

SENATE BILL No. 65

By Committee on Federal and State Affairs

1-22

1 AN ACT concerning firearms; relating to the personal and family
2 protection act; amending K.S.A. 2014 Supp. 75-7c10 and repealing the
3 existing section.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2014 Supp. 75-7c10 is hereby amended to read as
7 follows: 75-7c10. Subject to the provisions of K.S.A. 2014 Supp. 75-7c20,
8 and amendments thereto:

9 (a) Provided that the building is conspicuously posted in accordance
10 with rules and regulations adopted by the attorney general as a building
11 where carrying a concealed handgun is prohibited, no license issued
12 pursuant to or recognized by this act shall authorize the licensee to carry a
13 concealed handgun into any building.

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

15 ~~(1) any public or private employer from restricting or prohibiting by~~
16 ~~personnel policies persons licensed under this act from carrying a~~
17 ~~concealed handgun while on the premises of the employer's business or~~
18 ~~while engaged in the duties of the person's employment by the employer,~~
19 ~~except that no employer may prohibit possession of a handgun in a private~~
20 ~~means of conveyance, even if parked on the employer's premises; or~~

21 ~~(2) any private business or city, county or political subdivision from~~
22 ~~restricting or prohibiting persons licensed or recognized under this act~~
23 ~~from carrying a concealed handgun within a building or buildings of such~~
24 ~~entity, provided that the building is posted in accordance with rules and~~
25 ~~regulations adopted by the attorney general pursuant to subsection (h), as a~~
26 ~~building where carrying a concealed handgun is prohibited.~~

27 (c) (1) Any private entity which provides adequate security measures
28 in a private building and which conspicuously posts signage in accordance
29 with this section prohibiting the carrying of a concealed handgun in such
30 building as authorized by the personal and family protection act shall not
31 be liable for any wrongful act or omission relating to actions of persons
32 licensed to carry a concealed handgun concerning acts or omissions
33 regarding such handguns.

34 (2) Any private entity which does not provide adequate security
35 measures in a private building and which allows the carrying of a
36 concealed handgun as authorized by the personal and family protection act

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

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

7 (d) The governing body or the chief administrative officer, if no
8 governing body exists, of any of the following institutions may permit any
9 employee, who is licensed to carry a concealed handgun as authorized by
10 the provisions of K.S.A. 2014 Supp. 75-7c01 et seq., and amendments
11 thereto, to carry a concealed handgun in any building of such institution, if
12 the employee meets such institution's own policy requirements regardless
13 of whether such building is conspicuously posted in accordance with the
14 provisions of this section:

15 (1) A unified school district;

16 (2) a postsecondary educational institution, as defined in K.S.A. 74-
17 3201b, and amendments thereto;

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

20 (4) a state or municipal-owned adult care home, as defined in K.S.A.
21 39-923, and amendments thereto;

22 (5) a community mental health center organized pursuant to K.S.A.
23 19-4001 et seq., and amendments thereto; or

24 (6) an indigent health care clinic, as defined by K.S.A. 2014 Supp.
25 65-7402, and amendments thereto.

26 *(e) No public employer shall restrict or otherwise prohibit by*
27 *personnel policies any employee who is licensed under this act from*
28 *carrying a concealed handgun while engaged in the duties of such*
29 *employee's employment outside of such employer's place of business,*
30 *including while in a means of conveyance.*

31 ~~(e)~~ (f) (1) It shall be a violation of this section to carry a concealed
32 handgun in violation of any restriction or prohibition allowed by
33 subsection (a) ~~or (b)~~ if the building is posted in accordance with rules and
34 regulations adopted by the attorney general pursuant to subsection ~~(h)~~ (j).
35 Any person who violates this section shall not be subject to a criminal
36 penalty but may be subject to denial to such premises or removal from
37 such premises.

38 (2) Notwithstanding the provisions of subsection (a) ~~or (b)~~, it is not a
39 violation of this section for the United States attorney for the district of
40 Kansas, the attorney general, any district attorney or county attorney, any
41 assistant United States attorney if authorized by the United States attorney
42 for the district of Kansas, any assistant attorney general if authorized by
43 the attorney general, or any assistant district attorney or assistant county

1 attorney if authorized by the district attorney or county attorney by whom
2 such assistant is employed, to possess a handgun within any of the
3 buildings described in subsection (a) ~~or (b)~~, subject to any restrictions or
4 prohibitions imposed in any courtroom by the chief judge of the judicial
5 district. The provisions of this paragraph shall not apply to any person who
6 is not in compliance with K.S.A. 2014 Supp. 75-7c19, and amendments
7 thereto.

8 (3) Notwithstanding the provisions of subsection (a) ~~or (b)~~, it is not a
9 violation of this section for a law enforcement officer, as that term is
10 defined in K.S.A. 2014 Supp. 75-7c22, and amendments thereto, who
11 satisfies the requirements of either ~~subsection (a) or (b)~~ of K.S.A. 2014
12 Supp. 75-7c22(a) or (b), and amendments thereto, to possess a handgun
13 within any of the buildings described in subsection (a) ~~or (b)~~, subject to
14 any restrictions or prohibitions imposed in any courtroom by the chief
15 judge of the judicial district.

16 ~~(f)~~ (g) On and after July 1, 2014, provided that the provisions of
17 K.S.A. 2014 Supp. 75-7c21, and amendments thereto, are in full force and
18 effect, the provisions of this section shall not apply to the carrying of a
19 concealed handgun in the state capitol.

20 ~~(g)~~ (h) For the purposes of this section:

21 (1) "Adequate security measures" shall have the same meaning as the
22 term is defined in K.S.A. 2014 Supp. 75-7c20, and amendments thereto;

23 (2) "building" shall not include any structure, or any area of any
24 structure, designated for the parking of motor vehicles; *and*

25 (3) *"public employer" means any state agency, department, board,*
26 *commission, institution or bureau and any city, county or other*
27 *municipality that employs one or more individuals.*

28 ~~(h)~~ (i) Nothing in this act shall be construed to authorize the carrying
29 or possession of a handgun where prohibited by federal law.

30 ~~(i)~~ (j) The attorney general shall adopt rules and regulations
31 prescribing the location, content, size and other characteristics of signs to
32 be posted on a building where carrying a concealed handgun is prohibited
33 pursuant to ~~subsections (a) and (b)~~ subsection (a). Such regulations shall
34 prescribe, at a minimum, that:

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

37 (2) the signs be posted at eye level of adults using the entrance and
38 not more than 12 inches to the right or left of such entrance;

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

40 (4) signs which become illegible for any reason be immediately
41 replaced.

42 Sec. 2. K.S.A. 2014 Supp. 75-7c10 is hereby repealed.

43 Sec. 3. This act shall take effect and be in force from and after its

- 1 publication in the statute book.