

# Journal of the House

EIGHTEENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, February 1, 2018, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 124 members present.

Rep. Weber was excused on verified illness.

Excused later: Reps. Davis and Osterman

Prayer by Chaplain Brubaker:

Almighty God,  
Thank you for this day that you have gifted us with.  
Help each one to redeem the time  
by choosing wisely what we spend time doing,  
the words which we speak,  
and the actions that we display.  
Help our leaders to respect one another in realizing that  
Respect  
Entails  
Supporting  
People's  
Existence,  
Consciousness and  
Thoughts.  
To truly do this, we need Your Spirit to guide us.  
This I pray in Your Name, Amen.

The Pledge of Allegiance was led by Rep. Probst.

## INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Delperdang are spread upon the Journal:

Last November 9th, 2017 there was a newspaper headline that read: "Kansas Science Teacher wins \$25,000 Milken Educator Award."

The Milken Educator Awards, hailed by *Teacher* magazine as the "Oscars of Teaching," has been opening minds and shaping futures for 30 years. Research shows teacher quality is the driving in-school factor behind student growth and achievement. The initiative not only aims to reward great teachers, but also to celebrate, elevate, and activate those innovators in the classroom who are guiding America's next generation of

leaders. Milken Educators believe, "The future belongs to the educated."

That Kansas Teacher is Heidi Albin.

Heidi is the only Milken Educator Award winner from Kansas this year, and is among up to 45 honorees who will receive this national recognition for 2017-18.

Bringing science to life is second nature to Heidi Albin, a science teacher at Complete High School Maize (CHSM), an alternative school that educates students in grades 9-12 who struggled in a traditional high school setting. Heidi's effect, permeating beyond the classroom walls and into the school's culture, is changing lives.

Her first priority is to make her students scientists. Albin designed a self-paced, multi-science curricula with numerous programs and real-life experiences that deeply engage them while teaching ownership, responsibility and character. Her community garden enables students and their "partners"—retirement home residents—to work side-by-side and learn gardening skills and ecology. An agricultural program, including chick hatching and husbandry, demonstrates biology, while her partnership with WILD Kansas (a student organization focusing on outdoor education activities) promotes the environment and conservation. When surveyed, 23 percent of her students said they were interested in science before taking her class. That percentage increased to 82 percent after experiencing Albin's innovative instruction and activities.

Additionally, Heidi set aside a service day for students to volunteer within the community. This included raising funds to acquire Kinsey, a therapy dog, as an opportunity to help students cope with depression and anxiety. Loving and being loved by Kinsey has unified students and teachers, leading to a less stressful environment aiding in academic success and student retention.

When Heidi discovered students lacked hope about their future, she implemented an individualized plan of study for each student that included; classes to take, potential careers, guest speakers, job shadows and interview preparation skills.

Not only did the students' future perceptions and self-worth develop, so did concrete parts of their learning such as; improved attendance, reduced dropouts and increased graduation rates. 95% of her students graduate high school and 92% are either employed or enrolled in higher education 5 years after graduation.

Heidi's initiatives make a difference in her school district and across the state. She shares her science curriculum with other schools in the district and statewide, and co-authored "186 Days of Character," a yearlong, cross-curricular and character-building program she implemented at Complete High School, Maize - which the state shared with hundreds of educators throughout Kansas.

Heidi has also presented at state and national conferences about her science curriculum and character-building programs.

Working with students to achieve their goals outside the classroom is one of the hallmarks of a great educator. Heidi Albin not only sparks a passion for science in her students, but also puts them on a path to become productive citizens.

"Heidi Albin is literally changing lives."

She is a great example of Kansas' outstanding teachers. She is an amazing young educator, and the relationships and bonds she creates with her students are remarkable.

Thank you, Heidi, for what you do!

Rep. Delperdang presented Ms. Albin with a framed House certificate.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2597**, AN ACT concerning counties; designating Sedgwick county as an urban area; amending K.S.A. 19-2654 and repealing the existing section, by Committee on Local Government.

**HB 2598**, AN ACT concerning the Kansas open records act; relating to the unlawful use of names derived from public records; amending K.S.A. 2017 Supp. 45-230 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2599**, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the special olympics Kansas license plate, by Committee on Transportation.

**HB 2600**, AN ACT concerning the nuclear energy development and control act; relating to maximum licensing fees; providing for the assessment of fees for a licensee's noncontiguous sites; amending K.S.A. 48-1606 and repealing the existing section, by Committee on Health and Human Services.

**HB 2601**, AN ACT concerning utilities; relating to the state corporation commission; concerning reports to the legislature; relating to electric rates, regional comparisons, recommendations, increases; amending K.S.A. 66-117 and 66-117b and repealing the existing sections, by Committee on Energy, Utilities and Telecommunications.

**HB 2602**, AN ACT concerning school districts; relating to screenings for dyslexia and related disorders, by Representatives Brim and Cox.

### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2592**.

Commerce, Labor and Economic Development: **HB 2586**.

Corrections and Juvenile Justice: **HB 2595**.

Energy, Utilities and Telecommunications: **SB 255**.

Federal and State Affairs: **HB 2587, SB 262**.

Financial Institutions and Pensions: **HB 2594, SB 275**.

Health and Human Services: **HB 2589, HB 2590, HB 2591**.

Insurance: **SB 267**.

Judiciary: **HB 2588, SB 261**.

Taxation: **HB 2593**.

Transportation: **HB 2596**.

### INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Whitmer, **HR 6044**, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6044**—

By Representatives Whitmer and Seiwert

**HR 6044**—A RESOLUTION recognizing the Kansas Law Enforcement Training Center's 50th year of service to the Kansas law enforcement community and the citizens of Kansas.

WHEREAS, The training of Kansas law enforcement officers is a core function of government and an important function to ensure the safety of Kansas citizens; and

WHEREAS, The citizens of Kansas rightfully expect that those who protect and serve in their local jurisdictions have been properly trained to quickly respond to emergency situations, even as these situations and the legal environment in which law enforcement officers must perform their duties have become increasingly complex; and

WHEREAS, The Kansas Legislature recognized 50 years ago the need for a single state agency, under the auspices of the University of Kansas, to adopt a mandatory minimum law enforcement basic training curriculum to provide a broad spectrum of training programs and services in order to improve local and state law enforcement practices and procedures; and

WHEREAS, In 1968, the Kansas Legislature passed House Bill No. 1137, codified at K.S.A. 74-5601, et. seq., and commonly known as the Kansas Law Enforcement Training Act, which mandates the attendance of all law enforcement officers at an approved training school which conducts the required minimum law enforcement basic training as identified in such act; and

WHEREAS, K.S.A. 74-5603 established the Kansas Law Enforcement Training Center (KLETC) as our state's central headquarters for law enforcement training stating that "the purpose and function of such training center shall be the promotion and development of improved law enforcement personnel and procedures throughout the state"; and

WHEREAS, The KLETC conducted its first law enforcement training class in Salina in 1968, several months before its campus facilities located 12 miles southeast of Hutchinson were ready for occupancy; and

WHEREAS, Today, in 2018, the KLETC serves 431 law enforcement agencies by providing basic training courses for new law enforcement recruits, in-person continuing education for veteran law enforcement officers, specialized training courses, seminars and workshops and online web-based interactive distance learning classes and performs such functions and services at eight satellite training academies operated and funded across the state by local police, sheriff departments and the Kansas Highway Patrol; and

WHEREAS, The KLETC's full-time staff of 50 dedicated employees, supported by a cadre of contractual services employees, continues to fulfill annually the mission established for the KLETC by training over 400 new recruits annually in basic training programs with nearly 10,000 enrollees annually in its continuing education, specialized training and web-based online distance learning courses; and

WHEREAS, The Kansas Legislature recognizes the critically important role that the KLETC performs in today's challenging policing environment by providing comprehensive, progressive and high-quality training and support to over 8,000 law enforcement officers in municipal, county, state and other law enforcement agencies around Kansas, thereby enhancing the quality and delivery of public safety to the citizens of Kansas: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we recognize the Kansas Law Enforcement Training Center's 50<sup>th</sup> year of service in its public safety mission of serving the Kansas law enforcement community and the citizens of Kansas as well as congratulate the University of Kansas and its KLETC staff on fulfilling its statutory mission through "the promotion and development of improved law enforcement personnel and procedures throughout the state"; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send five enrolled copies of this resolution to Representative Whitmer.

### **INTRODUCTION OF GUESTS**

There being no objection, the following remarks of Rep. Whitmer are spread upon the Journal:

Established 50 years ago, by the Kansas Legislature, the Kansas Law Enforcement Training Center or KLETC serves as the central law enforcement training facility for our state and as headquarters for all law enforcement training in Kansas.

In those 50 years of operations, KLETC has had only 3 Directors.

KLETC, a unit of the University of Kansas Continuing Education and University Outreach is located at the former naval air station, situated south of the Hutchinson and west of Yoder in Reno County, Kansas. Its mission is “the promotion and development of improved law enforcement personnel and procedures throughout the state, and the training center shall offer to qualified applicants such programs and courses of instruction designed to fulfill this end.”

KLETC directly trains the overwhelming majority of municipal, county and state law enforcement officers in Kansas, and oversees, supervises and monitors the training of the remaining officers at eight authorized and certified academy programs operated by local law enforcement agencies and the Kansas Highway Patrol.

In my role as Chairman of the Kansas Commission on Peace Officers' Standards and Training I have had the distinct pleasure of participating in several KLETC graduation ceremonies and I would encourage you to attend one if you have a chance. The next graduation is March 30th, I have a complete list of 2018 graduation dates in my office and would be happy to pass them along if anyone would like to attend to support graduates from your district.

Joining us today are: Neeli Bendapudi, Provost & Executive Vice Chancellor of The University of Kansas; Dave Cook, Vice Chancellor of The University of Kansas; Ed Pavey, Director KLETC; Darin Beck, Associate Director, KLETC; Ron Gould, Assistant Director, KLETC; Tim Brant, Assistant Director, KLETC.

One last thing I'd like to mention, of those 3 KLETC Directors I mentioned earlier, Director Pavey is the longest serving Director at 23½ years, and he served as the Assistant Director for 4 years' prior to his appointment in 1994 as KLETC's 3<sup>rd</sup> Director.

Director Pavey, on behalf of my colleagues and the people of Kansans whom we are privileged to represent I'd like to thank you and your talented team for your dedication and your service to our state.

### **INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

On emergency motion of Rep. Finch, **HR 6045**, as follows, was introduced and adopted:

#### **HOUSE RESOLUTION No. HR 6045–**

By Representatives Finch, Alcalá, Alford, Arnberger, Averkamp, Barker, Becker, Bergquist, Bishop, Blex, Brim, Burris, Carlin, Carmichael, Clark, Clayton, Concannon,

Cox, Crum, Curtis, Davis, Delperdang, Dierks, Dietrich, Elliott, Ellis, Eplee, Esau, Finney, Francis, Gallagher, Gartner, Good, Hawkins, Helgerson, Highland, Hineman, Hodge, Hoffman, Holscher, Huebert, Humphries, Jennings, Johnson, Karleskint, Kelly, Kessinger, Koesten, Kuether, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, Patton, Phelps, Phillips, Pittman, Powell, Probst, Rafie, Rahjes, Ralph, Resman, Rooker, Ryckman, Sawyer, Schreiber, Schroeder, Sloan, A. Smith, Stogsdill, Sutton, Swanson, Tarwater, Vickrey, Victors, Ward, Waymaster, Weber, Wheeler, Whipple, Whitmer, Williams and Wolfe Moore.

**HR 6045**– A RESOLUTION opposing human trafficking and urging the dismantling of human trafficking networks.

WHEREAS, Each year in the United States, thousands of men, women and children are victims of human trafficking and are deprived of their freedom, human rights and dignity; and

WHEREAS, Human trafficking, which is modern-day slavery, takes the form of forced labor, sex trafficking and involuntary domestic servitude, in which victims are lured, forced or coerced for the purpose of commercial sex, debt bondage or forced labor; and

WHEREAS, We, the free people of the United States of America, believe we must abolish slavery in all its forms, ensuring that every person has the right to live without fear of being recruited, harbored, transported, obtained, patronized or solicited for the purposes of sexual or labor slavery. No state is exempt from the reality of slavery today, and we must correctly identify victims and stop the sale, exploitation and slavery present in all 50 states; and

WHEREAS, We, the free people of the United States of America, believe that every man, woman and child is made in the image of God and their lives are valuable and precious to their Creator. We believe that all people have the right to live free from slavery, torture and degrading treatment; that all people should have the freedom of movement and personal security; and that no human being should be forced to commit sex or labor acts against his or her own will. Every child has the right to their innocence and should not be corrupted physically, mentally or spiritually by exposure to sexually depraved acts; and

WHEREAS, We, the free people of the United States of America, believe that all people who have been trafficked and enslaved have the right to safe and loving communities and a means to safely seek justice. It is our responsibility as a nation to ensure victims have access to restorative and supportive services. We must also support parents and guardians in protecting their children and, when those adults are the perpetrators, intervene to ensure children are protected; and

WHEREAS, We, the free people of the United States of America, declare war on the businesses, systems and organizations that benefit from the industry of human trafficking. We believe that those who exploit the innocent should be prevented from manipulating the system of law. The government must bring the full weight of its legal and judicial systems against individuals or organizations that seek to enslave a human being. The government must evaluate punishments for the perpetrators of human trafficking crimes to ensure they fit the level of damage that victims incur. Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That it is time to educate ourselves on human trafficking issues and how we may unknowingly perpetrate human trafficking through entertainment, consumerism and social media. It is time to unite in the battle against slavery – no matter our race, religion or nationality. America must link arms as one community and demand freedom for all. Finally, we declare our intentions to systematically dismantle every network and harbor that allows trafficking to flourish and to protect and safeguard every innocent person. May God have mercy on our souls should we not honor the intent and purpose of this document and may every human being enjoy freedom now; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send five enrolled copies of this resolution to Representative Finch.

### **INTRODUCTION OF GUESTS**

There being no objection, the following remarks of Rep. Finch are spread upon the Journal:

Today we mark the observance of National Freedom Day. On this date in 1865 President Abraham Lincoln signed the joint resolution that proposed the 13th Amendment to the United States Constitution. That amendment reads in pertinent part, “Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.”

Major Richard Wright Senior, himself a former slave was instrumental in beginning the observance of National Freedom Day. And in 1948 his efforts became law when President Harry S. Truman signed a bill proclaiming February 1 as National Freedom Day.

While we celebrate freedom on this day, we must recognize that slavery and indentured servitude are not dead. It is estimated that 17,000 or more people in the United States live as slaves. They are manipulated through force, fraud, or coercion to become slaves performing commercial sex acts or labor. The Department of Homeland Security estimates that human trafficking is second only to the international drug trade in terms of money raised for criminal enterprises. Every year there are hundreds of thousands of victims trafficked across international borders to be used as slaves and more than 20 million of our fellow men and women around the globe suffer the cruel fate of living in bondage.

Today we recognize the efforts of the Topeka Rescue Mission to combat modern slavery. I am joined by Barry Feaker and members of the TRM staff. They have launched a new initiative, Freedom Now USA. This organization is being built in all 50 states to support state efforts to eradicate human trafficking, and to declare war against human trafficking and modern-day slavery. By passing this resolution the Kansas House recognizes the efforts of the Topeka Rescue Mission and Freedom Now USA to end this scourge and make sure that future Freedom Days find all people living in freedom from the evil of slavery.

Please join me in voting “yes” today to send a powerful and unified message to traffickers everywhere, that in this state, the Free State, the place where the battle that led to the 13th Amendment began, the great state of Kansas slavery will not stand.

Representative Finch introduced Mr. Feaker and members of the Topeka Rescue

Mission staff to the House.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Kelly in the chair.

### COMMITTEE OF THE WHOLE

On motion of Rep. Kelly, Committee of the Whole report, as follows, was adopted:

Recommended that on motion of Rep. Whitmer to amend **HB 2042**, on page 1, in line 8, by striking "2016" and inserting "2017"; in line 12, by striking "2016" and inserting "2017"; in line 23, by striking "2016" and inserting "2017"; in line 31, by striking "2016" and inserting "2017";

On page 2, in line 3, by striking "2016" and inserting "2017"; in line 5, by striking "2016" and inserting "2017"; in line 43, by striking "2016" and inserting "2017";

On page 1, in the title, in line 4, by striking "2016" and inserting "2017"

Also, on motion of Rep. Landwehr to amend **HB 2042**, Rep. Miller requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment was germane.

Roll call was demanded on the motion of Rep. Landwehr, to amend **HB 2042** on page 2, following line 42, by inserting:

"Sec. 3. K.S.A. 2017 Supp. 21-6302 is hereby amended to read as follows: 21-6302. (a) Criminal carrying of a weapon is knowingly carrying:

- (1) Any bludgeon, sandclub, metal knuckles or throwing star;
- (2) concealed on one's person, a billy, blackjack, slungshot or any other dangerous or deadly weapon or instrument of like character;
- (3) on one's person or in any land, water or air vehicle, with intent to use the same unlawfully, a tear gas or smoke bomb or projector or any object containing a noxious liquid, gas or substance; or
- (4) any pistol, revolver or other firearm concealed on one's person if such person is under 21 years of age, except when on such person's land or in such person's abode or fixed place of business; or
- (5) a shotgun with a barrel less than 18 inches in length or any other firearm designed to discharge or capable of discharging automatically more than once by a single function of the trigger whether the person knows or has reason to know the length of the barrel or that the firearm is designed or capable of discharging automatically.

(b) Criminal carrying of a weapon as defined in:

(1) Subsections (a)(1), (a)(2), (a)(3) or (a)(4) is a class A nonperson misdemeanor; and

(2) subsection (a)(5) is a severity level 9, nonperson felony.

(c) Subsection (a) shall not apply to:

(1) Law enforcement officers, or any person summoned by any such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) wardens, superintendents, directors, security personnel and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or

convicted of crime, while acting within the scope of their authority;

(3) members of the armed services or reserve forces of the United States or the Kansas national guard while in the performance of their official duty; or

(4) the manufacture of, transportation to, or sale of weapons to a person authorized under subsections (c)(1), (c)(2) and (c)(3) to possess such weapons.

(d) Subsection (a)(5) shall not apply to:

(1) Any person who sells, purchases, possesses or carries a firearm, device or attachment which has been rendered unserviceable by steel weld in the chamber and marriage weld of the barrel to the receiver and which has been registered in the national firearms registration and transfer record in compliance with 26 U.S.C. § 5841 et seq. in the name of such person and, if such person transfers such firearm, device or attachment to another person, has been so registered in the transferee's name by the transferor;

(2) any person employed by a laboratory which is certified by the United States department of justice, national institute of justice, while actually engaged in the duties of their employment and on the premises of such certified laboratory. Subsection (a)(5) shall not affect the manufacture of, transportation to or sale of weapons to such certified laboratory; or

(3) any person or entity in compliance with the national firearms act, 26 U.S.C. § 5801 et seq.

(e) Subsection (a)(4) shall not apply to any person who is carrying a concealed handgun and who is licensed by the attorney general to carry a concealed handgun under K.S.A. 2017 Supp. 75-7c01 et seq., and amendments thereto.

(f) As used in this section, "throwing star" means the same as prescribed by K.S.A. 2017 Supp. 21-6301, and amendments thereto.

Sec. 4. K.S.A. 2017 Supp. 75-7c04 is hereby amended to read as follows: 75-7c04.

(a) The attorney general shall not issue a license pursuant to this act if the applicant:

(1) Is not a resident of the county where application for licensure is made or is not a resident of the state;

(2) is prohibited from shipping, transporting, possessing or receiving a firearm or ammunition under 18 U.S.C. § 922(g) or (n), and amendments thereto, or K.S.A. 21-4204, prior to its repeal, or K.S.A. 2017 Supp. 21-6301(a)(10) through (a)(13) or K.S.A. 2017 Supp. 21-6304(a)(1) through (a)(3), and amendments thereto; or

(3) is less than ~~21~~ 18 years of age.

(b) (1) The attorney general shall adopt rules and regulations establishing procedures and standards as authorized by this act for an eight-hour handgun safety and training course required by this section. Such standards shall include: (A) A requirement that trainees receive training in the safe storage of handguns, actual firing of handguns and instruction in the laws of this state governing the carrying of concealed handguns and the use of deadly force; (B) general guidelines for courses which are compatible with the industry standard for basic handgun training for civilians; (C) qualifications of instructors; and (D) a requirement that the course be: (i) A handgun course certified or sponsored by the attorney general; or (ii) a handgun course certified or sponsored by the national rifle association or by a law enforcement agency, college, private or public institution or organization or handgun training school, if the attorney general determines that such course meets or exceeds the standards required by rules and regulations adopted by the attorney general and is taught by instructors certified by the attorney general or by the national rifle association, if the attorney general determines that the

requirements for certification of instructors by such association meet or exceed the standards required by rules and regulations adopted by the attorney general. Any person wanting to be certified by the attorney general as an instructor shall submit to the attorney general an application in the form required by the attorney general and a fee not to exceed \$150.

(2) The cost of the handgun safety and training course required by this section shall be paid by the applicant. The following shall constitute satisfactory evidence of satisfactory completion of an approved handgun safety and training course:

(A) Evidence of completion of a course that satisfies the requirements of subsection (b)(1), in the form provided by rules and regulations adopted by the attorney general;

(B) an affidavit from the instructor, school, club, organization or group that conducted or taught such course attesting to the completion of the course by the applicant;

(C) evidence of completion of a course offered in another jurisdiction which is determined by the attorney general to have training requirements that are equal to or greater than those required by this act; or

(D) a determination by the attorney general pursuant to subsection (c).

(c) The attorney general may:

(1) Create a list of concealed carry handgun licenses or permits issued by other jurisdictions which the attorney general finds have training requirements that are equal to or greater than those of this state; and

(2) review each application received pursuant to K.S.A. 2017 Supp. 75-7c05, and amendments thereto, to determine if the applicant's previous training qualifications were equal to or greater than those of this state.

(d) For the purposes of this section:

(1) "Equal to or greater than" means the applicant's prior training meets or exceeds the training established in this section by having required, at a minimum, the applicant to: (A) Receive instruction on the laws of self-defense; and (B) demonstrate training and competency in the safe handling, storage and actual firing of handguns.

(2) "Jurisdiction" means another state or the District of Columbia.

(3) "License or permit" means a concealed carry handgun license or permit from another jurisdiction which has not expired and, except for any residency requirement of the issuing jurisdiction, is currently in good standing.";

Also on page 2, in line 43, after "Supp." by inserting "21-6302,"; also in line 43, after "75-7c03" by inserting ", 75-7c04";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the semicolon by inserting "relating to eligibility for a license,"; in line 4, after "Supp." by inserting "21-6302,"; also in line 4, after "75-7c03" by inserting ", 75-7c04"

On roll call, the vote was: Yeas 82; Nays 42; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arnberger, Aurand, Awerkamp, Baker, Barker, Becker, Bergquist, Blex, Burris, Burroughs, Campbell, B. Carpenter, Claeys, Clark, Concannon, Corbet, Cox, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Francis, Frownfelter, Garber, Hawkins, Hibbard, Highland, Hineman, Hodge, Hoffman, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Landwehr, Lusker, Markley, Mason, Mastroni, Orr,

Osterman, F. Patton, Pittman, R. Powell, Proehl, Rafie, Rahjes, Resman, Ryckman, Sawyer, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Vickrey, Waymaster, Wheeler, Whipple, Whitmer, K. Williams.

Nays: Alcalá, Ballard, Bishop, Brim, Carlin, Carmichael, Clayton, Crum, S., Curtis, Finney, Gallagher, Gartner, Good, Helgerson, Henderson, Highberger, Holscher, Horn, Koesten, Kuether, Lewis, Lusk, Miller, Murnan, Neighbor, Ohaebosim, Ousley, Parker, Phelps, Phillips, Probst, Ralph, Rooker, Ruiz, Schreiber, Stogsdill, Trimmer, Victors, Ward, Weigel, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Weber, C.

The motion of Rep. Landwehr prevailed.

Also, roll call was demanded on motion of Rep. Ballard to amend **HB 2042**, on page 2, following line 42, by inserting:

"Sec. 3. K.S.A. 2017 Supp. 75-7c20 is hereby amended to read as follows: 75-7c20. (a) The carrying of a concealed handgun shall not be prohibited in any public area of any state or municipal building unless such public area has adequate security measures to ensure that no weapons are permitted to be carried into such public area and the public area is conspicuously posted with either permanent or temporary signage approved by the governing body, or the chief administrative officer, if no governing body exists, in accordance with K.S.A. 2017 Supp. 75-7c10, and amendments thereto.

(b) The carrying of a concealed handgun shall not be prohibited throughout any state or municipal building in its entirety unless such building has adequate security measures at all public access entrances to ensure that no weapons are permitted to be carried into such building and the building is conspicuously posted in accordance with K.S.A. 2017 Supp. 75-7c10, and amendments thereto.

(c) No state agency or municipality shall prohibit an employee from carrying a concealed handgun at the employee's work place unless the building has adequate security measures at all public access entrances to ensure that no weapons are permitted to be carried into such building and the building is conspicuously posted in accordance with K.S.A. 2017 Supp. 75-7c10, and amendments thereto.

(d) (1) It shall not be a violation of the personal and family protection act for a person to carry a concealed handgun into a state or municipal building, or any public area thereof, so long as that person has authority to enter through a restricted access entrance into such building, or public area thereof, that provides adequate security measures at all public access entrances and the building, or public area thereof, is conspicuously posted in accordance with K.S.A. 2017 Supp. 75-7c10, and amendments thereto.

(2) Any person, who is not an employee of the state or a municipality and is not otherwise authorized to enter a state or municipal building through a restricted access entrance, shall be authorized to enter through a restricted access entrance, provided such person:

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

(B) is issued an identification card by the chief law enforcement officer, governing body, or the chief administrative officer, if no governing body exists, which includes

such person's photograph, name and any other identifying information deemed necessary by the issuing entity, and which states on the identification card that such person is authorized to enter such building through a restricted access entrance; and

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

The chief law enforcement officer, governing body, or the chief administrative officer, if no governing body exists, shall develop criteria for approval of individuals subject to this paragraph to enter the state or municipal building through a restricted access entrance. Such criteria may include the requirement that the individual submit to a state and national criminal history records check before issuance and renewal of such authorization and pay a fee to cover the costs of such background checks. An individual who has been issued a concealed carry permit by the state of Kansas shall not be required to submit to another state and national criminal records check before issuance and renewal of such authorization. Notwithstanding any authorization granted under this paragraph, an individual may be subjected to additional security screening measures upon reasonable suspicion or in circumstances where heightened security measures are warranted. Such authorization does not permit the individual to carry a concealed weapon into a public building, which has adequate security measures, as defined by this act, and which is conspicuously posted in accordance with K.S.A. 2017 Supp. 75-7c10, and amendments thereto.

(e) A state agency or municipality that provides adequate security measures in a state or municipal building and which conspicuously posts signage in accordance with K.S.A. 2017 Supp. 75-7c10, and amendments thereto, prohibiting the carrying of a concealed handgun in such building shall not be liable for any wrongful act or omission relating to actions of persons carrying a concealed handgun concerning acts or omissions regarding such handguns.

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

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

(h) Nothing in this section shall limit the ability of the chief judge of each judicial district to prohibit the carrying of a concealed handgun by any person into courtrooms or ancillary courtrooms within the district provided the public area has adequate security measures to ensure that no weapons are permitted to be carried into such public area and the public area is conspicuously posted in accordance with K.S.A. 2017 Supp. 75-7c10, and amendments thereto.

~~(i) The governing body or the chief administrative officer, if no governing body exists, of a state or municipal building, may exempt the building, or any public area thereof, from this section until July 1, 2017, by adopting a resolution, or drafting a letter, listing the legal description of such building, listing the reasons for such~~

exemption, and including the following statement: "A security plan has been developed for the building being exempted which supplies adequate security to the occupants of the building and merits the prohibition of the carrying of a concealed handgun." A copy of the security plan for the building shall be maintained on file and shall be made available, upon request, to the Kansas attorney general and the law enforcement agency of local jurisdiction. Notice of this exemption, together with the resolution adopted or the letter drafted, shall be sent to the Kansas attorney general and to the law enforcement agency of local jurisdiction. The security plan shall not be subject to disclosure under the Kansas open records act.

~~(j)~~ The governing body or the chief administrative officer, if no governing body exists, of any postsecondary educational institution, as defined in K.S.A. 74-3201b, and amendments thereto, may exempt any building of such institution, including any buildings located on the grounds of such institution and any buildings leased by such institution, or any public area thereof, from this section until July 1, 2017, by stating the reasons for such exemption and sending notice of such exemption to the Kansas attorney general.

~~(k)~~ The provisions of this section shall not apply to:

(1) Any building located on the grounds of the Kansas state school for the deaf or the Kansas state school for the blind;

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

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

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

(5) an indigent health care clinic, as defined by K.S.A. 2017 Supp. 65-7402, and amendments thereto; ~~or~~

(6) any postsecondary educational institution, as defined in K.S.A. 74-3201b, and amendments thereto; or

(7) any building owned or leased by the authority created under the university of Kansas hospital authority act, any building located within the health care district, as defined in the unified government of Wyandotte county and Kansas City, Kansas City-wide master plan, Rosedale master plan and traffic study or similar master plan or comprehensive planning or zoning document approved by the unified government of Wyandotte county and Kansas City, Kansas in effect on January 12, 2017.

~~(j)~~ Nothing in this section shall be construed to prohibit any law enforcement officer, as defined in K.S.A. 2017 Supp. 75-7c22, and amendments thereto, who satisfies the requirements of either K.S.A. 2017 Supp. 75-7c22(a) or (b), and amendments thereto, from carrying a concealed handgun into any state or municipal building, or any public area thereof, in accordance with the provisions of K.S.A. 2017 Supp. 75-7c22, and amendments thereto, subject to any restrictions or prohibitions imposed in any courtroom by the chief judge of the judicial district.

~~(m)~~(k) For purposes of this section:

(1) "Adequate security measures" means the use of electronic equipment and armed personnel at public entrances to detect and restrict the carrying of any weapons into the state or municipal building, or any public area thereof, including, but not limited to, metal detectors, metal detector wands or any other equipment used for similar purposes

to ensure that weapons are not permitted to be carried into such building or public area by members of the public. Adequate security measures for storing and securing lawfully carried weapons, including, but not limited to, the use of gun lockers or other similar storage options may be provided at public entrances.

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

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

(4) "Public area" means any portion of a state or municipal building that is open to and accessible by the public or which is otherwise designated as a public area by the governing body or the chief administrative officer, if no governing body exists, of such building.

(5) "Restricted access entrance" means an entrance that is restricted to the public and requires a key, keycard, code, or similar device to allow entry to authorized personnel.

(6) "State" means the same as the term is defined in K.S.A. 75-6102, and amendments thereto.

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

(B) The term "state and municipal building" shall not include the state capitol.

(8) "Weapon" means a weapon described in K.S.A. 2017 Supp. 21-6301, and amendments thereto, except the term "weapon" shall not include any cutting instrument that has a sharpened or pointed blade.

~~(A)~~(1) This section shall be a part of and supplemental to the personal and family protection act.:"

Also on page 2, in line 43, by striking "and" and inserting a comma; also in line 43, after "75-7c06" by inserting "and 75-7c20";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the second semicolon by inserting "relating to exemptions for postsecondary educational institutions;"; in line 4, by striking the first "and" and inserting a comma; also in line 4, after the second "and" by inserting "75-7c20 and"

On roll call, the vote was: Yeas 53; Nays 69; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Ballard, Becker, Bishop, Brim, Burroughs, Carlin, Carmichael, Clayton, Cox, Crum, S., Curtis, Deere, Dierks, Elliott, Finney, Frownfelter, Gallagher, Gartner, Good, Helgerson, Henderson, Highberger, Holscher, Horn, Kessinger, Koesten, Kuether, Lusk, Markley, Murnan, Neighbor, Ohaebosim, Ousley, Parker, Phelps, Phillips, Probst, Rafie, Rooker, Ruiz, Sawyer, Schreiber, Sloan, Stogsdill, S. Swanson, Trimmer, Victors, Ward, Weigel, Whipple, Winn, Wolfe Moore.

Nays: Alford, Arnberger, Aurand, Awerkamp, Baker, Barker, Bergquist, Blex, Burris, Campbell, B. Carpenter, Claeyes, Clark, Concannon, Corbet, Delperdang, Dietrich, Dove, Ellis, Eplee, Esau, Finch, Francis, Garber, Hawkins, Hibbard, Highland,

Hineman, Hodge, Hoffman, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Landwehr, Lewis, Lusker, Mason, Mastroni, Miller, Orr, F. Patton, Pittman, R. Powell, Proehl, Rahjes, Ralph, Resman, Ryckman, Schroeder, Schwab, Seiwert, Smith, A., Smith, E., Sutton, Tarwater, Thimesch, Thompson, Vickrey, Waymaster, Wheeler, Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: E. Davis, Osterman, Weber, C.

The motion of Rep. Ballard did not prevail.

Also, on motion of Rep. Miller to amend **HB 2042**, Rep. Whitmer requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane.

Rep. Miller challenged the ruling of the Rules Chair.

Roll call was demanded on Rep. Miller's challenge of the ruling of the Rules Chair, the question being "Shall the Rules Chair be sustained?"

On roll call, the vote was: Yeas 83; Nays 39; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Aramberger, Aurand, Awerkamp, Baker, Barker, Becker, Bergquist, Blex, Brim, Burris, Campbell, B. Carpenter, Claeys, Clark, Concannon, Corbet, Cox, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Francis, Gallagher, Garber, Good, Hawkins, Hibbard, Highland, Hineman, Hoffman, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Landwehr, Lewis, Markley, Mason, Mastroni, Orr, F. Patton, Phillips, R. Powell, Proehl, Raffie, Rahjes, Ralph, Resman, Rooker, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Trimmer, Vickrey, Waymaster, Wheeler, Whitmer, K. Williams.

Nays: Alcala, Ballard, Bishop, Burroughs, Carlin, Carmichael, Clayton, Crum, S., Curtis, Deere, Finney, Frownfelter, Gartner, Helgerson, Henderson, Highberger, Hodge, Holscher, Horn, Kuether, Lusk, Lusker, Miller, Murnan, Neighbor, Ohaebosim, Ousley, Parker, Phelps, Pittman, Probst, Ruiz, Stogsdill, Victors, Ward, Weigel, Whipple, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: E. Davis, Osterman, Weber, C.

The Rules Chair was sustained.

Also, roll call was demanded on motion of Rep. Aurand, to amend **HB 2042** on page 2, following line 42, by inserting:

"Sec. 3. K.S.A. 2017 Supp. 21-6302 is hereby amended to read as follows: 21-6302. (a) Criminal carrying of a weapon is knowingly carrying:

- (1) Any bludgeon, sandclub, metal knuckles or throwing star;
- (2) concealed on one's person, a billy, blackjack, slungshot or any other dangerous or deadly weapon or instrument of like character;
- (3) on one's person or in any land, water or air vehicle, with intent to use the same unlawfully, a tear gas or smoke bomb or projector or any object containing a noxious liquid, gas or substance; or
- (4) any pistol, revolver or other firearm concealed on one's person if such person is under 21 years of age, except when on such person's land or in such person's abode or fixed place of business; or

(5) a shotgun with a barrel less than 18 inches in length or any other firearm designed to discharge or capable of discharging automatically more than once by a single function of the trigger whether the person knows or has reason to know the length of the barrel or that the firearm is designed or capable of discharging automatically.

(b) Criminal carrying of a weapon as defined in:

(1) Subsections (a)(1), (a)(2), (a)(3) or (a)(4) is a class A nonperson misdemeanor; and

(2) subsection (a)(5) is a severity level 9, nonperson felony.

(c) Subsection (a) shall not apply to:

(1) Law enforcement officers, or any person summoned by any such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) wardens, superintendents, directors, security personnel and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime, while acting within the scope of their authority;

(3) members of the armed services or reserve forces of the United States or the Kansas national guard while in the performance of their official duty; or

(4) the manufacture of, transportation to, or sale of weapons to a person authorized under subsections (c)(1), (c)(2) and (c)(3) to possess such weapons.

(d) Subsection (a)(5) shall not apply to:

(1) Any person who sells, purchases, possesses or carries a firearm, device or attachment which has been rendered unserviceable by steel weld in the chamber and marriage weld of the barrel to the receiver and which has been registered in the national firearms registration and transfer record in compliance with 26 U.S.C. § 5841 et seq. in the name of such person and, if such person transfers such firearm, device or attachment to another person, has been so registered in the transferee's name by the transferor;

(2) any person employed by a laboratory which is certified by the United States department of justice, national institute of justice, while actually engaged in the duties of their employment and on the premises of such certified laboratory. Subsection (a)(5) shall not affect the manufacture of, transportation to or sale of weapons to such certified laboratory; or

(3) any person or entity in compliance with the national firearms act, 26 U.S.C. § 5801 et seq.

(e) Subsection (a)(4) shall not apply to any person who is carrying a concealed handgun and who is licensed by the attorney general to carry a concealed handgun under K.S.A. 2017 Supp. 75-7c01, and amendments thereto.

(f) As used in this section, "throwing star" means the same as prescribed by K.S.A. 2017 Supp. 21-6301, and amendments thereto.

Sec. 4. K.S.A. 2017 Supp. 75-7c04 is hereby amended to read as follows: 75-7c04.

(a) The attorney general shall not issue a license pursuant to this act if the applicant:

(1) Is not a resident of the county where application for licensure is made or is not a resident of the state;

(2) is prohibited from shipping, transporting, possessing or receiving a firearm or ammunition under 18 U.S.C. § 922(g) or (n), and amendments thereto, or K.S.A. 21-4204, prior to its repeal, or K.S.A. 2017 Supp. 21-6301(a)(10) through (a)(13) or K.S.A. 2017 Supp. 21-6304(a)(1) through (a)(3), and amendments thereto; or

(3) is less than ~~21~~ 18 years of age.

(b) (1) The attorney general shall adopt rules and regulations establishing procedures and standards as authorized by this act for an eight-hour handgun safety and training course required by this section. Such standards shall include: (A) A requirement that trainees receive training in the safe storage of handguns, actual firing of handguns and instruction in the laws of this state governing the carrying of concealed handguns and the use of deadly force; (B) general guidelines for courses which are compatible with the industry standard for basic handgun training for civilians; (C) qualifications of instructors; and (D) a requirement that the course be: (i) A handgun course certified or sponsored by the attorney general; or (ii) a handgun course certified or sponsored by the national rifle association or by a law enforcement agency, college, private or public institution or organization or handgun training school, if the attorney general determines that such course meets or exceeds the standards required by rules and regulations adopted by the attorney general and is taught by instructors certified by the attorney general or by the national rifle association, if the attorney general determines that the requirements for certification of instructors by such association meet or exceed the standards required by rules and regulations adopted by the attorney general. Any person wanting to be certified by the attorney general as an instructor shall submit to the attorney general an application in the form required by the attorney general and a fee not to exceed \$150.

(2) The cost of the handgun safety and training course required by this section shall be paid by the applicant. The following shall constitute satisfactory evidence of satisfactory completion of an approved handgun safety and training course:

(A) Evidence of completion of a course that satisfies the requirements of subsection (b)(1), in the form provided by rules and regulations adopted by the attorney general;

(B) an affidavit from the instructor, school, club, organization or group that conducted or taught such course attesting to the completion of the course by the applicant;

(C) evidence of completion of a course offered in another jurisdiction which is determined by the attorney general to have training requirements that are equal to or greater than those required by this act; or

(D) a determination by the attorney general pursuant to subsection (c).

(c) The attorney general may:

(1) Create a list of concealed carry handgun licenses or permits issued by other jurisdictions which the attorney general finds have training requirements that are equal to or greater than those of this state; and

(2) review each application received pursuant to K.S.A. 2017 Supp. 75-7c05, and amendments thereto, to determine if the applicant's previous training qualifications were equal to or greater than those of this state.

(d) For the purposes of this section:

(1) "Equal to or greater than" means the applicant's prior training meets or exceeds the training established in this section by having required, at a minimum, the applicant to: (A) Receive instruction on the laws of self-defense; and (B) demonstrate training and competency in the safe handling, storage and actual firing of handguns.

(2) "Jurisdiction" means another state or the District of Columbia.

(3) "License or permit" means a concealed carry handgun license or permit from another jurisdiction which has not expired and, except for any residency requirement of

the issuing jurisdiction, is currently in good standing.

Sec. 5. K.S.A. 2017 Supp. 75-7c20 is hereby amended to read as follows: 75-7c20.

(a) The carrying of a concealed handgun shall not be prohibited in any public area of any state or municipal building unless such public area has adequate security measures to ensure that no weapons are permitted to be carried into such public area and the public area is conspicuously posted with either permanent or temporary signage approved by the governing body, or the chief administrative officer, if no governing body exists, in accordance with K.S.A. 2017 Supp. 75-7c10, and amendments thereto.

(b) The carrying of a concealed handgun shall not be prohibited throughout any state or municipal building in its entirety unless such building has adequate security measures at all public access entrances to ensure that no weapons are permitted to be carried into such building and the building is conspicuously posted in accordance with K.S.A. 2017 Supp. 75-7c10, and amendments thereto.

(c) No state agency or municipality shall prohibit an employee from carrying a concealed handgun at the employee's work place unless the building has adequate security measures at all public access entrances to ensure that no weapons are permitted to be carried into such building and the building is conspicuously posted in accordance with K.S.A. 2017 Supp. 75-7c10, and amendments thereto.

(d) (1) It shall not be a violation of the personal and family protection act for a person to carry a concealed handgun into a state or municipal building, or any public area thereof, so long as that person has authority to enter through a restricted access entrance into such building, or public area thereof, that provides adequate security measures at all public access entrances and the building, or public area thereof, is conspicuously posted in accordance with K.S.A. 2017 Supp. 75-7c10, and amendments thereto.

(2) Any person, who is not an employee of the state or a municipality and is not otherwise authorized to enter a state or municipal building through a restricted access entrance, shall be authorized to enter through a restricted access entrance, provided such person:

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

(B) is issued an identification card by the chief law enforcement officer, governing body, or the chief administrative officer, if no governing body exists, which includes such person's photograph, name and any other identifying information deemed necessary by the issuing entity, and which states on the identification card that such person is authorized to enter such building through a restricted access entrance; and

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

The chief law enforcement officer, governing body, or the chief administrative officer, if no governing body exists, shall develop criteria for approval of individuals subject to this paragraph to enter the state or municipal building through a restricted access entrance. Such criteria may include the requirement that the individual submit to a state and national criminal history records check before issuance and renewal of such authorization and pay a fee to cover the costs of such background checks. An individual

who has been issued a concealed carry permit by the state of Kansas shall not be required to submit to another state and national criminal records check before issuance and renewal of such authorization. Notwithstanding any authorization granted under this paragraph, an individual may be subjected to additional security screening measures upon reasonable suspicion or in circumstances where heightened security measures are warranted. Such authorization does not permit the individual to carry a concealed weapon into a public building, which has adequate security measures, as defined by this act, and which is conspicuously posted in accordance with K.S.A. 2017 Supp. 75-7c10, and amendments thereto.

(e) A state agency or municipality that provides adequate security measures in a state or municipal building and which conspicuously posts signage in accordance with K.S.A. 2017 Supp. 75-7c10, and amendments thereto, prohibiting the carrying of a concealed handgun in such building shall not be liable for any wrongful act or omission relating to actions of persons carrying a concealed handgun concerning acts or omissions regarding such handguns.

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

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

(h) Nothing in this section shall limit the ability of the chief judge of each judicial district to prohibit the carrying of a concealed handgun by any person into courtrooms or ancillary courtrooms within the district provided the public area has adequate security measures to ensure that no weapons are permitted to be carried into such public area and the public area is conspicuously posted in accordance with K.S.A. 2017 Supp. 75-7c10, and amendments thereto.

~~(i) The governing body or the chief administrative officer, if no governing body exists, of a state or municipal building, may exempt the building, or any public area thereof, from this section until July 1, 2017, by adopting a resolution, or drafting a letter, listing the legal description of such building, listing the reasons for such exemption, and including the following statement: "A security plan has been developed for the building being exempted which supplies adequate security to the occupants of the building and merits the prohibition of the carrying of a concealed handgun." A copy of the security plan for the building shall be maintained on file and shall be made available, upon request, to the Kansas attorney general and the law enforcement agency of local jurisdiction. Notice of this exemption, together with the resolution adopted or the letter drafted, shall be sent to the Kansas attorney general and to the law enforcement agency of local jurisdiction. The security plan shall not be subject to disclosure under the Kansas open records act.~~

~~(j) The governing body or the chief administrative officer, if no governing body exists, of any postsecondary educational institution, as defined in K.S.A. 74-3201b, and amendments thereto, may exempt any building of such institution, including any buildings located on the grounds of such institution and any buildings leased by such~~

~~institution, or any public area thereof, from this section until July 1, 2017, by stating the reasons for such exemption and sending notice of such exemption to the Kansas attorney general (1) Except as provided in subsection (i)(2), a postsecondary educational institution may prohibit the carrying of concealed handguns in any building of such institution, including any buildings located on the grounds of such institution and any buildings leased by such institution, or any public area thereof, provided that the building or public area thereof is conspicuously posted in accordance with K.S.A. 2017 Supp. 75-7c10, and amendments thereto.~~

~~(2) A postsecondary educational institution shall not prohibit the holder of a license issued pursuant to or recognized by this act from carrying a concealed handgun in any building of such institution or public area thereof, unless such building or public area has adequate security measures to ensure that no weapons are permitted to be carried into such building or public area and there is signage conspicuously posted in accordance with K.S.A. 2017 Supp. 75-7c10, and amendments thereto.~~

~~(j)(i)~~ The provisions of this section shall not apply to:

(1) Any building located on the grounds of the Kansas state school for the deaf or the Kansas state school for the blind;

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

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

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

(5) an indigent health care clinic, as defined by K.S.A. 2017 Supp. 65-7402, and amendments thereto; or

(6) any building owned or leased by the authority created under the university of Kansas hospital authority act, any building located within the health care district, as defined in the unified government of Wyandotte county and Kansas City, Kansas City-wide master plan, Rosedale master plan and traffic study or similar master plan or comprehensive planning or zoning document approved by the unified government of Wyandotte county and Kansas City, Kansas in effect on January 12, 2017.

~~(k)~~ Nothing in this section shall be construed to prohibit any law enforcement officer, as defined in K.S.A. 2017 Supp. 75-7c22, and amendments thereto, who satisfies the requirements of either K.S.A. 2017 Supp. 75-7c22(a) or (b), and amendments thereto, from carrying a concealed handgun into any state or municipal building, or any public area thereof, in accordance with the provisions of K.S.A. 2017 Supp. 75-7c22, and amendments thereto, subject to any restrictions or prohibitions imposed in any courtroom by the chief judge of the judicial district.

~~(m)~~~~(l)~~ For purposes of this section:

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

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

(3) The terms "municipality" and "municipal" are interchangeable and have the same meaning as the term "municipality" is defined in K.S.A. 75-6102, and amendments thereto, ~~but does not include school districts. The term "municipality" shall not include school districts or postsecondary educational institutions, as defined in K.S.A. 74-3201b, and amendments thereto.~~

(4) "Public area" means any portion of a state or municipal building that is open to and accessible by the public or which is otherwise designated as a public area by the governing body or the chief administrative officer, if no governing body exists, of such building.

(5) "Restricted access entrance" means an entrance that is restricted to the public and requires a key, keycard, code, or similar device to allow entry to authorized personnel.

(6) "State" means the same as the term is defined in K.S.A. 75-6102, and amendments thereto.

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

(B) The term "state and municipal building" shall not include the state capitol.

(8) "Weapon" means a weapon described in K.S.A. 2017 Supp. 21-6301, and amendments thereto, except the term "weapon" shall not include any cutting instrument that has a sharpened or pointed blade.

~~(m)~~ (m) This section shall be a part of and supplemental to the personal and family protection act.;

Also on page 2, in line 43, after "Supp." by inserting "21-6302,"; also in line 43, by striking "and" and inserting ", 75-7c04,"; also in line 43, after "75-7c06" by inserting "and 75-7c20";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the second semicolon by inserting "relating to possession of concealed handguns in postsecondary educational institutions,"; in line 4, after "Supp." by inserting "21-6302,"; also in line 4, by striking the first "and" and inserting ", 75-7c04,"; also in line 4, after the second "and" by inserting "75-7c20 and"

On roll call, the vote was: Yeas 70; Nays 52; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Aurand, Baker, Ballard, Becker, Bishop, Brim, Burroughs, Campbell, Carlin, Carmichael, Clayton, Concannon, Cox, Crum, S., Curtis, Deere, Dierks, Elliott, Eplee, Finney, Frownfelter, Gallagher, Gartner, Good, Helgeson, Henderson, Hibbard, Highberger, Hodge, Holscher, Horn, Jennings, Johnson, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lusk, Lusker, Markley, Miller, Murnan, Neighbor, Ohaebosim, Ousley, Parker, Phelps, Phillips, Pittman, Probst, Proehl, Rafie, Rooker, Ruiz, Sawyer, Schreiber, Seiwert, Sloan, Stogsdill, S. Swanson, Trimmer, Victors, Ward, Weigel, Whipple, Winn, Wolfe Moore.

Nays: Aramberger, Awerkamp, Barker, Bergquist, Blex, Burris, B. Carpenter, Claeys, Clark, Corbet, Delperdang, Dietrich, Dove, Ellis, Esau, Finch, Francis, Garber,

Hawkins, Highland, Hineman, Hoffman, Houser, Huebert, Humphries, Jacobs, K. Jones, Judd-Jenkins, Landwehr, Lewis, Mason, Mastroni, Orr, F. Patton, R. Powell, Rahjes, Ralph, Resman, Ryckman, Schroeder, Schwab, Smith, A., Smith, E., Sutton, Tarwater, Thimesch, Thompson, Vickrey, Waymaster, Wheeler, Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: E. Davis, Osterman, Weber, C.

The motion of Rep. Aurand prevailed and **HB 2042** be passed as amended.

On motion of Rep. Barker, **HB 2145** be amended on page 1, in line 6, by striking "2016" and inserting "2017";

On page 4, in line 37, by striking "2016" and inserting "2017";

On page 5, in line 21, by striking "2016" and inserting "2017";

On page 6, in line 3, by striking "2016" and inserting "2017";

On page 1, in the title, in line 2, by striking "2016" and inserting "2017"

Also, on motion of Rep. Finch, **HB 2145** be amended on page 5, in line 25, by striking "by:"; by striking all in lines 26 through 31; in line 32, by striking all before the period and inserting "against a person with whom the offender is involved or has been involved in a dating relationship or is a family or household member"; and the bill be passed as amended.

## REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **HB 2455** be amended on page 3, in line 40, by striking "calculated by the committee" and inserting "determined"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2456** be amended on page 3, by striking all in lines 13 and 14; in line 15, by striking all before the period and inserting "provisions of this section shall apply upon disposition or 15 days after adjudication, whichever is sooner, unless the juvenile fails to appear for such juvenile's dispositional hearing. If a juvenile fails to appear at such juvenile's dispositional hearing, the probation term limits and overall case length limits provided in this section shall not apply until the juvenile is brought before the court for disposition in such juvenile's case"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2441** be amended on page 2, in line 24, by striking "bidders" and inserting "firms"; also in line 24, by striking "invitations for bid" and inserting "requests for proposals"; in line 29, by striking "invitations for bid" and inserting "requests for proposals"; also in line 29, by striking "bids" and inserting "proposals"; in line 31, by striking "an invitation for bid" and inserting "a request for proposals"; in line 32, by striking "bidders" and inserting "firm"; in line 33, by striking "invitation" and inserting "request for proposals"; in line 36, by striking "bids" and inserting "proposals"; in line 37, by striking "invitations" and inserting "requests for proposals";

On page 3, in line 4, after the period by inserting "The firm selected by the committee shall be located in Kansas."; in line 23, before the comma by inserting "or 75-37,102 or K.S.A. 2017 Supp. 75-37,130 through 75-37,135";

On page 4, in line 25, after the period by inserting "Any auditing firm selected by the board shall be located in Kansas.";

On page 7, in line 7, by striking "bidders" and inserting "firms"; also in line 7, by

striking "invitations for bid" and inserting "requests for proposals"; in line 11, by striking "invitations for bid" and inserting "requests for proposals"; also in line 11, by striking "bids" and inserting "proposals"; in line 13, by striking "an"; in line 14, by striking all before the first "to" and inserting "a request for proposals"; also in line 14, by striking "bidders" and inserting "firm"; in line 16, by striking "invitation" and inserting "request for proposals"; in line 18, by striking "bids" and inserting "proposals"; in line 19, by striking "invitations" and inserting "request for proposals"; in line 30, after the period by inserting "The firm selected by the committee shall be located in Kansas.";

On page 8, in line 7, before the comma by inserting "or 75-37,102 or K.S.A. 2017 Supp. 75-37,130 through 75-37,135"; and the bill be passed as amended.

Committee on **Veterans and Military** recommends **HB 2465** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

#### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2603**, AN ACT concerning crimes, punishment and criminal procedure; relating to postrelease supervision; amending K.S.A. 2017 Supp. 22-3722 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2604**, AN ACT concerning elections; amending K.S.A. 25-3205 and 25-3206 and repealing the existing sections, by Committee on Elections.

#### INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6046**—

By Representative Highberger

A RESOLUTION relating to the rules of the House of Representatives for 2017-2018; amending Rules 3903 and 3906.

*Be it resolved by the House of Representatives of the State of Kansas:* That Rule 3903 be amended to read as follows:

**Rule 3903. Showing Committee Amendments.**

(a) All bills and resolutions reported by a committee with recommendation for amendments and to be passed as amended shall be reprinted.

(b) *Commencing after adjournment sine die of the 2018 regular session of the legislature, when a committee recommends amendments to a bill that strike all of the material in the bill subsequent to the enacting clause and inserts new material, the reprinted bill shall contain a notation specifying: (1) The committee that recommended the amendment or amendments; (2) the date the amendment or amendments were recommended; and (3) the bill number of the source bill or bills, if any, that included the inserted new material added to the underlying bill pursuant to the amendment or*

*amendments. Additionally, the source bill or bills shall be reprinted with a notation specifying the bill that material from the source bill was inserted pursuant to an amendment as described in this subsection.*

*Be it further resolved:* That Rule 3906 be amended to read as follows:

**Rule 3906. Committee of the Whole Amendments.**

(a) If a bill or concurrent resolution is amended by the Committee of the Whole, it shall be reprinted showing the amendments.

(b) *Commencing after adjournment sine die of the 2018 regular session of the legislature, when the committee of the Whole recommends amendments to a bill that strike all of the material in the bill subsequent to the enacting clause and inserts new material, such reprinted bill shall contain a notation specifying: (1) The member that offered the amendment or amendments; (2) the date the amendment or amendments were recommended; and (3) the bill number of the source bill or bills, if any, that included the inserted new material added to the underlying bill pursuant to the amendment or amendments. Additionally, the source bill or bills shall be reprinted with a notation specifying the bill that material from the source bill was inserted pursuant to an amendment as described in this subsection.*

**COMMITTEE ASSIGNMENT CHANGES**

Speaker pro tem Schwab announced the appointment of Rep. Probst to replace Rep. Pittman on Committee on House Transportation on Feb. 1.

**REPORT ON ENROLLED RESOLUTIONS**

**HR 6041** reported correctly enrolled and properly signed on February 1, 2018.

On motion of Rep. Hineman, the House adjourned until 9:00 a.m., Friday, February 2, 2018.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

