

## HOUSE BILL No. 2575

By Committee on Federal and State Affairs

1-28

1 AN ACT concerning firearms; relating to the personal and family  
2 protection act; relating to carrying a concealed handgun in a public  
3 building; amending K.S.A. 2015 Supp. 75-7c20 and repealing the  
4 existing section.

5  
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 2015 Supp. 75-7c20 is hereby amended to read as  
8 follows: 75-7c20. (a) The carrying of a concealed handgun shall not be  
9 prohibited in any state or municipal building unless such building has  
10 adequate security measures to ensure that no weapons are permitted to be  
11 carried into such building and the building is conspicuously posted in  
12 accordance with K.S.A. 2015 Supp. 75-7c10, and amendments thereto.

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

17 (c) No state agency or municipality shall prohibit an employee from  
18 carrying a concealed handgun at the employee's work place unless the  
19 building has adequate security measures and the building is conspicuously  
20 posted in accordance with K.S.A. 2015 Supp. 75-7c10, and amendments  
21 thereto.

22 (d) (1) It shall not be a violation of the personal and family protection  
23 act for a person to carry a concealed handgun into a state or municipal  
24 building so long as that person has authority to enter through a restricted  
25 access entrance into such building which provides adequate security  
26 measures and the building is conspicuously posted in accordance with  
27 K.S.A. 2015 Supp. 75-7c10, and amendments thereto.

28 (2) *Any person, who is not an employee of the state or a municipality  
29 and is not otherwise authorized to enter a state or municipal building  
30 through a restricted access entrance, may be authorized to enter through a  
31 restricted access entrance, provided such person:*

32 (A) *Submits to an annual state and national criminal history records  
33 check prior to receiving authorization under this paragraph;*

34 (B) *is authorized by the governing body, or the chief administrative  
35 officer, if no governing body exists, to enter such state or municipal  
36 building through a restricted access entrance;*

1       (C) is annually issued an identification card by the governing body,  
2 or the chief administrative officer, if no governing body exists, which  
3 includes such person's photograph, name and any other identifying  
4 information deemed necessary by the issuing entity, and which states on  
5 the identification card that such person is authorized to enter such  
6 building through a restricted access entrance; and

7       (D) annually executes an affidavit or other notarized statement that  
8 such person acknowledges that certain firearms and weapons are  
9 prohibited in such building and that violating any such regulations may  
10 result in the revocation of such person's authority to enter such building  
11 through a restricted access entrance.

12       Authorization approved pursuant to this paragraph shall be valid for a  
13 period of one year from the date the identification card is issued to the  
14 individual under subsection (d)(2)(C). The governing body, or the chief  
15 administrative officer, if no governing body exists, shall develop criteria  
16 for approval of individuals subject to this paragraph to enter the state or  
17 municipal building through a restricted access entrance. Notwithstanding  
18 any authorization granted under this paragraph, an individual may be  
19 subjected to additional security screening measures upon reasonable  
20 suspicion or in circumstances where heightened security measures are  
21 warranted.

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

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

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

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

1 enforcement or armed security officers.

2 (i) The governing body or the chief administrative officer, if no  
3 governing body exists, of a state or municipal building, may exempt the  
4 building from this section until January 1, 2014, by notifying the Kansas  
5 attorney general and the law enforcement agency of the local jurisdiction  
6 by letter of such exemption. Thereafter, such governing body or chief  
7 administrative officer may exempt a state or municipal building for a  
8 period of only four years by adopting a resolution, or drafting a letter,  
9 listing the legal description of such building, listing the reasons for such  
10 exemption, and including the following statement: "A security plan has  
11 been developed for the building being exempted which supplies adequate  
12 security to the occupants of the building and merits the prohibition of the  
13 carrying of a concealed handgun." A copy of the security plan for the  
14 building shall be maintained on file and shall be made available, upon  
15 request, to the Kansas attorney general and the law enforcement agency of  
16 local jurisdiction. Notice of this exemption, together with the resolution  
17 adopted or the letter drafted, shall be sent to the Kansas attorney general  
18 and to the law enforcement agency of local jurisdiction. The security plan  
19 shall not be subject to disclosure under the Kansas open records act.

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

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

27 (2) a state or municipal-owned adult care home, as defined in K.S.A.  
28 39-923, and amendments thereto;

29 (3) a community mental health center organized pursuant to K.S.A.  
30 19-4001 et seq., and amendments thereto;

31 (4) an indigent health care clinic, as defined by K.S.A. 2015 Supp.  
32 65-7402, and amendments thereto; or

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

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

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

1 the provisions of K.S.A. 2015 Supp. 75-7c22, and amendments thereto,  
2 subject to any restrictions or prohibitions imposed in any courtroom by the  
3 chief judge of the judicial district.

4 (m) For purposes of this section:

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

14 (2) *"Authorized personnel" means employees of a state agency or*  
15 *municipality and any person granted authorization pursuant to subsection*  
16 *(d)(2), who are authorized to enter a state or municipal building through a*  
17 *restricted access entrance.*

18 (3) The terms "municipality" and "municipal" are interchangeable  
19 and have the same meaning as the term "municipality" is defined in K.S.A.  
20 75-6102, and amendments thereto, but does not include school districts.

21 ~~(3)~~ (4) "Restricted access entrance" means an entrance that is  
22 restricted to the public and requires a key, keycard, code, or similar device  
23 to allow 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 building"  
32 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. 2. K.S.A. 2015 Supp. 75-7c20 is hereby repealed.

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