

SENATE BILL No. 7

By Senator Pyle

6-18

1 AN ACT concerning the personal and family protection act; authorizing
2 federally licensed firearm dealers to receive applications for concealed
3 carry licenses and forward such applications to the attorney general;
4 prohibiting sheriffs from assessing any fee related to application
5 services; allowing dealers to assess a fee not to exceed \$20 related to
6 application services; amending K.S.A. 2023 Supp. 75-7c05, as
7 amended by section 91 of 2024 Senate Bill No. 491, and repealing the
8 existing section.
9

10 *Be it enacted by the Legislature of the State of Kansas:*

11 Section 1. K.S.A. 2023 Supp. 75-7c05, as amended by section 91 of
12 2024 Senate Bill No. 491, is hereby amended to read as follows: 75-7c05.

13 (a) The application for a license pursuant to this act shall be completed,
14 under oath, on a form prescribed by the attorney general and shall only
15 include:

16 (1) (A) Subject to the provisions of subsection (a)(1)(B), the name,
17 address, social security number, Kansas driver's license number or Kansas
18 nondriver's license identification number, place and date of birth, a
19 photocopy of the applicant's driver's license or nondriver's identification
20 card and a photocopy of the applicant's certificate of training course
21 completion; (B) in the case of an applicant who presents proof that such
22 person is on active duty with any branch of the armed forces of the United
23 States, or is the dependent of such a person, and who does not possess a
24 Kansas driver's license or Kansas nondriver's license identification, the
25 number of such license or identification shall not be required;

26 (2) a statement that the applicant is in compliance with criteria
27 contained within K.S.A. 75-7c04, and amendments thereto;

28 (3) a statement that the applicant has been furnished a copy of this act
29 and is knowledgeable of its provisions;

30 (4) a conspicuous warning that the application is executed under oath
31 and that a false answer to any question, or the submission of any false
32 document by the applicant, subjects the applicant to criminal prosecution
33 under K.S.A. 21-5903, and amendments thereto; and

34 (5) a statement that the applicant desires a concealed handgun license
35 as a means of lawful self-defense.

36 (b) Except as otherwise provided in subsection (i), the applicant shall

1 submit to *any dealer licensed under 18 U.S.C. § 923 that offers*
2 *application services under this section or the sheriff of the county where*
3 *the applicant resides, during any normal business hours:*

4 (1) A completed application described in subsection (a);

5 ~~(2) an amount of \$32.50 payable to the sheriff of the county where~~
6 ~~the applicant resides for the purpose of covering the cost of taking~~
7 ~~fingerprints pursuant to subsection (e);~~

8 ~~(3)~~ if applicable, a photocopy of the proof of training required by
9 K.S.A. 75-7c04(b)(1), and amendments thereto; and

10 ~~(4)~~(3) a full frontal view photograph of the applicant taken within the
11 preceding 30 days.

12 (c) (1) (A) Except as otherwise provided in subsection (i), the *dealer*
13 *or sheriff*, upon receipt of the items listed in subsection (b), shall provide
14 for the full set of fingerprints of the applicant to be taken and forwarded to
15 the attorney general for purposes of a criminal history records check as
16 provided by subsection (d). In addition, the *dealer or sheriff* shall forward
17 the application to the attorney general. Notwithstanding any provision in
18 this section to the contrary, an applicant shall not be required to submit
19 fingerprints for a renewal application under K.S.A. 75-7c08, and
20 amendments thereto.

21 (B) (i) *The sheriff shall not assess a fee for any application services*
22 *provided under this section, including, but not limited to, the cost of taking*
23 *fingerprints.*

24 (ii) *The dealer may assess a fee for any application services provided*
25 *under this section, including, but not limited to, the cost of taking*
26 *fingerprints. The sum total of any such fee or fees, if assessed, shall not*
27 *exceed \$20.*

28 (C) *No dealer shall be required to offer application services pursuant*
29 *to this section.*

30 (2) The sheriff of the applicant's county of residence or the chief law
31 enforcement officer of any law enforcement agency, at the sheriff's or chief
32 law enforcement officer's discretion, may participate in the process by
33 submitting a voluntary report to the attorney general containing readily
34 discoverable information, corroborated through public records, which,
35 when combined with another enumerated factor, establishes that the
36 applicant poses a significantly greater threat to law enforcement or the
37 public at large than the average citizen. Any such voluntary reporting shall
38 be made within 45 days after the date the sheriff receives the application.
39 Any sheriff or chief law enforcement officer submitting a voluntary report
40 shall not incur any civil or criminal liability as the result of the good faith
41 submission of such report.

42 ~~(3) All funds retained by the sheriff pursuant to the provisions of this~~
43 ~~section shall be credited to a special fund of the sheriff's office which shall~~

1 ~~be used solely for the purpose of administering this act.~~

2 (d) Each applicant shall be subject to a state and national criminal
3 history records check in accordance with section 2 of 2024 Senate Bill No.
4 491, and amendments thereto.

5 (e) Within 90 days after the date of receipt of the items listed in
6 subsection (b), the attorney general shall:

7 (1) (A) Issue the license and certify the issuance to the department of
8 revenue; and

9 (B) if it is impractical for the division of vehicles of the department of
10 revenue to issue physical cards consistent with the requirements of this act
11 and the attorney general has determined that the conditions for such
12 impracticality have existed for at least 30 days, the attorney general shall
13 issue an authorization document in accordance with K.S.A. 75-7c03(d),
14 and amendments thereto; or

15 (2) deny the application based solely on: (A) The report submitted by
16 the sheriff or other chief law enforcement officer under subsection (c)(2)
17 for good cause shown therein; or (B) the ground that the applicant is
18 disqualified under the criteria listed in K.S.A. 75-7c04, and amendments
19 thereto. If the attorney general denies the application, the attorney general
20 shall notify the applicant in writing, stating the ground for denial and
21 informing the applicant the opportunity for a hearing pursuant to the
22 Kansas administrative procedure act.

23 (f) No person who is issued a license or has such license renewed
24 shall be required to pay a fee for the cost of the license or renewal except
25 as otherwise provided in subsection (b) for the purpose of covering the
26 cost of taking fingerprints.

27 (g) (1) A person who is a retired law enforcement officer, as defined
28 in K.S.A. 21-5111, and amendments thereto, shall be: (A) Exempt from the
29 required completion of a handgun safety and training course if such person
30 was certified by the Kansas commission on peace officer's standards and
31 training, or similar body from another jurisdiction, not more than eight
32 years prior to submission of the application; and (B) required to comply
33 with the criminal history records check requirement of this section.

34 (2) Proof of retirement as a law enforcement officer shall be required
35 and provided to the attorney general in the form of a letter from the agency
36 head, or their designee, of the officer's retiring agency that attests to the
37 officer having retired in good standing from that agency as a law
38 enforcement officer for reasons other than mental instability and that the
39 officer has a nonforfeitable right to benefits under a retirement plan of the
40 agency.

41 (h) A person who is a corrections officer, a parole officer or a
42 corrections officer employed by the federal bureau of prisons, as defined
43 by K.S.A. 75-5202, and amendments thereto, shall be: (1) Exempt from

1 the required completion of a handgun safety and training course if such
2 person was issued a certificate of firearms training by the department of
3 corrections or the federal bureau of prisons or similar body not more than
4 one year prior to submission of the application; and (2) required to comply
5 with the criminal history records check requirement of this section.

6 (i) A person who presents proof that such person is on active duty
7 with any branch of the armed forces of the United States and is stationed at
8 a United States military installation located outside this state; may submit
9 by mail an application described in subsection (a) and the other materials
10 required by subsection (b) to *any dealer licensed under 18 U.S.C. § 923*
11 *that offers application services under this section or the sheriff of the*
12 *county where the applicant resides.*—~~Provided~~ *If* the applicant is
13 fingerprinted at a United States military installation, the applicant may
14 submit a full set of fingerprints of such applicant along with the
15 application. Upon receipt of such items, the *dealer or sheriff* shall forward
16 to the attorney general the application.

17 Sec. 2. This act shall take effect and be in force from and after its
18 publication in the Kansas register.