

**SENATE BILL No. 348**

By Senators Hawk, Faust-Goudeau, Francisco, Holland and Pettey

1-21

1 AN ACT concerning firearms; relating to the personal and family  
2 protection act; relating to carrying concealed handguns in  
3 postsecondary educational institution buildings; amending K.S.A. 2015  
4 Supp. 75-7c20 and repealing the 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) It shall not be a violation of the personal and family protection act  
23 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 (e) A state agency or municipality which provides adequate security  
29 measures in a state or municipal building and which conspicuously posts  
30 signage in accordance with K.S.A. 2015 Supp. 75-7c10, and amendments  
31 thereto, prohibiting the carrying of a concealed handgun in such building  
32 shall not be liable for any wrongful act or omission relating to actions of  
33 persons carrying a concealed handgun concerning acts or omissions  
34 regarding such handguns.

35 (f) A state agency or municipality which does not provide adequate  
36 security measures in a state or municipal building and which allows the

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

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

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

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

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

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

40 (2) a state or municipal-owned adult care home, as defined in K.S.A.  
41 39-923, and amendments thereto;

42 (3) a community mental health center organized pursuant to K.S.A.  
43 19-4001 et seq., and amendments thereto; *or*

1 (4) an indigent health care clinic, as defined by K.S.A. 2015 Supp.  
2 65-7402, and amendments thereto; ~~or~~

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

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

7 (1) Any building located on the grounds of the Kansas state school  
8 for the deaf or the Kansas state school for the blind; *or*

9 (2) *any building located on the grounds of any postsecondary*  
10 *educational institution, as defined in K.S.A. 74-3201b, and amendments*  
11 *thereto, or any building leased by such institution.*

12 (l) Nothing in this section shall be construed to prohibit any law  
13 enforcement officer, as defined in K.S.A. 2015 Supp. 75-7c22, and  
14 amendments thereto, who satisfies the requirements of either K.S.A. 2015  
15 Supp. 75-7c22(a) or (b), and amendments thereto, from carrying a  
16 concealed handgun into any state or municipal building in accordance with  
17 the provisions of K.S.A. 2015 Supp. 75-7c22, and amendments thereto,  
18 subject to any restrictions or prohibitions imposed in any courtroom by the  
19 chief judge of the judicial district.

20 (m) For purposes of this section:

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

30 (2) The terms "municipality" and "municipal" are interchangeable  
31 and have the same meaning as the term "municipality" is defined in K.S.A.  
32 75-6102, and amendments thereto, but does not include school districts.

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

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

38 (5) (A) "State or municipal building" means a building owned or  
39 leased by such public entity. It does not include a building owned by the  
40 state or a municipality which is leased by a private entity whether for  
41 profit or not-for-profit or a building held in title by the state or a  
42 municipality solely for reasons of revenue bond financing.

43 (B) On and after July 1, 2014, the term "state and municipal building"

1 shall not include the state capitol.

2 (6) "Weapon" means a weapon described in K.S.A. 2015 Supp. 21-  
3 6301, and amendments thereto, except the term "weapon" shall not include  
4 any cutting instrument that has a sharpened or pointed blade.

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

7 Sec. 2. K.S.A. 2015 Supp. 75-7c20 is hereby repealed.

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