

**HOUSE BILL No. 2059**

By Committee on Federal and State Affairs

1-13

1 AN ACT concerning firearms; relating to the personal and family  
2 protection act; recognition of licenses issued by other jurisdictions;  
3 creating a special license for persons under the age of 21; amending  
4 K.S.A. 75-7c02, 75-7c03, 75-7c04, 75-7c08 and 75-7c21 and K.S.A.  
5 2020 Supp. 21-5914, 21-6301, 21-6302, 21-6309 and 32-1002 and  
6 repealing the existing sections.

7  
8 *Be it enacted by the Legislature of the State of Kansas:*

9 Section 1. K.S.A. 2020 Supp. 21-5914 is hereby amended to read as  
10 follows: 21-5914. (a) Traffic in contraband in a correctional institution or  
11 care and treatment facility is, without the consent of the administrator of  
12 the correctional institution or care and treatment facility:

13 (1) Introducing or attempting to introduce any item into or upon the  
14 grounds of any correctional institution or care and treatment facility;

15 (2) taking, sending, attempting to take or attempting to send any item  
16 from any correctional institution or care and treatment facility;

17 (3) any unauthorized possession of any item while in any correctional  
18 institution or care and treatment facility;

19 (4) distributing any item within any correctional institution or care  
20 and treatment facility;

21 (5) supplying to another who is in lawful custody any object or thing  
22 adapted or designed for use in making an escape; or

23 (6) introducing into an institution in which a person is confined any  
24 object or thing adapted or designed for use in making any escape.

25 (b) Traffic in contraband in a correctional institution or care and  
26 treatment facility is a:

27 (1) Severity level 6, nonperson felony, except as provided in  
28 subsection (b)(2) or (b)(3);

29 (2) severity level 5, nonperson felony if such items are:

30 (A) Firearms, ammunition, explosives or a controlled substance  
31 ~~which~~ *that* is defined in K.S.A. 2020 Supp. 21-5701, and amendments  
32 thereto, except as provided in subsection (b)(3);

33 (B) defined as contraband by rules and regulations adopted by the  
34 secretary of corrections, in a state correctional institution or facility by an  
35 employee of a state correctional institution or facility, except as provided  
36 in subsection (b)(3);

1 (C) defined as contraband by rules and regulations adopted by the  
2 secretary for aging and disability services, in a care and treatment facility  
3 by an employee of a care and treatment facility, except as provided in  
4 subsection (b)(3); or

5 (D) defined as contraband by rules and regulations adopted by the  
6 commissioner of the juvenile justice authority, in a juvenile correctional  
7 facility by an employee of a juvenile correctional facility, except as  
8 provided by subsection (b)(3); and

9 (3) severity level 4, nonperson felony if:

10 (A) Such items are firearms, ammunition or explosives, in a  
11 correctional institution by an employee of a correctional institution or in a  
12 care and treatment facility by an employee of a care and treatment facility;  
13 or

14 (B) a violation of subsection (a)(5) or (a)(6) by an employee or  
15 volunteer of the department of corrections, or the employee or volunteer of  
16 a contractor who is under contract to provide services to the department of  
17 corrections.

18 (c) The provisions of subsection (b)(2)(A) shall not apply to the  
19 possession of a firearm or ammunition in a parking lot open to the public if  
20 the firearm or ammunition is carried on the person while in a vehicle or  
21 while securing the firearm or ammunition in the vehicle, or stored out of  
22 plain view in a locked but unoccupied vehicle, *and such person is either:*  
23 *(1) Twenty-one years of age or older; or (2) possesses a valid provisional*  
24 *license issued pursuant to K.S.A. 75-7c03, and amendments thereto, or a*  
25 *valid license to carry a concealed handgun issued by another jurisdiction*  
26 *that is recognized in this state pursuant to K.S.A. 75-7c03, and*  
27 *amendments thereto.*

28 (d) As used in this section:

29 (1) "Correctional institution" means any state correctional institution  
30 or facility, conservation camp, state security hospital, juvenile correctional  
31 facility, community correction center or facility for detention or  
32 confinement, juvenile detention facility or jail;

33 (2) "care and treatment facility" means the state security hospital  
34 provided for under K.S.A. 76-1305 et seq., and amendments thereto, and a  
35 facility operated by the Kansas department for aging and disability  
36 services for the purposes provided for under K.S.A. 59-29a02 et seq., and  
37 amendments thereto; and

38 (3) "lawful custody" means the same as in K.S.A. 2020 Supp. 21-  
39 5912, and amendments thereto.

40 Sec. 2. K.S.A. 2020 Supp. 21-6301 is hereby amended to read as  
41 follows: 21-6301. (a) Criminal use of weapons is knowingly:

42 (1) Selling, manufacturing, purchasing or possessing any bludgeon,  
43 sand club or metal knuckles;

- 1 (2) possessing with intent to use the same unlawfully against another,  
2 a dagger, dirk, billy, blackjack, slungshot, dangerous knife, straight-edged  
3 razor, throwing star, stiletto or any other dangerous or deadly weapon or  
4 instrument of like character;
- 5 (3) setting a spring gun;
- 6 (4) possessing any device or attachment of any kind designed, used or  
7 intended for use in suppressing the report of any firearm;
- 8 (5) selling, manufacturing, purchasing or possessing a shotgun with a  
9 barrel less than 18 inches in length, or any firearm designed to discharge or  
10 capable of discharging automatically more than once by a single function  
11 of the trigger, whether the person knows or has reason to know the length  
12 of the barrel or that the firearm is designed or capable of discharging  
13 automatically;
- 14 (6) possessing, manufacturing, causing to be manufactured, selling,  
15 offering for sale, lending, purchasing or giving away any cartridge which  
16 can be fired by a handgun and which has a plastic-coated bullet that has a  
17 core of less than 60% lead by weight, whether the person knows or has  
18 reason to know that the plastic-coated bullet has a core of less than 60%  
19 lead by weight;
- 20 (7) selling, giving or otherwise transferring any firearm with a barrel  
21 less than 12 inches long to any person under 18 years of age whether the  
22 person knows or has reason to know the length of the barrel;
- 23 (8) selling, giving or otherwise transferring any firearms to any  
24 person who is both addicted to and an unlawful user of a controlled  
25 substance;
- 26 (9) selling, giving or otherwise transferring any firearm to any person  
27 who is or has been a mentally ill person subject to involuntary  
28 commitment for care and treatment, as defined in K.S.A. 59-2946, and  
29 amendments thereto, or a person with an alcohol or substance abuse  
30 problem subject to involuntary commitment for care and treatment as  
31 defined in K.S.A. 59-29b46, and amendments thereto;
- 32 (10) possessing any firearm by a person who is both addicted to and  
33 an unlawful user of a controlled substance;
- 34 (11) possessing any firearm by any person, other than a law  
35 enforcement officer, in or on any school property or grounds upon which is  
36 located a building or structure used by a unified school district or an  
37 accredited nonpublic school for student instruction or attendance or  
38 extracurricular activities of pupils enrolled in kindergarten or any of the  
39 grades one through 12 or at any regularly scheduled school sponsored  
40 activity or event whether the person knows or has reason to know that such  
41 person was in or on any such property or grounds;
- 42 (12) refusing to surrender or immediately remove from school  
43 property or grounds or at any regularly scheduled school sponsored

1 activity or event any firearm in the possession of any person, other than a  
2 law enforcement officer, when so requested or directed by any duly  
3 authorized school employee or any law enforcement officer;

4 (13) possessing any firearm by a person who is or has been a  
5 mentally ill person subject to involuntary commitment for care and  
6 treatment, as defined in K.S.A. 59-2946, and amendments thereto, or  
7 persons with an alcohol or substance abuse problem subject to involuntary  
8 commitment for care and treatment as defined in K.S.A. 59-29b46, and  
9 amendments thereto;

10 (14) possessing a firearm with a barrel less than 12 inches long by  
11 any person less than 18 years of age;

12 (15) possessing any firearm while a fugitive from justice;

13 (16) possessing any firearm by a person who is an alien illegally or  
14 unlawfully in the United States;

15 (17) possessing any firearm by a person while such person is subject  
16 to a court order that:

17 (A) Was issued after a hearing, of which such person received actual  
18 notice, and at which such person had an opportunity to participate;

19 (B) restrains such person from harassing, stalking or threatening an  
20 intimate partner of such person or a child of such person or such intimate  
21 partner, or engaging in other conduct that would place an intimate partner  
22 in reasonable fear of bodily injury to the partner or the child; and

23 (C) (i) includes a finding that such person represents a credible threat  
24 to the physical safety of such intimate partner or child; or

25 (ii) by its terms explicitly prohibits the use, attempted use or  
26 threatened use of physical force against such intimate partner or child that  
27 would reasonably be expected to cause bodily injury; or

28 (18) possessing any firearm by a person who, within the preceding  
29 five years, has been convicted of a misdemeanor for a domestic violence  
30 offense, or a misdemeanor under a law of another jurisdiction which is  
31 substantially the same as such misdemeanor offense.

32 (b) Criminal use of weapons as defined in:

33 (1) Subsection (a)(1), (a)(2), (a)(3), (a)(7), (a)(8), (a)(9) or (a)(12) is a  
34 class A nonperson misdemeanor;

35 (2) subsection (a)(4), (a)(5) or (a)(6) is a severity level 9, nonperson  
36 felony;

37 (3) subsection (a)(10) or (a)(11) is a class B nonperson select  
38 misdemeanor;

39 (4) subsection (a)(13), (a)(15), (a)(16), (a)(17) or (a)(18) is a severity  
40 level 8, nonperson felony; and

41 (5) subsection (a)(14) is a:

42 (A) Class A nonperson misdemeanor except as provided in subsection  
43 (b)(5)(B);

1 (B) severity level 8, nonperson felony upon a second or subsequent  
2 conviction.

3 (c) Subsections (a)(1), (a)(2) and (a)(5) shall not apply to:

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

7 (2) wardens, superintendents, directors, security personnel and  
8 keepers of prisons, penitentiaries, jails and other institutions for the  
9 detention of persons accused or convicted of crime, while acting within the  
10 scope of their authority;

11 (3) members of the armed services or reserve forces of the United  
12 States or the Kansas national guard while in the performance of their  
13 official duty; or

14 (4) the manufacture of, transportation to, or sale of weapons to a  
15 person authorized under subsections (c)(1), (c)(2) and (c)(3) to possess  
16 such weapons.

17 (d) Subsections (a)(4) and (a)(5) shall not apply to any person who  
18 sells, purchases, possesses or carries a firearm, device or attachment which  
19 has been rendered unserviceable by steel weld in the chamber and  
20 marriage weld of the barrel to the receiver and which has been registered  
21 in the national firearms registration and transfer record in compliance with  
22 26 U.S.C. § 5841 et seq. in the name of such person and, if such person  
23 transfers such firearm, device or attachment to another person, has been so  
24 registered in the transferee's name by the transferor.

25 (e) Subsection (a)(6) shall not apply to a governmental laboratory or  
26 solid plastic bullets.

27 (f) Subsection (a)(4) shall not apply to a law enforcement officer who  
28 is:

29 (1) Assigned by the head of such officer's law enforcement agency to  
30 a tactical unit which receives specialized, regular training;

31 (2) designated by the head of such officer's law enforcement agency  
32 to possess devices described in subsection (a)(4); and

33 (3) in possession of commercially manufactured devices which are:

34 (A) Owned by the law enforcement agency;

35 (B) in such officer's possession only during specific operations; and

36 (C) approved by the bureau of alcohol, tobacco, firearms and  
37 explosives of the United States department of justice.

38 (g) Subsections (a)(4), (a)(5) and (a)(6) shall not apply to any person  
39 employed by a laboratory which is certified by the United States  
40 department of justice, national institute of justice, while actually engaged  
41 in the duties of their employment and on the premises of such certified  
42 laboratory. Subsections (a)(4), (a)(5) and (a)(6) shall not affect the  
43 manufacture of, transportation to or sale of weapons to such certified

1 laboratory.

2 (h) Subsections (a)(4) and (a)(5) shall not apply to or affect any  
3 person or entity in compliance with the national firearms act, 26 U.S.C. §  
4 5801 et seq.

5 (i) (1) Subsection (a)(4) shall not apply to or affect any person in  
6 possession of a device or attachment designed, used or intended for use in  
7 suppressing the report of any firearm, if such device or attachment satisfies  
8 the description of a Kansas-made firearm accessory as set forth in K.S.A.  
9 2020 Supp. 50-1204, and amendments thereto.

10 (2) The provisions of this subsection shall apply to any violation of  
11 subsection (a)(4) that occurred on or after April 25, 2013.

12 (j) Subsection (a)(11) shall not apply to:

13 (1) Possession of any firearm in connection with a firearms safety  
14 course of instruction or firearms education course approved and authorized  
15 by the school;

16 (2) possession of any firearm specifically authorized in writing by the  
17 superintendent of any unified school district or the chief administrator of  
18 any accredited nonpublic school;

19 (3) possession of a firearm secured in a motor vehicle by a parent,  
20 guardian, custodian or someone authorized to act in such person's behalf  
21 who is delivering or collecting a student; ~~or~~

22 (4) possession of a firearm secured in a motor vehicle by a registered  
23 voter who is on the school grounds, which contain a polling place for the  
24 purpose of voting during polling hours on an election day; or

25 (5) possession of a concealed handgun by an individual who is not  
26 prohibited from possessing a firearm under either federal or state law, *and*  
27 *who is either: (A) Twenty-one years of age or older; or (B) possesses a*  
28 *valid provisional license issued pursuant to K.S.A. 75-7c03, and*  
29 *amendments thereto, or a valid license to carry a concealed handgun*  
30 *issued by another jurisdiction that is recognized in this state pursuant to*  
31 *K.S.A. 75-7c03, and amendments thereto.*

32 (k) Subsections (a)(9) and (a)(13) shall not apply to a person who has  
33 received a certificate of restoration pursuant to K.S.A. 75-7c26, and  
34 amendments thereto.

35 (l) Subsection (a)(14) shall not apply if such person, less than 18  
36 years of age, was:

37 (1) In attendance at a hunter's safety course or a firearms safety  
38 course;

39 (2) engaging in practice in the use of such firearm or target shooting  
40 at an established range authorized by the governing body of the  
41 jurisdiction in which such range is located, or at another private range with  
42 permission of such person's parent or legal guardian;

43 (3) engaging in an organized competition involving the use of such

1 firearm, or participating in or practicing for a performance by an  
2 organization exempt from federal income tax pursuant to section 501(c)(3)  
3 of the internal revenue code of 1986 which uses firearms as a part of such  
4 performance;

5 (4) hunting or trapping pursuant to a valid license issued to such  
6 person pursuant to article 9 of chapter 32 of the Kansas Statutes  
7 Annotated, and amendments thereto;

8 (5) traveling with any such firearm in such person's possession being  
9 unloaded to or from any activity described in subsections (l)(1) through (l)  
10 (4), only if such firearm is secured, unloaded and outside the immediate  
11 access of such person;

12 (6) on real property under the control of such person's parent, legal  
13 guardian or grandparent and who has the permission of such parent, legal  
14 guardian or grandparent to possess such firearm; or

15 (7) at such person's residence and who, with the permission of such  
16 person's parent or legal guardian, possesses such firearm for the purpose of  
17 exercising the rights contained in K.S.A. 2020 Supp. 21-5222, 21-5223 or  
18 21-5225, and amendments thereto.

19 (m) As used in this section:

20 (1) "Domestic violence" means the use or attempted use of physical  
21 force, or the threatened use of a deadly weapon, committed against a  
22 person with whom the offender is involved or has been involved in a  
23 dating relationship or is a family or household member.

24 (2) "Fugitive from justice" means any person having knowledge that  
25 a warrant for the commission of a felony has been issued for the  
26 apprehension of such person under K.S.A. 22-2713, and amendments  
27 thereto.

28 (3) "Intimate partner" means, with respect to a person, the spouse of  
29 the person, a former spouse of the person, an individual who is a parent of  
30 a child of the person or an individual who cohabitates or has cohabitated  
31 with the person.

32 (4) "Throwing star" means any instrument, without handles,  
33 consisting of a metal plate having three or more radiating points with one  
34 or more sharp edges and designed in the shape of a polygon, trefoil, cross,  
35 star, diamond or other geometric shape, manufactured for use as a weapon  
36 for throwing.

37 Sec. 3. K.S.A. 2020 Supp. 21-6302 is hereby amended to read as  
38 follows: 21-6302. (a) Criminal carrying of a weapon is knowingly  
39 carrying:

40 (1) Any bludgeon, sandclub, metal knuckles or throwing star;

41 (2) concealed on one's person, a billy, blackjack, slungshot or any  
42 other dangerous or deadly weapon or instrument of like character;

43 (3) on one's person or in any land, water or air vehicle, with intent to

1 use the same unlawfully, a tear gas or smoke bomb or projector or any  
 2 object containing a noxious liquid, gas or substance;~~or~~

3 (4) any pistol, revolver or other firearm concealed on one's person if  
 4 such person is under 21 years of age, except when on such person's land or  
 5 in such person's abode or fixed place of business; or

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

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

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

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

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

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

19 (2) wardens, superintendents, directors, security personnel and  
 20 keepers of prisons, penitentiaries, jails and other institutions for the  
 21 detention of persons accused or convicted of crime, while acting within the  
 22 scope of their authority;

23 (3) members of the armed services or reserve forces of the United  
 24 States or the Kansas national guard while in the performance of their  
 25 official duty; or

26 (4) the manufacture of, transportation to, or sale of weapons to a  
 27 person authorized under subsections (c)(1), (c)(2) and (c)(3) to possess  
 28 such weapons.

29 (d) *Subsection (a)(4) shall not apply to any person who is carrying a*  
 30 *handgun, as defined in K.S.A. 75-7c02, and amendments thereto, and who*  
 31 *possesses a valid provisional license issued pursuant to K.S.A. 75-7c03,*  
 32 *and amendments thereto, or a valid license to carry a concealed handgun*  
 33 *issued by another jurisdiction that is recognized in this state pursuant to*  
 34 *K.S.A. 75-7c03, and amendments thereto.*

35 ~~(d)~~(e) Subsection (a)(5) shall not apply to:

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

43 (2) any person employed by a laboratory which is certified by the

1 United States department of justice, national institute of justice, while  
2 actually engaged in the duties of their employment and on the premises of  
3 such certified laboratory. Subsection (a)(5) shall not affect the manufacture  
4 of, transportation to or sale of weapons to such certified laboratory; or

5 (3) any person or entity in compliance with the national firearms act,  
6 26 U.S.C. § 5801 et seq.

7 ~~(e)~~(f) As used in this section, "throwing star" means the same as  
8 prescribed by K.S.A. 2020 Supp. 21-6301, and amendments thereto.

9 Sec. 4. K.S.A. 2020 Supp. 21-6309 is hereby amended to read as  
10 follows: 21-6309. (a) It shall be unlawful to possess, with no requirement  
11 of a culpable mental state, a firearm:

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

13 (2) within the governor's residence;

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

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

20 (5) within any county courthouse, unless, by county resolution, the  
21 board of county commissioners authorize the possession of a firearm  
22 within such courthouse.

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

24 (c) This section shall not apply to:

25 (1) A commissioned law enforcement officer;

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

28 (3) any person summoned by any such officer to assist in making  
29 arrests or preserving the peace while actually engaged in assisting such  
30 officer; or

31 (4) a member of the military of this state or the United States engaged  
32 in the performance of duties.

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

34 (1) The governor, the governor's immediate family, or specifically  
35 authorized guest of the governor to possess a firearm within the governor's  
36 residence or on the grounds of or in any building on the grounds of the  
37 governor's residence;

38 (2) the United States attorney for the district of Kansas, the attorney  
39 general, any district attorney or county attorney, any assistant United  
40 States attorney if authorized by the United States attorney for the district  
41 of Kansas, any assistant attorney general if authorized by the attorney  
42 general, or any assistant district attorney or assistant county attorney if  
43 authorized by the district attorney or county attorney by whom such

1 assistant is employed, to possess a firearm within any county courthouse  
2 and court-related facility, subject to any restrictions or prohibitions  
3 imposed in any courtroom by the chief judge of the judicial district;

4 (3) law enforcement officers, as that term is defined in K.S.A. 75-  
5 7c22, and amendments thereto, who satisfy the requirements of either  
6 K.S.A. 75-7c22(a) or (b), and amendments thereto, to possess a firearm; or

7 (4) an individual to possess a concealed handgun ~~provided~~ *if* such  
8 individual is not prohibited from possessing a firearm under either federal  
9 or state law, *and such individual is either: (A) Twenty-one years of age or*  
10 *older; or (B) possesses a valid provisional license issued pursuant to*  
11 *K.S.A. 75-7c03, and amendments thereto, or a valid license to carry a*  
12 *concealed handgun issued by another jurisdiction that is recognized in*  
13 *this state pursuant to K.S.A. 75-7c03, and amendments thereto.*

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

18 (1) Buildings have adequate security measures to ensure that no  
19 weapons are permitted to be carried into such buildings;

20 (2) county also has a policy or regulation requiring all law  
21 enforcement officers to secure and store such officer's firearm upon  
22 entering the courthouse or court-related facility. Such policy or regulation  
23 may provide that it does not apply to court security or sheriff's office  
24 personnel for such county; and

25 (3) buildings have a sign conspicuously posted at each entryway into  
26 such building stating that the provisions of subsection (d)(2) do not apply  
27 to such building.

28 (f) As used in this section:

29 (1) "Adequate security measures" shall have the same meaning as the  
30 term is defined in K.S.A. 75-7c20, and amendments thereto;

31 (2) "possession" means having joint or exclusive control over a  
32 firearm or having a firearm in a place where the person has some measure  
33 of access and right of control; and

34 (3) "capitol complex" means the same as in K.S.A. 75-4514, and  
35 amendments thereto.

36 (g) For the purposes of subsections (a)(1), (a)(4) and (a)(5),  
37 "building" and "courthouse" shall not include any structure, or any area of  
38 any structure, designated for the parking of motor vehicles.

39 Sec. 5. K.S.A. 2020 Supp. 32-1002 is hereby amended to read as  
40 follows: 32-1002. (a) Unless and except as permitted by law or rules and  
41 regulations adopted by the secretary in accordance with K.S.A. 32-805,  
42 and amendments thereto, it is unlawful for any person to:

43 (1) Hunt, fish, furharvest or take any wildlife in this state by any

1 means or manner;

2 (2) possess any wildlife, dead or alive, at any time or in any number,  
3 in this state;

4 (3) purchase, sell, exchange, ship or offer for sale, exchange or  
5 shipment any wildlife in this state;

6 (4) take any wildlife in this state for sale, exchange or other  
7 commercial purposes;

8 (5) possess any seine, trammel net, hoop net, fyke net, fish gig, fish  
9 spear, fish trap or other device, contrivance or material for the purpose of  
10 taking wildlife; or

11 (6) take or use, at any time or in any manner, any game bird, game  
12 animal, coyote or furbearing animal, whether pen-raised or wild, in any  
13 field trial or for training dogs.

14 (b) The provisions of subsections (a)(2) and (a)(3) do not apply to  
15 animals sold in surplus property disposal sales of department exhibit herds  
16 or animals legally taken outside this state, except the provisions of  
17 subsection (a)(3) shall apply to:

18 (1) The meat of game animals legally taken outside this state; and

19 (2) other restrictions as provided by rule and regulation of the  
20 secretary.

21 (c) The provisions of this section shall not be construed to prevent:

22 (1) Any person from taking starlings or English and European  
23 sparrows;

24 (2) owners or legal occupants of land from killing any animals when  
25 found in or near buildings on their premises or when destroying property,  
26 subject to the following: (A) The provisions of all federal laws and  
27 regulations governing protected species and the provisions of K.S.A. 32-  
28 957 through 32-963, and amendments thereto, and rules and regulations  
29 adopted thereunder; (B) it is unlawful to use, or possess with intent to use,  
30 any such animal so killed unless authorized by rules and regulations of the  
31 secretary; and (C) such owners or legal occupants shall make reasonable  
32 efforts to alleviate their problems with any such animals before killing  
33 them;

34 (3) any person who lawfully possesses a handgun from carrying such  
35 handgun, whether concealed or openly carried, while lawfully hunting,  
36 fishing or furharvesting, *if such person is either: (A) Twenty-one years of*  
37 *age or older; or (B) possesses a valid provisional license issued pursuant*  
38 *to K.S.A. 75-7c03, and amendments thereto, or a valid license to carry a*  
39 *concealed handgun issued by another jurisdiction that is recognized in*  
40 *this state pursuant to K.S.A. 75-7c03, and amendments thereto; or*

41 (4) any person who lawfully possesses a device or attachment of any  
42 kind designed, used or intended for use in suppressing the report of any  
43 firearm from using such device or attachment in conjunction with lawful

1 hunting, fishing or furharvesting.

2 (d) Any person convicted of violating provisions of this section shall  
3 be subject to the penalties prescribed in K.S.A. 32-1031, and amendments  
4 thereto, except as provided in K.S.A. 32-1032, and amendments thereto,  
5 relating to big game and wild turkey.

6 Sec. 6. K.S.A. 75-7c02 is hereby amended to read as follows: 75-  
7 7c02. As used in the personal and family protection act, *except as*  
8 *otherwise provided:*

9 (a) "Attorney general" means the attorney general of the state of  
10 Kansas.

11 (b) "Handgun" means a "firearm," as defined in K.S.A. 75-7b01, and  
12 amendments thereto.

13 (c) "Athletic event" means athletic instruction, practice or  
14 competition held at any location and including any number of athletes.

15 (d) "Dependent" means a resident of the household of an active duty  
16 member of any branch of the armed forces of the United States who  
17 depends in whole or in substantial part upon the member for financial  
18 support.

19 (e) "*License*" means a provisional or adult license issued by the  
20 attorney general pursuant to K.S.A. 75-7c03, and amendments thereto.

21 Sec. 7. K.S.A. 75-7c03 is hereby amended to read as follows: 75-  
22 7c03. (a) The attorney general shall issue licenses to carry concealed  
23 handguns to persons who comply with the application and training  
24 requirements of this act and who are not disqualified under K.S.A. 75-  
25 7c04, and amendments thereto. Such licenses shall be valid throughout the  
26 state for a period of four years from the date of issuance. The availability  
27 of licenses to carry concealed handguns under this act shall not be  
28 construed to impose a general prohibition on the carrying of handguns  
29 without such license, whether carried openly or concealed, or loaded or  
30 unloaded.

31 (b) The license shall be a separate card, in a form prescribed by the  
32 attorney general, that is approximately the size of a Kansas driver's  
33 license, *shall indicate whether the license is a provisional or adult license*  
34 and shall bear the licensee's signature, name, address, date of birth and  
35 driver's license number or nondriver's identification card number except  
36 that the attorney general shall assign a unique number for military  
37 applicants or their dependents described in K.S.A. 75-7c05(a)(1)(B), and  
38 amendments thereto.

39 (c) (1) *Subject to the provisions of subsection (c)(2), a valid license*  
40 *or permit to carry a concealed firearm issued by another jurisdiction shall*  
41 *be recognized in this state, but only while the holder is not a resident of*  
42 *Kansas.*

43 (2) *A valid license or permit that is recognized pursuant to this*

1 *subsection shall only entitle the lawful holder thereof to carry concealed*  
2 *handguns in this state, and the holder thereof shall otherwise act in*  
3 *accordance with the laws of this state while such holder is present in this*  
4 *state. The recognition of a license or permit pursuant to this subsection*  
5 *shall not be construed to impose a general prohibition on the carrying of*  
6 *handguns without such license, whether carried openly or concealed, or*  
7 *loaded or unloaded.*

8 *(3) As used in this subsection, the terms "jurisdiction" and "license or*  
9 *permit" shall have the same meanings as provided in K.S.A. 75-7c04, and*  
10 *amendments thereto.*

11 Sec. 8. K.S.A. 75-7c04 is hereby amended to read as follows: 75-  
12 7c04. (a) The attorney general shall not issue a license pursuant to this act  
13 if the applicant:

14 (1) Is not a resident of the county where application for licensure is  
15 made or is not a resident of the state;

16 (2) is prohibited from shipping, transporting, possessing or receiving  
17 a firearm or ammunition under 18 U.S.C. § 922(g) or (n), and amendments  
18 thereto, or K.S.A. 21-4204, prior to its repeal, or K.S.A. 2020 Supp. 21-  
19 6301(a)(10) through (a)(13) or K.S.A. 2020 Supp. 21-6304(a)(1) through  
20 (a)(3), and amendments thereto; or

21 (3) (A) *For a provisional license, is less than ~~21~~ 18 years of age; or*

22 (B) *for an adult license, is less than 21 years of age.*

23 (b) (1) The attorney general shall adopt rules and regulations  
24 establishing procedures and standards as authorized by this act for an  
25 eight-hour handgun safety and training course required by this section.  
26 Such standards shall include: (A) A requirement that trainees receive  
27 training in the safe storage of handguns, actual firing of handguns and  
28 instruction in the laws of this state governing the carrying of concealed  
29 handguns and the use of deadly force; (B) general guidelines for courses  
30 which are compatible with the industry standard for basic handgun training  
31 for civilians; (C) qualifications of instructors; and (D) a requirement that  
32 the course be: (i) A handgun course certified or sponsored by the attorney  
33 general; or (ii) a handgun course certified or sponsored by the national  
34 rifle association or by a law enforcement agency, college, private or public  
35 institution or organization or handgun training school, if the attorney  
36 general determines that such course meets or exceeds the standards  
37 required by rules and regulations adopted by the attorney general and is  
38 taught by instructors certified by the attorney general or by the national  
39 rifle association, if the attorney general determines that the requirements  
40 for certification of instructors by such association meet or exceed the  
41 standards required by rules and regulations adopted by the attorney  
42 general. Any person wanting to be certified by the attorney general as an  
43 instructor shall submit to the attorney general an application in the form

1 required by the attorney general and a fee not to exceed \$150.

2 (2) The cost of the handgun safety and training course required by  
 3 this section shall be paid by the applicant. The following shall constitute  
 4 satisfactory evidence of satisfactory completion of an approved handgun  
 5 safety and training course:

6 (A) Evidence of completion of a course that satisfies the requirements  
 7 of subsection (b)(1), in the form provided by rules and regulations adopted  
 8 by the attorney general;

9 (B) an affidavit from the instructor, school, club, organization or  
 10 group that conducted or taught such course attesting to the completion of  
 11 the course by the applicant;

12 (C) evidence of completion of a course offered in another jurisdiction  
 13 which is determined by the attorney general to have training requirements  
 14 that are equal to or greater than those required by this act; or

15 (D) a determination by the attorney general pursuant to subsection  
 16 (c).

17 (c) (1) The attorney general may:

18 ~~(A)~~(A) Create a list of concealed carry handgun licenses or permits  
 19 issued by other jurisdictions ~~which~~ that the attorney general finds have  
 20 training requirements that are equal to or greater than those of this state;  
 21 and

22 ~~(B)~~(B) review each application received pursuant to K.S.A. 75-7c05,  
 23 and amendments thereto, to determine if the applicant's previous training  
 24 qualifications were equal to or greater than those of this state.

25 ~~(2)~~(2) For the purposes of this ~~section~~ subsection:

26 ~~(A)~~(A) "Equal to or greater than" means the applicant's prior training  
 27 meets or exceeds the training established in this section by having  
 28 required, at a minimum, the applicant to: ~~(A)~~(i) Receive instruction on the  
 29 laws of self-defense; and ~~(B)~~(ii) demonstrate training and competency in  
 30 the safe handling, storage and actual firing of handguns.

31 ~~(B)~~(B) "Jurisdiction" means another state or the District of Columbia.

32 ~~(C)~~(C) "License or permit" means a concealed carry handgun license  
 33 or permit from another jurisdiction ~~which~~ that has not expired and, except  
 34 for any residency requirement of the issuing jurisdiction, is currently in  
 35 good standing.

36 Sec. 9. K.S.A. 75-7c08 is hereby amended to read as follows: 75-  
 37 7c08. (a) Not less than 90 days prior to the expiration date of the license,  
 38 the attorney general shall mail to the licensee a written notice of the  
 39 expiration and a renewal form prescribed by the attorney general. The  
 40 licensee shall renew the license on or before the expiration date by filing  
 41 with the attorney general the renewal form, a notarized affidavit, either in  
 42 person or by certified mail, stating that the licensee remains qualified  
 43 pursuant to the criteria specified in K.S.A. 75-7c04, and amendments

1 thereto, a full frontal view photograph of the applicant taken within the  
2 preceding 30 days and a nonrefundable license renewal fee of \$25 payable  
3 to the attorney general. The attorney general shall complete a name-based  
4 background check, including a search of the national instant criminal  
5 background check system database. A licensee who fails to file a renewal  
6 application on or before the expiration date of the license must pay an  
7 additional late fee of \$15. A renewal application is considered filed on the  
8 date the renewal form, affidavit, and required fees are delivered in person  
9 to the attorney general's office or on the date a certified mailing to the  
10 attorney general's office containing these items is postmarked.

11 (b) Upon receipt of a renewal application as specified in subsection  
12 (a), a background check in accordance with ~~subsection (d)~~ of K.S.A. 75-  
13 7c05(d), and amendments thereto, shall be completed. Fingerprints shall  
14 not be required for renewal applications. If the licensee is not disqualified  
15 as provided by this act, the license shall be renewed upon receipt by the  
16 attorney general of the items listed in subsection (a) and the completion of  
17 the background check. *If the licensee holds a valid provisional license at*  
18 *the time the renewal application is submitted, then the attorney general*  
19 *shall issue an adult license to the licensee if the licensee is not disqualified*  
20 *as provided by this act.*

21 (c) No license shall be renewed if the renewal application is filed six  
22 months or more after the expiration date of the license, and such license  
23 shall be deemed to be permanently expired. A person whose license has  
24 been permanently expired may reapply for licensure but an application for  
25 licensure and fees pursuant to K.S.A. 75-7c05, and amendments thereto,  
26 shall be submitted, and a background investigation including the  
27 submission of fingerprints, shall be conducted pursuant to the provisions  
28 of that section.

29 Sec. 10. K.S.A. 75-7c21 is hereby amended to read as follows: 75-  
30 7c21. (a) An individual may carry a concealed handgun in the state capitol;  
31 ~~provided~~ *if* such individual is not prohibited from possessing a firearm  
32 under either federal or state law, *and is either: (A) Twenty-one years of age*  
33 *or older; or (B) possesses a valid provisional license issued pursuant to*  
34 *K.S.A. 75-7c03, and amendments thereto, or a valid license to carry a*  
35 *concealed handgun issued by another jurisdiction that is recognized in*  
36 *this state pursuant to K.S.A. 75-7c03, and amendments thereto.*

37 (b) This section shall be a part of and supplemental to the personal  
38 and family protection act.

39 Sec. 11. K.S.A. 75-7c02, 75-7c03, 75-7c04, 75-7c08 and 75-7c21 and  
40 K.S.A. 2020 Supp. 21-5914, 21-6301, 21-6302, 21-6309 and 32-1002 are  
41 hereby repealed.

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