

SENATE BILL No. 185

By Senator Journey

1-25

9 AN ACT concerning firearms; amending K.S.A. 2006 Supp. 12-16,124
10 and 75-7c11 and repealing the existing sections.

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12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. K.S.A. 2006 Supp. 12-16,124 is hereby amended to read
14 as follows: 12-16,124. ~~(a) No city or county shall adopt any ordinance,~~
15 ~~resolution or regulation, and no agent of any city or county shall take any~~
16 ~~administrative action, governing the purchase, transfer, ownership, stor-~~
17 ~~age or transporting of firearms or ammunition, or any component or com-~~
18 ~~bination thereof, other than those expressly authorized by statute. Any~~
19 ~~such ordinance, resolution or regulation adopted prior to the effective~~
20 ~~date of this 2007 act shall be null and void. For purposes of this section,~~
21 ~~a statute that does not refer to firearms or ammunition, or components~~
22 ~~or combinations thereof, shall not be construed to provide express~~
23 ~~authorization.~~

24 ~~—(b) Nothing in this section shall:~~

25 ~~—(1) Prohibit a city or county from adopting any zoning measure re-~~
26 ~~lated to firearms licensees if otherwise authorized by law to do so;~~

27 ~~—(2) prohibit a law enforcement officer, as defined in K.S.A. 22-2202,~~
28 ~~and amendments thereto, from acting within the scope of such officer's~~
29 ~~duties;~~

30 ~~—(3) prohibit a city or county from regulating the manner of carrying~~
31 ~~any firearm on one's person;~~

32 ~~—(4) prohibit a city or county from regulating in any manner the car-~~
33 ~~rying of any firearm in any jail, juvenile detention facility, prison, court-~~
34 ~~house, courtroom or city hall; or~~

35 ~~—(5) prohibit a city or county from adopting an ordinance, resolution~~
36 ~~or regulation requiring a firearm transported in any air, land or water~~
37 ~~vehicle to be unloaded and encased in a container which completely en-~~
38 ~~clozes the firearm or any less restrictive provision governing the trans-~~
39 ~~porting of firearms.~~

40 ~~—(c) No person shall be prosecuted or convicted of a violation of any~~
41 ~~ordinance, resolution or regulation of a city or county which regulates the~~
42 ~~storage or transportation of a firearm if such person (1) is storing or~~
43 ~~transporting the firearm without violating any provision of the Kansas~~

1 ~~criminal code or (2) is otherwise transporting the firearm in a lawful~~
2 ~~manner.~~

3 ~~—(d) No person shall be prosecuted under any ordinance, resolution~~
4 ~~or regulation for transporting a firearm in any air, land or water vehicle~~
5 ~~if the firearm is unloaded and encased in a container which completely~~
6 ~~encloses the firearm.~~

7 Sec. 2. K.S.A. 2006 Supp. 75-7c11 is hereby amended to read as
8 follows: 75-7c11. (a) Nothing in this act shall be construed to prevent:

9 (1) Any public or private employer from restricting or prohibiting in
10 any manner persons licensed under this act from carrying a concealed
11 weapon while on the premises of the employer's business or while en-
12 gaged in the duties of the person's employment by the employer, *pro-*
13 *vided that the premises are posted, in accordance with rules and regula-*
14 *tions adopted by the attorney general pursuant to this section, as premises*
15 *where carrying a concealed weapon is prohibited; or*

16 (2) any entity owning or operating business premises open to the
17 public from restricting or prohibiting in any manner persons licensed
18 under this act from carrying a concealed weapon while on such premises,
19 provided that the premises are posted, in accordance with rules and reg-
20 ulations adopted by the attorney general pursuant to this section, as prem-
21 ises where carrying a concealed weapon is prohibited; or

22 (3) a property owner from restricting or prohibiting in any manner
23 persons licensed under this act from carrying a concealed weapon while
24 on such property, provided that the premises are posted, in accordance
25 with rules and regulations adopted by the attorney general pursuant to
26 this section, as premises where carrying a concealed weapon is prohibited.

27 (b) Carrying a concealed weapon on premises ~~in violation of any re-~~
28 ~~striction or prohibition allowed by subsection (a)(1), or in violation of any~~
29 ~~restriction or prohibition allowed by subsection (a)(2) or (a)(3) (a), if the~~
30 ~~premises are posted as required by such subsection, is a class B~~
31 ~~misdemeanor.~~

32 (c) The attorney general shall adopt rules and regulations prescribing
33 the location, content, size and other characteristics of signs to be posted
34 on premises pursuant to ~~subsections (a)(2) and (a)(3) subsection (a).~~

35 Sec. 3. K.S.A. 2006 Supp. 12-16,124 and 75-7c11 are hereby
36 repealed.

37 Sec. 4. This act shall take effect and be in force from and after its
38 publication in the Kansas register.