

**SENATE BILL No. 421**

By Committee on Ways and Means

2-8

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) *Is authorized by the chief law enforcement officer, governing  
33 body, or the chief administrative officer, if no governing body exists, to  
34 enter such state or municipal building through a restricted access  
35 entrance;*

36 (B) *is issued an identification card by the chief law enforcement*

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

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

11 *The chief law enforcement officer, governing body, or the chief*  
12 *administrative officer, if no governing body exists, shall develop criteria*  
13 *for approval of individuals subject to this paragraph to enter the state or*  
14 *municipal building through a restricted access entrance. Such criteria may*  
15 *include the requirement that the individual submit to an annual state and*  
16 *national criminal history records check before issuance and renewal of*  
17 *such authorization. Notwithstanding any authorization granted under this*  
18 *paragraph, an individual may be subjected to additional security*  
19 *screening measures upon reasonable suspicion or in circumstances where*  
20 *heightened security measures are warranted. Such authorization does not*  
21 *permit the individual to carry a concealed weapon into a public building,*  
22 *which has adequate security measures, as defined by this act.*

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

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

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

41 *(h) Nothing in this section shall limit the ability of the chief judge of*  
42 *each judicial district to prohibit the carrying of a concealed handgun by*  
43 *any person into courtrooms or ancillary courtrooms within the district*

1 provided that other means of security are employed such as armed law  
2 enforcement or armed security officers.

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

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

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

28 (2) a state or municipal-owned adult care home, as defined in K.S.A.  
29 39-923, and amendments thereto;

30 (3) a community mental health center organized pursuant to K.S.A.  
31 19-4001 et seq., and amendments thereto;

32 (4) an indigent health care clinic, as defined by K.S.A. 2015 Supp.  
33 65-7402, and amendments thereto; or

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

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

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

1 concealed handgun into any state or municipal building in accordance with  
2 the provisions of K.S.A. 2015 Supp. 75-7c22, and amendments thereto,  
3 subject to any restrictions or prohibitions imposed in any courtroom by the  
4 chief judge of the judicial district.

5 (m) For purposes of this section:

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

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

19 (3) The terms "municipality" and "municipal" are interchangeable  
20 and have the same meaning as the term "municipality" is defined in K.S.A.  
21 75-6102, and amendments thereto, but does not include school districts.

22 ~~(3)-(4)~~ "Restricted access entrance" means an entrance that is  
23 restricted to the public and requires a key, keycard, code, or similar device  
24 to allow entry to authorized personnel.

25 ~~(4)-(5)~~ "State" means the same as the term is defined in K.S.A. 75-  
26 6102, and amendments thereto.

27 ~~(5)-(6)~~ (A) "State or municipal building" means a building owned or  
28 leased by such public entity. It does not include a building owned by the  
29 state or a municipality which is leased by a private entity whether for  
30 profit or not-for-profit or a building held in title by the state or a  
31 municipality solely for reasons of revenue bond financing.

32 (B) On and after July 1, 2014, the term "state and municipal building"  
33 shall not include the state capitol.

34 ~~(6)-(7)~~ "Weapon" means a weapon described in K.S.A. 2015 Supp.  
35 21-6301, and amendments thereto, except the term "weapon" shall not  
36 include any cutting instrument that has a sharpened or pointed blade.

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

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

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