

**SENATE BILL No. 342**

By Committee on Federal and State Affairs

1-31

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1 AN ACT concerning firearms; relating to the personal and family  
2 protection act; creating exemptions for certain public entities;  
3 amending K.S.A. 2013 Supp. 75-7c20 and repealing the existing  
4 section.  
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6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 2013 Supp. 75-7c20 is hereby amended to read as  
8 follows: 75-7c20. (a) The carrying of a concealed handgun as authorized  
9 by the personal and family protection act shall not be prohibited in any  
10 state or municipal building unless such building has adequate security  
11 measures to ensure that no weapons are permitted to be carried into such  
12 building and the building is conspicuously posted in accordance with  
13 K.S.A. 2013 Supp. 75-7c10, and amendments thereto.

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

18 (c) No state agency or municipality shall prohibit an employee who is  
19 licensed to carry a concealed handgun under the provisions of the personal  
20 and family protection act from carrying such concealed handgun at the  
21 employee's work place unless the building has adequate security measures  
22 and the building is conspicuously posted in accordance with K.S.A. 2013  
23 Supp. 75-7c10, and amendments thereto.

24 (d) It shall not be a violation of the personal and family protection act  
25 for a person to carry a concealed handgun into a state or municipal  
26 building so long as that person is licensed to carry a concealed handgun  
27 under the provisions of the personal and family protection act and has  
28 authority to enter through a restricted access entrance into such building  
29 which provides adequate security measures and the building is  
30 conspicuously posted in accordance with K.S.A. 2013 Supp. 75-7c10, and  
31 amendments thereto.

32 (e) A state agency or municipality which provides adequate security  
33 measures in a state or municipal building and which conspicuously posts  
34 signage in accordance with K.S.A. 2013 Supp. 75-7c10, and amendments  
35 thereto, prohibiting the carrying of a concealed handgun in such building,  
36 as authorized by the personal and family protection act, such state agency

1 or municipality shall not be liable for any wrongful act or omission  
2 relating to actions of persons licensed to carry a concealed handgun  
3 concerning acts or omissions regarding such handguns.

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

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

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

21 (i) The governing body or the chief administrative officer, if no  
22 governing body exists, of a state or municipal building, may exempt the  
23 building from this section until January 1, 2014, by notifying the Kansas  
24 attorney general and the law enforcement agency of the local jurisdiction  
25 by letter of such exemption. Thereafter, such governing body or chief  
26 administrative officer may exempt a state or municipal building for a  
27 period of only four years by adopting a resolution, or drafting a letter,  
28 listing the legal description of such building, listing the reasons for such  
29 exemption, and including the following statement: "A security plan has  
30 been developed for the building being exempted which supplies adequate  
31 security to the occupants of the building and merits the prohibition of the  
32 carrying of a concealed handgun as authorized by the personal and family  
33 protection act." A copy of the security plan for the building shall be  
34 maintained on file and shall be made available, upon request, to the  
35 Kansas attorney general and the law enforcement agency of local  
36 jurisdiction. Notice of this exemption, together with the resolution adopted  
37 or the letter drafted, shall be sent to the Kansas attorney general and to the  
38 law enforcement agency of local jurisdiction. The security plan shall not  
39 be subject to disclosure under the Kansas open records act.

40 (j) The governing body or the chief administrative officer, if no  
41 governing body exists, of any of the following institutions may exempt  
42 any building of such institution from this section for a period of four years  
43 only by stating the reasons for such exemption and sending notice of such

1 exemption to the Kansas attorney general:

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

4 (2) a state or municipal-owned adult care home, as defined in K.S.A.  
5 39-923, and amendments thereto;

6 ~~(3) a community mental health center organized pursuant to K.S.A.  
7 19-4001 et seq., and amendments thereto;~~

8 ~~(4)~~ an indigent health care clinic, as defined by K.S.A. 2013 Supp.  
9 65-7402, and amendments thereto; or

10 ~~(5)~~ (4) a postsecondary educational institution, as defined in K.S.A.  
11 74-3201b, and amendments thereto, including any buildings located on the  
12 grounds of such institution and any buildings leased by such institution.

13 (k) The provisions of this section shall not apply to:

14 (1) Any building located on the grounds of the Kansas state school  
15 for the deaf or the Kansas state school for the blind;

16 (2) *any state or municipal building operated as a public library;*

17 (3) *any state or municipal building operated as a community center;*

18 *or*

19 (4) *any community mental health center organized pursuant to K.S.A.  
20 19-4001 et seq., and amendments thereto.*

21 (l) For purposes of this section:

22 (1) "Adequate security measures" means the use of electronic  
23 equipment and personnel at public entrances to detect and restrict the  
24 carrying of any weapons into the state or municipal building, including,  
25 but not limited to, metal detectors, metal detector wands or any other  
26 equipment used for similar purposes to ensure that weapons are not  
27 permitted to be carried into such building by members of the public.  
28 Adequate security measures for storing and securing lawfully carried  
29 weapons, including, but not limited to, the use of gun lockers or other  
30 similar storage options may be provided at public entrances.

31 (2) *"Community center" means a building used by members of a  
32 community for social, cultural, educational and recreational activities.*

33 ~~(3)~~ (3) The terms "municipality" and "municipal" are interchangeable  
34 and have the same meaning as the term "municipality" is defined in K.S.A.  
35 75-6102, and amendments thereto, but does not include school districts.

36 ~~(4)~~ (4) "Restricted access entrance" means an entrance that is  
37 restricted to the public and requires a key, keycard, code, or similar device  
38 to allow entry to authorized personnel.

39 ~~(5)~~ (5) "State" means the same as the term is defined in K.S.A. 75-  
40 6102, and amendments thereto.

41 ~~(6)~~ (6) (A) "State or municipal building" means a building owned or  
42 leased by such public entity. It does not include a building owned by the  
43 state or a municipality which is leased by a private entity whether for

1 profit or not-for-profit or a building held in title by the state or a  
2 municipality solely for reasons of revenue bond financing.

3 (B) On and after July 1, 2014, provided that the provisions of K.S.A.  
4 2013 Supp. 75-7c21, and amendments thereto, are in full force and effect,  
5 the term "state and municipal building" shall not include the state capitol.

6 ~~(6)~~ (7) "Weapon" means a weapon described in K.S.A. 2013 Supp.  
7 21-6301, and amendments thereto.

8 (m) This section shall be a part of and supplemental to the personal  
9 and family protection act.

10 Sec. 2. K.S.A. 2013 Supp. 75-7c20 is hereby repealed.

11 Sec. 3. This act shall take effect and be in force from and after its  
12 publication in the statute book.