

Concealed Carry by Off-Duty and Retired Law Enforcement Officers; HB 2140

HB 2140 creates new law allowing in-state, off-duty and retired law enforcement officers, as well as out-of-state law enforcement officers and retired law enforcement officers, who meet the requirements of the federal Law Enforcement Officers Safety Act to carry a concealed handgun in any building where an on-duty law enforcement officer is authorized to carry a concealed handgun. The bill allows these active and retired officers to conceal carry handguns in buildings prohibiting the concealed carry of firearms and conforming to the security and signage requirements specified in either KSA 2013 Supp. 75-7c10 or 75-7c20.

The provisions of the bill do not apply to buildings where the possession of firearms is prohibited or restricted by order of the chief judge of a judicial district or by federal law or regulation. The provisions of the bill also do not apply to any officer or retired officer who is denied a concealed carry handgun license or whose concealed carry handgun license has been suspended or revoked under the provisions of the Personal and Family Protection Act.

In-state officers and retired officers are required to remain in compliance with the firearms policies of their law enforcement agency; are required to possess identification as required by that agency; and are required to present such identification when requested by other law enforcement officers or persons of authority for the building where they are concealed carrying.

Similarly, out-of-state officers and retired officers meeting the requirements of the federal Law Enforcement Officers Safety Act are required to possess identification as required by the federal law and are required to present that identification when requested by other law-enforcement officers or persons of authority for the buildings where they are concealed carrying.

The bill defines “law enforcement officer” as:

- Any person employed by a law enforcement agency, who is in good standing and is certified under the Kansas Law Enforcement Training Act;
- A law enforcement officer who obtained a similar designation in a jurisdiction outside the state of Kansas and within the United States; or
- A federal law enforcement officer who as part of such officer’s duties is permitted to make arrests and to be armed.

The bill defines “person of authority” as any person who is tasked with screening persons entering the building or who otherwise has the authority to determine whether a person may enter or remain in the building.

The provisions of the indemnification section for municipalities found in 2014 HB 2578 do not apply to those employees required to carry a firearm as a condition of their employment.