

SESSION OF 2014

**SUPPLEMENTAL NOTE ON SUBSTITUTE FOR HOUSE
BILL NO. 2503**

As Recommended by House Committee on
Federal and State Affairs

Brief*

Sub. for HB 2503 would create a 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 would be authorized to carry a concealed handgun. The bill would allow 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 of the provisions in KSA 2013 Supp. 75-7c10 or 75-7c20.

The provisions of the bill would not apply to buildings where the possession of firearms was 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 would not apply to any officer or retired officer who was denied a conceal carry handgun license or whose concealed carry handgun license had been suspended or revoked under the provisions of the Personal and Family Protection Act.

In-state officers and retired officers would be required to remain in compliance with the firearms policies of their law enforcement agency, would be required to possess identification as required by that agency, and would be required to present such identification when requested by

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

other law enforcement officers or persons of authority for the building where they are concealed carrying.

Similarly, the out-of-state officers and retired officers meeting the requirements of the federal Law Enforcement Officers Safety Act would be required to possess identification as required by the federal law and would be 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 would define “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 would define “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.

Background

At the hearing in the House Committee, Representative Edwards, and representatives from the Kansas Association of Chiefs of Police, the Kansas Sheriffs Association, the Kansas Peace Officers Association, and the Kansas State Troopers Association appeared in support of the bill. Neutral testimony was provided by the Attorney General’s Office. There was no opposing testimony on the bill.

The House Committee recommended a substitute bill that addressed where active and retired law enforcement officers, both in-state and out-of-state residents, may carry a concealed handgun. Originally, the bill only related to the issuing of concealed carry handgun licenses to retired law enforcement officers.

According to the fiscal note on the original bill, the Attorney General's Office indicated that enactment of the bill would required modifications to the concealed carry license, costing the agency between \$5,000 and \$10,000, which would come from agency fee funds. The agency also anticipates negligible revenue loss as a result of eligible retired law enforcement officer no longer having to pay for conceal carry licenses. Any fiscal effect associate with the bill is not reflected in *The FY 2015 Governor's Budget Report*. There was no fiscal note available for the substitute bill.