or identification shall not be required;

11 (2) a statement that the applicant is in compliance with criteria
12 contained within K.S.A. 2012 Supp. 75-7c04, and amendments thereto;

13 (3) a statement that the applicant has been furnished a copy of this act
14 and is knowledgeable of its provisions;

15 (4) a conspicuous warning that the application is executed under oath
16 and that a false answer to any question, or the submission of any false
17 document by the applicant, subjects the applicant to criminal prosecution
18 under K.S.A. 2012 Supp. 21-5903, and amendments thereto; and

19 (5) a statement that the applicant desires a concealed handgun license
20 as a means of lawful self-defense.

21 (b) The applicant shall submit to the sheriff of the county where the
22 applicant resides, during any normal business hours:

23 (1) A completed application described in subsection (a);

24 (2) ~~except as provided by subsection (g),~~ a nonrefundable license fee
25 of \$132.50, if the applicant has not previously been issued a statewide
26 license or if the applicant's license has permanently expired, which fee
27 shall be in the form of two cashier's checks, personal checks or money
28 orders of \$32.50 payable to the sheriff of the county where the applicant
29 resides and \$100 payable to the attorney general;

30 (3) a photocopy of a certificate or an affidavit or document as
31 described in subsection (b) of K.S.A. 2012 Supp. 75-7c04, and
32 amendments thereto, or if applicable, of a license to carry a firearm as
33 described in subsection (d) of K.S.A. 2012 Supp. 75-7c03, and
34 amendments thereto; and

35 (4) a full frontal view photograph of the applicant taken within the
36 preceding 30 days.

37 (c) (1) The sheriff, upon receipt of the items listed in subsection (b) of
38 this section, shall provide for the full set of fingerprints of the applicant to
39 be taken and forwarded to the attorney general for purposes of a criminal
40 history records check as provided by subsection (d). In addition, the sheriff
41 shall forward to the attorney general a copy of the application and the
42 portion of the original license fee which is payable to the attorney general.
43 The cost of taking such fingerprints shall be included in the portion of the

1 fee retained by the sheriff. Notwithstanding anything in this section to the
2 contrary, an applicant shall not be required to submit fingerprints for a
3 renewal application under K.S.A. 2012 Supp. 75-7c08, and amendments
4 thereto.

5 (2) The sheriff of the applicant's county of residence or the chief law
6 enforcement officer of any law enforcement agency, at the sheriff's or chief
7 law enforcement officer's discretion, may participate in the process by
8 submitting a voluntary report to the attorney general containing readily
9 discoverable information, corroborated through public records, which,
10 when combined with another enumerated factor, establishes that the
11 applicant poses a significantly greater threat to law enforcement or the
12 public at large than the average citizen. Any such voluntary reporting shall
13 be made within 45 days after the date the sheriff receives the application.
14 Any sheriff or chief law enforcement officer submitting a voluntary report
15 shall not incur any civil or criminal liability as the result of the good faith
16 submission of such report.

17 (3) All funds retained by the sheriff pursuant to the provisions of this
18 section shall be credited to a special fund of the sheriff's office which shall
19 be used solely for the purpose of administering this act.

20 (d) Each applicant shall be subject to a state and national criminal
21 history records check which conforms to applicable federal standards,
22 including an inquiry of the national instant criminal background check
23 system for the purpose of verifying the identity of the applicant and
24 whether the applicant has been convicted of any crime or has been the
25 subject of any restraining order or any mental health related finding that
26 would disqualify the applicant from holding a license under this act. The
27 attorney general is authorized to use the information obtained from the
28 state or national criminal history record check to determine the applicant's
29 eligibility for such license.

30 (e) Within 90 days after the date of receipt of the items listed in
31 subsection (b), the attorney general shall:

32 (1) Issue the license and certify the issuance to the department of
33 revenue; or

34 (2) deny the application based solely on: (A) The report submitted by
35 the sheriff or other chief law enforcement officer under subsection (c)(2)
36 for good cause shown therein; or (B) the ground that the applicant is
37 disqualified under the criteria listed in K.S.A. 2012 Supp. 75-7c04, and
38 amendments thereto. If the attorney general denies the application, the
39 attorney general shall notify the applicant in writing, stating the ground for
40 denial and informing the applicant the opportunity for a hearing pursuant
41 to the Kansas administrative procedure act.

42 (f) Each person issued a license shall pay to the department of
43 revenue a fee for the cost of the license which shall be in amounts equal to

1 the fee required pursuant to K.S.A. 8-243 and 8-246, and amendments
2 thereto, for replacement of a driver's license.

3 (g) (1) A person who is a retired law enforcement officer, as defined
4 in K.S.A. 2012 Supp. 21-5111, and amendments thereto, shall be: (A)
5 Required to pay an original license fee of \$75, which fee shall be in the
6 form of two cashier checks or money orders, \$25 payable to the sheriff of
7 the county where the applicant resides and \$50 payable to the attorney
8 general, as provided in subsection (b)(2), to be forwarded by the sheriff to
9 the attorney general; (B) exempt from the required completion of a
10 weapons handgun safety and training course if such person was certified
11 by the Kansas commission on peace officer's standards and training, or
12 similar body from another jurisdiction, not more than eight years prior to
13 submission of the application; (C) required to pay the license renewal fee;
14 (D) required to pay to the department of revenue the fees required by
15 subsection (f); and (E) required to comply with the criminal history
16 records check requirement of this section.

17 (2) Proof of retirement as a law enforcement officer shall be required
18 and provided to the attorney general in the form of a letter from the agency
19 head, or their designee, of the officer's retiring agency that attests to the
20 officer having retired in good standing from that agency as a law
21 enforcement officer for reasons other than mental instability and that the
22 officer has a nonforfeitable right to benefits under a retirement plan of the
23 agency.

24 (h) *A person who is a corrections officer, a parole officer or a*
25 *corrections officer employed by the federal bureau of prisons, as defined*
26 *by K.S.A. 75-5202, and amendments thereto, shall be: (1) Required to pay*
27 *an original license fee as provided in subsection (b)(2); (2) exempt from*
28 *the required completion of a handgun safety and training course if such*
29 *person was issued a certificate of firearms training by the department of*
30 *corrections or the federal bureau of prisons or similar body not more than*
31 *one year prior to submission of the application; (3) required to pay the*
32 *license renewal fee; (4) required to pay to the department of revenue the*
33 *fees required by subsection (f); and (5) required to comply with the*
34 *criminal history records check requirement of this section.*

35 Sec. 7. K.S.A. 2012 Supp. 75-7c06 is hereby amended to read as
36 follows: 75-7c06. (a) The attorney general shall be the official custodian of
37 all records relating to licenses issued pursuant to the personal and family
38 protection act.

39 (b) Except as provided by subsections (c) and (d), records relating to
40 persons issued licenses pursuant to this act, persons applying for licenses
41 pursuant to this act or persons who have had a license denied pursuant to
42 this act shall be confidential and shall not be disclosed in a manner which
43 enables identification of any such person pursuant to the Kansas open

1 *records act.* Any disclosure of a record in violation of this subsection is a
2 class A misdemeanor.

3 (c) Records of a person whose license has been suspended or revoked
4 pursuant to this act shall be subject to public inspection in accordance with
5 the open records act.

6 (d) The attorney general shall maintain an automated listing of license
7 holders and pertinent information, and such information shall be available
8 at all times to all law enforcement agencies in this state, other states and
9 the District of Columbia when requested for a legitimate law enforcement
10 purpose.

11 (e) Within 30 days after the changing of a permanent address, or
12 within 30 days after the discovery that a license has been lost or destroyed,
13 the licensee shall notify the attorney general of such change, loss or
14 destruction. The attorney general, upon notice and opportunity for hearing
15 in accordance with the provisions of the Kansas administrative procedure
16 act, may order a licensee to pay a fine of not more than \$100, or may
17 suspend the licensee's license for not more than 180 days, for failure to
18 notify the attorney general pursuant to the provisions of this subsection.

19 (f) In the event that a concealed handgun license is lost or destroyed,
20 the license shall be automatically invalid, and the person to whom the
21 license was issued, upon payment of \$15 to the attorney general, may
22 obtain a duplicate, or substitute thereof, upon furnishing a notarized
23 statement to the attorney general that such license has been lost or
24 destroyed.

25 Sec. 8. K.S.A. 2012 Supp. 75-7c10 is hereby amended to read as
26 follows: 75-7c10. *Subject to the provisions of section 2, and amendments*
27 *thereto:*

28 (a) Provided that the premises are conspicuously posted in accordance
29 with rules and regulations adopted by the attorney general as premises
30 where carrying a concealed handgun is prohibited, no license issued
31 pursuant to or recognized by this act shall authorize the licensee to carry a
32 concealed handgun into the building of:

33 ~~(1) Any place where an activity declared a common nuisance by~~
34 ~~K.S.A. 22-3901, and amendments thereto, is maintained;~~

35 ~~(2) any police, sheriff or highway patrol station;~~

36 ~~(3) any detention facility, prison or jail;~~

37 ~~(4) any courthouse, except that nothing in this section would preclude~~
38 ~~a judge from carrying a concealed handgun or determining who may carry~~
39 ~~a concealed handgun in the judge's courtroom;~~

40 ~~(5) any polling place on the day an election is held;~~

41 ~~(6) any state office;~~

42 ~~(7) any facility hosting an athletic event not related to or involving~~
43 ~~firearms which is sponsored by a private or public elementary or~~

1 secondary school or any private or public institution of postsecondary
2 education;

3 ~~(8) any facility hosting a professional athletic event not related to or~~
4 ~~involving firearms;~~

5 ~~(9) any drinking establishment as defined by K.S.A. 41-2601, and~~
6 ~~amendments thereto;~~

7 ~~(10) any elementary or secondary school, attendance center,~~
8 ~~administrative office, services center or other facility;~~

9 ~~(11) any community college, college or university;~~

10 ~~(12) any child exchange and visitation center provided for in K.S.A.~~
11 ~~75-720, and amendments thereto;~~

12 ~~(13) any community mental health center organized pursuant to~~
13 ~~K.S.A. 19-4001 et seq., and amendments thereto; any mental health clinic~~
14 ~~organized pursuant to K.S.A. 65-211 et seq., and amendments thereto; any~~
15 ~~psychiatric hospital licensed under K.S.A. 75-3307b, and amendments~~
16 ~~thereto; or a state psychiatric hospital, as follows: Larned state hospital,~~
17 ~~Osawatomic state hospital or Rainbow mental health facility;~~

18 ~~(14) any public library operated by the state;~~

19 ~~(15) any day care home or group day care home, as defined in Kansas~~
20 ~~administrative regulation 28-4-113, or any preschool or child care center, as~~
21 ~~defined in Kansas administrative regulation 28-4-420; or~~

22 ~~(16) any place of worship *any building*.~~

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

24 (1) Any public or private employer from restricting or prohibiting by
25 personnel policies persons licensed under this act from carrying a
26 concealed handgun while on the premises of the employer's business or
27 while engaged in the duties of the person's employment by the employer,
28 except that no employer may prohibit possession of a handgun in a private
29 means of conveyance, even if parked on the employer's premises; or

30 (2) any private business or city, county or political subdivision from
31 restricting or prohibiting persons licensed or recognized under this act
32 from carrying a concealed handgun within a building or buildings of such
33 entity, provided that the premises are posted in accordance with rules and
34 regulations adopted by the attorney general pursuant to subsection (f) (h),
35 as premises where carrying a concealed handgun is prohibited.

36 (c) ~~(1) It shall be a violation of this section to carry a concealed~~
37 ~~handgun in violation of any restriction or prohibition allowed by~~
38 ~~subsection (a) or (b) if the premises are posted in accordance with rules~~
39 ~~and regulations adopted by the attorney general pursuant to subsection (f).~~
40 ~~Any person who violates this section shall be guilty of a misdemeanor~~
41 ~~punishable by a fine of: (A) Not more than \$50 for the first offense; or (B)~~
42 ~~not more than \$100 for the second offense. Any third or subsequent~~
43 ~~offense is a class B misdemeanor.~~

1 (c) (1) *Any private entity which provides adequate security measures*
2 *in a private building and which conspicuously posts signage in*
3 *accordance with this section prohibiting the carrying of a concealed*
4 *handgun on the premises of such building as authorized by the personal*
5 *and family protection act shall not be liable for any wrongful act or*
6 *omission relating to actions of persons licensed to carry a concealed*
7 *handgun concerning acts or omissions regarding such handguns.*

8 (2) *Any private entity which does not provide adequate security*
9 *measures in a private building and which allows the carrying of a*
10 *concealed handgun as authorized by the personal and family protection*
11 *act shall not be liable for any wrongful act or omission relating to actions*
12 *of persons licensed to carry a concealed handgun concerning acts or*
13 *omissions regarding such handguns.*

14 (3) *Nothing in this act shall be deemed to increase the liability of any*
15 *private entity where liability would have existed under the personal and*
16 *family protection act prior to the effective date of this act.*

17 (d) *Any board of education of a unified school district, governing*
18 *body of any community college, technical college or the institute of*
19 *technology, or the chancellor or president of any state educational*
20 *institution may permit any employee, who is licensed to carry a concealed*
21 *handgun as authorized by the provisions of K.S.A. 75-7c01 et seq., and*
22 *amendments thereto, to carry a concealed handgun in any school building,*
23 *if the employee meets such institution's own policy requirements*
24 *regardless of whether such building is conspicuously posted in accordance*
25 *with the provisions of K.S.A. 75-7c10, and amendments thereto.*

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

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

1 is not in compliance with K.S.A. 2012 Supp. 75-7c19, and amendments
2 thereto.

3 (3) *Notwithstanding the provisions of subsection (a) or (b), it is not a*
4 *violation of this section for a law enforcement officer from another state or*
5 *a retired law enforcement officer meeting the requirements of the federal*
6 *law enforcement officers safety act, 18 U.S.C. §§ 926B and 926C, to*
7 *possess a handgun within any of the buildings described in subsection (a)*
8 *or (b), subject to any restrictions or prohibitions imposed in any*
9 *courtroom by the chief judge of the judicial district.*

10 ~~(d)~~ (f) For the purposes of this section; :

11 (1) *"Adequate security measures" shall have the same meaning as the*
12 *term is defined in section 2, 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.

15 ~~(e)~~ (g) Nothing in this act shall be construed to authorize the carrying
16 or possession of a handgun where prohibited by federal law.

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

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

24 (2) ~~they~~ *the signs* be posted at eye level of adults using the entrance
25 and not more than 12 inches to the right or left of such entrance;

26 (3) the signs not be obstructed or altered in any way; and

27 (4) signs which become illegible for any reason be immediately
28 replaced.

29 Sec. 9. K.S.A. 2012 Supp. 75-7c17 is hereby amended to read as
30 follows: 75-7c17. (a) The legislature finds as a matter of public policy and
31 fact that it is necessary to provide statewide uniform standards for issuing
32 licenses to carry concealed handguns for self-defense and finds it
33 necessary to occupy the field of regulation of the bearing of concealed
34 handguns for self-defense to ensure that no honest, law-abiding person
35 who qualifies under the provisions of this act is subjectively or arbitrarily
36 denied the person's rights. No city, county or other political subdivision of
37 this state shall regulate, restrict or prohibit the carrying of concealed
38 handguns by persons licensed under this act except as provided in *section*
39 *2, and amendments thereto, and in* subsection (b) of K.S.A. 2012 Supp.
40 75-7c10, and amendments thereto, and subsection (f) of K.S.A. 21-4218,
41 prior to its repeal, or subsection (e) of K.S.A. 2012 Supp. 21-6309, and
42 amendments thereto. Any existing or future law, ordinance, rule, regulation
43 or resolution enacted by any city, county or other political subdivision of

1 this state that regulates, restricts or prohibits the carrying of concealed
2 handguns by persons licensed under this act except as provided in *section*
3 *2, and amendments thereto, and in* subsection (b) of K.S.A. 2012 Supp.
4 75-7c10, and amendments thereto, and subsection (f) of K.S.A. 21-4218,
5 prior to its repeal, or subsection (e) of K.S.A. 2012 Supp. 21-6309, and
6 amendments thereto, shall be null and void.

7 (b) Prosecution of any person licensed under the personal and family
8 protection act, and amendments thereto, for violating any restrictions on
9 licensees will be done through the district court.

10 (c) The legislature does not delegate to the attorney general the
11 authority to regulate or restrict the issuing of licenses provided for in this
12 act, beyond those provisions of this act pertaining to licensing and training.
13 Subjective or arbitrary actions or rules and regulations which encumber
14 the issuing process by placing burdens on the applicant beyond those
15 sworn statements and specified documents detailed in this act or which
16 create restrictions beyond those specified in this act are in conflict with the
17 intent of this act and are prohibited.

18 (d) This act shall be liberally construed. This act is supplemental and
19 additional to existing constitutional rights to bear arms and nothing in this
20 act shall impair or diminish such rights.

21 Sec. 10. K.S.A. 2012 Supp. 21-6302, 21-6309, 45-221, 45-221j, 45-
22 221k, 75-7c05, 75-7c06, 75-7c10 and 75-7c17 are hereby repealed.

23 Sec. 11. This act shall take effect and be in force from and after its
24 publication in the statute book.