

HOUSE BILL No. 2526

By Committee on Appropriations

1-25

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.