

SENATE BILL No. 504

By Committee on Judiciary

2-2

9 AN ACT concerning the personal and family protection act; amending
10 K.S.A. 2009 Supp. 21-4218, 75-7c02, 75-7c03, 75-7c04, 75-7c05, 75-
11 7c06, 75-7c07, 75-7c08, 75-7c10, 75-7c11 and 75-7c12 and repealing
12 the existing sections.
13

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

15 Section 1. K.S.A. 2009 Supp. 75-7c02 is hereby amended to read as
16 follows: 75-7c02. As used in the personal and family protection act:

17 (a) "Attorney general" means the attorney general of the state of
18 Kansas.

19 (b) ~~"Weapon" means handgun, pistol or revolver.~~ "Handgun" means
20 a "firearm," as defined in K.S.A. 75-7b01, and amendments thereto.

21 (c) "Athletic event" means athletic instruction, practice or competi-
22 tion held at any location and including any number of athletes.

23 (d) "Dependent" means a resident of the household of an active duty
24 member of any branch of the armed forces of the United States who de-
25 pends in whole or in substantial part upon the member for financial sup-
26 port.

27 Sec. 2. K.S.A. 2009 Supp. 75-7c03 is hereby amended to read as
28 follows: 75-7c03. (a) The attorney general shall issue licenses to carry
29 concealed ~~weapons~~ handguns to persons ~~qualified as provided by who~~
30 *comply with the application and training requirements of this act and*
31 *who are not disqualified under K.S.A. 75-7c04, and amendments thereto.*
32 Such licenses shall be valid throughout the state for a period of four years
33 from the date of issuance.

34 (b) The license shall be a separate card, in a form prescribed by the
35 attorney general, that is approximately the size of a Kansas driver's license
36 and shall bear the licensee's signature, name, address, date of birth and
37 driver's license number or nondriver's identification card number except
38 that the attorney general shall assign a unique number for military appli-
39 cants *or their dependents* described in subsection (a)(1)(B) of K.S.A. 2009
40 Supp. 75-7c05, and amendments thereto. At all times when the licensee
41 is in actual possession of a concealed ~~weapon~~ handgun, the licensee shall
42 carry the license to carry concealed ~~weapons which shall constitute the~~
43 ~~license to carry a concealed weapon~~ handguns. On demand of a law en-

1 enforcement officer, the licensee shall display the license to carry a concealed ~~weapon~~ *handguns* and proper identification. Verification by a law
 2 enforcement officer that a person holds a valid license to carry a concealed
 3 ~~weapon~~ *handgun* may be accomplished by a record check using the per-
 4 son's driver's license information or the person's concealed carry license
 5 number.
 6

7 The license of any person who violates the provisions of this subsection
 8 shall be suspended for not less than 30 days upon the first violation and
 9 shall be revoked for not less than five years upon the second or a sub-
 10 sequent violation.

11 (c) A valid license, issued by any other state or the District of Colum-
 12 bia, to carry ~~concealed weapons~~ *a firearm* shall be recognized as valid in
 13 this state, but only while the holder is not a resident of Kansas, if the
 14 attorney general determines that standards for issuance of such license
 15 or permit by such state or district are ~~equal~~ *reasonably similar* to or
 16 greater than the standards imposed by this act. The attorney general shall
 17 maintain and publish a list of such ~~states and district~~ *other jurisdictions*
 18 which the attorney general determines have standards ~~equal~~ *reasonably*
 19 *similar* to or greater than the standards imposed by this act.

20 (d) *A person who establishes residency in this state may carry con-*
 21 *cealed weapons under the terms of this act until the person's application*
 22 *for a license under this act is approved or denied, provided that the person*
 23 *has been issued and possesses a valid license or permit to carry a firearm*
 24 *from a jurisdiction recognized by the attorney general under subsection*
 25 *(c) and carries with that license or permit a copy of the person's appli-*
 26 *cation for a license under this act, or a receipt for the submission thereof.*
 27 *For purposes of such application, possession of the valid nonresident li-*
 28 *cence or permit to carry a firearm shall satisfy the requirements of K.S.A.*
 29 *75-7c04(a)(10), (b)(2), and amendments thereto.*

30 Sec. 3. K.S.A. 2009 Supp. 75-7c04 is hereby amended to read as
 31 follows: 75-7c04. (a) The attorney general shall *not* issue a license pur-
 32 suant to this act if the applicant:

33 ~~(1) Is a resident of the county where application for licensure is made~~
 34 ~~and has been a resident of the state for six months or more immediately~~
 35 ~~preceding the filing of the application, residency to be determined in~~
 36 ~~accordance with K.S.A. 77-201, and amendments thereto;~~

37 (1) *Is prohibited from shipping, transporting, possessing or receiving*
 38 *a firearm or ammunition under 18 U.S.C. 922(g) and (n), and amend-*
 39 *ments thereto, and K.S.A. 21-4204, and amendments thereto; and*

40 (2) *is 21 years or more of age;*

41 ~~(3) does not suffer from a physical infirmity which prevents the safe~~
 42 ~~handling of a weapon;~~

43 ~~(4) (A) has been convicted or placed on diversion for an act that~~

1 constitutes a felony under the laws of this state or any other jurisdiction
2 and: (i) Such felony is expungeable pursuant to K.S.A. 21-4619, and
3 amendments thereto, or similar provision from another jurisdiction, (ii)
4 such felony has been expunged, and (iii) the requirements of subsection
5 (d) are otherwise met;

6 ~~—(B)—~~ has not been convicted or placed on diversion, in this or any other
7 jurisdiction, for an act that constitutes a felony under the laws of this state
8 and such felony is not subject to expungement pursuant to K.S.A. 21-
9 4619, and amendments thereto, or adjudicated, in this or any other ju-
10 risdiction, of committing as a juvenile an act that would be a felony under
11 the laws of this state if committed by an adult;

12 ~~—(5)—~~ has never been convicted, in this or any other jurisdiction, for an
13 act that constitutes a misdemeanor crime of domestic violence, as defined
14 by 18 U.S.C. 921(a)(33)(A) or adjudicated, in this or any other jurisdiction,
15 of committing as a juvenile an act that would be a misdemeanor crime of
16 domestic violence under 18 U.S.C. 921(a)(33)(A) if committed by an
17 adult;

18 ~~—(6)—~~ has not been, during the five years immediately preceding the
19 date the application is submitted: (A) Convicted or placed on diversion,
20 in this or any other jurisdiction, for an act that constitutes a misdemeanor
21 under the provisions of K.S.A. 2009 Supp. 21-36a01 through 21-36a17,
22 and amendments thereto, or adjudicated, in this or any other jurisdiction,
23 of committing as a juvenile an act that would be a misdemeanor under
24 such act if committed by an adult; (B) convicted or placed on diversion,
25 in this or any other jurisdiction, two or more times for an act that con-
26 stitutes a violation of K.S.A. 8-1567, and amendments thereto; (C) con-
27 victed or placed on diversion, in this or any other jurisdiction, for an act
28 that constitutes a domestic violence misdemeanor under any municipal
29 ordinance or article 34 or 35 of chapter 21 of the Kansas Statutes An-
30 notated or adjudicated, in this or any other jurisdiction, of committing as
31 a juvenile an act that would be a domestic violence misdemeanor under
32 article 34 or 35 of chapter 21 of the Kansas Statutes Annotated if com-
33 mitted by an adult; or (D) convicted or placed on diversion, in this or any
34 other jurisdiction, for an act that constitutes a violation of K.S.A. 2009
35 Supp. 75-7e12, and amendments thereto, or a violation of subsection
36 (a)(4) of K.S.A. 21-4201, and amendments thereto, or adjudicated, in this
37 or any other jurisdiction, of committing as a juvenile an act that would
38 be a violation of K.S.A. 2009 Supp. 75-7e12, and amendments thereto,
39 or a violation of subsection (a)(4) of K.S.A. 21-4201, and amendments
40 thereto, if committed by an adult;

41 ~~—(7)—~~ has not been charged with a crime which would render the ap-
42 plicant, if convicted, ineligible for a license or, if so charged, final dis-
43 position of the charge has occurred and no other charges are pending

- 1 which would cause the applicant to be ineligible for a license;
2 ~~—(8)— has not been ordered by a court to receive treatment for mental~~
3 ~~illness pursuant to K.S.A. 59-2966, and amendments thereto, or for an~~
4 ~~alcohol or substance abuse problem pursuant to K.S.A. 59-29b66, and~~
5 ~~amendments thereto, or, if a court has ordered such treatment, has not~~
6 ~~been issued a certificate of restoration pursuant to K.S.A. 2009 Supp. 75-~~
7 ~~7e26, and amendments thereto, not less than five years before the date~~
8 ~~of the application;~~
9 ~~—(9)— desires a legal means to carry a concealed weapon for lawful self-~~
10 ~~defense;~~
11 ~~—(10)— except as provided by subsection (g) of K.S.A. 2009 Supp. 75-~~
12 ~~7e05, and amendments thereto, presents evidence satisfactory to the at-~~
13 ~~torney general that the applicant has satisfactorily completed a weapons~~
14 ~~safety and training course approved by the attorney general pursuant to~~
15 ~~subsection (b);~~
16 ~~—(11)— has not been adjudged a disabled person under the act for ob-~~
17 ~~taining a guardian or conservator, or both, or under a similar law of an-~~
18 ~~other state or the District of Columbia, unless the applicant was ordered~~
19 ~~restored to capacity three or more years before the date on which the~~
20 ~~application is submitted;~~
21 ~~—(12)— has not been dishonorably discharged from military service;~~
22 ~~—(13)— is a citizen of the United States;~~
23 ~~—(14)— is not subject to a restraining order issued under the protection~~
24 ~~from abuse act, under the protection from stalking act or pursuant to~~
25 ~~K.S.A. 60-1607, K.S.A. 2009 Supp. 38-2242, 38-2243 or 38-2255, and~~
26 ~~amendments thereto, or any equivalent order entered in another state or~~
27 ~~jurisdiction which is entitled to full faith and credit in Kansas;~~
28 ~~—(15)— is not in contempt of court in a child support proceeding;~~
29 ~~—(16)— has not attempted to commit suicide in the five years immedi-~~
30 ~~ately preceding application; and~~
31 ~~—(17)— has not been adjudicated as a mental defective or committed to~~
32 ~~a mental institution.~~
33 (b) (1) The attorney general shall adopt rules and regulations estab-
34 lishing procedures and standards as authorized by this act for an eight-
35 hour weapons safety and training course required by this section. Such
36 standards shall include: (A) A requirement that trainees receive training
37 in the safe storage of ~~weapons~~ *handguns*, actual firing of weapons and
38 instruction in the laws of this state governing the carrying of a concealed
39 ~~weapon~~ *handguns* and the use of deadly force; (B) general guidelines for
40 courses which are compatible with the industry standard for basic fire-
41 arms training for civilians; (C) qualifications of instructors; and (D) a
42 requirement that the course be: (i) A ~~weapons~~ *handgun* course certified
43 or sponsored by the attorney general; or (ii) a ~~weapons~~ *handgun* course

1 certified or sponsored by the national rifle association or by a law enforce-
2 ment agency, college, private or public institution or organization or
3 ~~weapons~~ handgun training school, if the attorney general determines that
4 such course meets or exceeds the standards required by rules and regu-
5 lations adopted by the attorney general and is taught by instructors cer-
6 tified by the attorney general or by the national rifle association, if the
7 attorney general determines that the requirements for certification of
8 instructors by such association meet or exceed the standards required by
9 rules and regulations adopted by the attorney general. Any person want-
10 ing to be certified by the attorney general as an instructor shall submit to
11 the attorney general an application in the form required by the attorney
12 general and a fee not to exceed \$150.

13 (2) The cost of the ~~weapons~~ handgun safety and training course re-
14 quired by this section shall be paid by the applicant. The following shall
15 constitute satisfactory evidence of satisfactory completion of an approved
16 ~~weapons~~ handgun safety and training course: (A) Evidence of completion
17 of the course, in the form provided by rules and regulations adopted by
18 the attorney general; ~~or~~ (B) an affidavit from the instructor, school, club,
19 organization or group that conducted or taught such course attesting to
20 the completion of the course by the applicant; *or (C) for the purposes of*
21 *K.S.A. 75-7c03(d), and amendments thereto, a copy of a valid license to*
22 *carry a firearm issued by another jurisdiction, as described in that*
23 *subsection.*

24 ~~(c) In addition to the requirements of subsection (a), a person holding~~
25 ~~a license pursuant to this act, prior to renewal of the license provided~~
26 ~~herein, shall submit evidence satisfactory to the attorney general that the~~
27 ~~licensee has requalified by completion of an approved course given by an~~
28 ~~instructor of an approved weapons safety and training course under sub-~~
29 ~~section (b).~~

30 ~~—(d) If an applicant has had a conviction or diversion described in~~
31 ~~subsection (a)(4)(A) or (a)(6) expunged pursuant to K.S.A. 12-4516 or 21-~~
32 ~~4610, and amendments thereto, or similar provision from another juris-~~
33 ~~isdiction, and the applicant has been eligible for expungement for five years~~
34 ~~or more immediately preceding the date the application for licensure is~~
35 ~~submitted, the applicant shall not be disqualified from being issued a~~
36 ~~license if the applicant is otherwise qualified for licensure pursuant to~~
37 ~~this section and eligible to possess a firearm under state and federal law.~~

38 ~~—(e) For purposes of this section: (1) “Adjudicated as a mental defec-~~
39 ~~tive” means a determination by a court, board, commission or other lawful~~
40 ~~authority that a person, as a result of marked subnormal intelligence, or~~
41 ~~mental illness, incompetency, condition or disease: (A) Is a danger to the~~
42 ~~person’s self or to others; or (B) lacks the mental capacity to contract or~~
43 ~~manage the person’s own affairs. “Adjudicated as a mental defective” shall~~

1 include a finding of insanity by a court in a criminal case, and those
2 persons found incompetent to stand trial or found not guilty by reason of
3 lack of mental responsibility pursuant to articles 50a and 72b of the
4 United States uniform code of military justice.

5 ~~—(2) (A) “Committed to a mental institution” means a formal com-~~
6 ~~mitment of a person to a mental institution by a court, board, commission~~
7 ~~or other lawful authority. “Committed to a mental institution” includes a~~
8 ~~commitment to a mental institution involuntarily, commitment for mental~~
9 ~~defectiveness or mental illness and commitments for other reasons, such~~
10 ~~as for drug use.~~

11 ~~—(B) “Committed to a mental institution” shall not include a person in~~
12 ~~a mental institution for observation or a voluntary admission to a mental~~
13 ~~institution.~~

14 Sec. 4. K.S.A. 2009 Supp. 75-7c05 is hereby amended to read as
15 follows: 75-7c05. (a) The application for a license pursuant to this act shall
16 be completed, under oath, on a form prescribed by the attorney general
17 and shall only include:

18 (1) (A) Subject to the provisions of subsection (a)(1)(B), the name,
19 address, social security number, Kansas driver’s license number or Kansas
20 nondriver’s license identification number; ~~and~~ place and date of birth ~~and~~
21 ~~occupation~~ of the applicant; (B) in the case of an applicant who presents
22 proof that such person is on active duty with any branch of the armed
23 forces of the United States, *or is the dependent of such a person*, and who
24 does not possess a Kansas driver’s license or Kansas nondriver’s license
25 identification, the number of such license or identification shall not be
26 required;

27 (2) a statement that the applicant is in compliance with criteria con-
28 tained within K.S.A. 2009 Supp. 75-7c04, and amendments thereto;

29 ~~(3) a waiver of the confidentiality of such mental health and medical~~
30 ~~records as necessary to determine the applicant’s qualifications under~~
31 ~~subsection (a)(8) of K.S.A. 2009 Supp. 75-7c04, and amendments thereto;~~

32 ~~(4) (3) a statement that the applicant has been furnished a copy of~~
33 ~~this act and is knowledgeable of its provisions;~~

34 ~~(5) (4) a conspicuous warning that the application is executed under~~
35 ~~oath and that a false answer to any question, or the submission of any~~
36 ~~false document by the applicant, subjects the applicant to criminal pro-~~
37 ~~secution under K.S.A. 21-3805, and amendments thereto; and~~

38 ~~(6) (5) a statement that the applicant desires a concealed weapon~~
39 ~~license as a means of lawful self-defense.~~

40 (b) The applicant shall submit to the sheriff of the county where the
41 applicant resides, during any normal business hours:

42 (1) A completed application described in subsection (a);

43 (2) except as provided by subsection (g), a nonrefundable license fee

1 of ~~\$150~~ \$100, if the applicant has not previously been issued a statewide
2 license or if the applicant's license has permanently expired, which fee
3 shall be in the form of two cashier checks or money orders consist of \$40
4 payable to the sheriff of the county where the applicant resides and ~~\$110~~
5 \$60 payable to the attorney general;

6 (3) a photocopy of a certificate or an affidavit or document as de-
7 scribed in subsection (b) of K.S.A. 2009 Supp. 75-7c04, and amendments
8 thereto, *or if applicable, of a license to carry a firearm as described in*
9 *subsection (d) of K.S.A. 2009 Supp. 75-7c03, and amendments thereto;*
10 and

11 (4) a full frontal view photograph of the applicant taken within the
12 preceding 30 days.

13 (c) (1) The sheriff, upon receipt of the items listed in subsection (b)
14 of this section ~~or subsection (a) of K.S.A. 2009 Supp. 75-7c08, and amend-~~
15 ~~ments thereto,~~ shall provide for the full set of fingerprints of the applicant
16 to be taken and forwarded to the attorney general for purposes of a crim-
17 inal history records check as provided by subsection (d). In addition, the
18 sheriff shall forward to the attorney general a copy of the application and
19 the portion of the original or renewal license fee which is payable to the
20 attorney general. The cost of taking such fingerprints shall be included
21 in the portion of the fee retained by the sheriff. *Notwithstanding anything*
22 *in this section to the contrary, an applicant shall not be required to submit*
23 *fingerprints for a renewal application under K.S.A. 2009 Supp. 75-7c08,*
24 *and amendments thereto.*

25 (2) The sheriff of the applicant's county of residence or the chief law
26 enforcement officer of any law enforcement agency, at the sheriff's or
27 chief law enforcement officer's discretion, may participate in the process
28 by submitting a voluntary report to the attorney general containing readily
29 discoverable information, corroborated through public records, which,
30 when combined with another enumerated factor, establishes that the ap-
31 plicant poses a significantly greater threat to law enforcement or the pub-
32 lic at large than the average citizen. Any such voluntary reporting shall
33 be made within 45 days after the date the sheriff receives the application.
34 Any sheriff or chief law enforcement officer submitting a voluntary report
35 shall not incur any civil or criminal liability as the result of the good faith
36 submission of such report.

37 (3) All funds retained by the sheriff pursuant to the provisions of this
38 section shall be credited to a special fund of the sheriff's office which
39 shall be used solely for ~~law enforcement and criminal prosecution pur-~~
40 ~~poses and which shall not be used as a source of revenue to meet normal~~
41 ~~operating expenses of the sheriff's office~~ *the purpose of administering this*
42 *act.*

43 (d) Each applicant shall be subject to a ~~state~~ *local* and national crim-

1 inal history records check which conforms to applicable federal standards,
2 *including an inquiry of the national instant criminal background check*
3 *system* for the purpose of verifying the identity of the applicant and
4 whether the applicant has been convicted of any crime *or has been the*
5 *subject of any restraining order or any mental health related finding* that
6 would disqualify the applicant from holding a license under this act. The
7 attorney general is authorized to use the information obtained from the
8 national criminal history record check to determine the applicant's eli-
9 gibility for such license.

10 (e) Within 90 days after the date of receipt of the items listed in
11 subsection (b), the attorney general shall:

12 (1) Issue the license and certify the issuance to the department of
13 revenue; or

14 (2) deny the application based solely on: (A) The report submitted
15 by the sheriff or other chief law enforcement officer under subsection
16 (c)(2) for good cause shown therein; or (B) the ground that the applicant
17 ~~fails to qualify~~ *is disqualified* under the criteria listed in K.S.A. 2009 Supp.
18 75-7c04, and amendments thereto. If the attorney general denies the
19 application, the attorney general shall notify the applicant in writing, stat-
20 ing the ground for denial and informing the applicant the opportunity for
21 a hearing pursuant to the Kansas administrative procedure act.

22 (f) Each person issued a license shall pay to the department of rev-
23 enue ~~fees a fee~~ for the cost of the license ~~and the photograph to be placed~~
24 ~~on the license~~, which shall be in amounts equal to the ~~fees fee~~ required
25 pursuant to K.S.A. 8-243 and 8-246, and amendments thereto, for a
26 ~~driver's license photograph and~~ replacement of a driver's license.

27 (g) A person who is a retired law enforcement officer, as defined in
28 K.S.A. 21-3110, and amendments thereto, shall be: (1) Required to pay
29 an original license fee of \$100, which fee shall be in the form of two
30 cashier checks or money orders, \$40 payable to the sheriff of the county
31 where the applicant resides and \$60 payable to the attorney general, to
32 be forwarded by the sheriff to the attorney general; (2) exempt from the
33 required completion of a weapons safety and training course if such per-
34 son was certified by the Kansas law enforcement training commission not
35 more than eight years prior to submission of the application; (3) required
36 to pay the license renewal fee; (4) required to pay to the department of
37 revenue the fees required by subsection (f); and (5) required to comply
38 with the criminal history records check requirement of this section.

39 Sec. 5. K.S.A. 2009 Supp. 75-7c06 is hereby amended to read as
40 follows: 75-7c06. (a) The attorney general shall be the official custodian
41 of all records relating to licenses issued pursuant to the personal and
42 family protection act.

43 (b) Except as provided by subsections (c) and (d), records relating to

1 persons issued licenses pursuant to this act, persons applying for licenses
2 pursuant to this act or persons who have had a license denied pursuant
3 to this act shall be confidential and shall not be disclosed in a manner
4 which enables identification of any such person. Any disclosure of a rec-
5 ord in violation of this subsection is a class A misdemeanor.

6 (c) Records of a person whose license has been suspended or revoked
7 pursuant to this act shall be subject to public inspection in accordance
8 with the open records act.

9 (d) The attorney general shall maintain an automated listing of license
10 holders and pertinent information, and such information shall be availa-
11 ble, ~~upon request,~~ at all times to all law enforcement agencies in this
12 state, other states and the District of Columbia *when requested for a*
13 *legitimate law enforcement purpose.*

14 (e) Within 30 days after the changing of a permanent address, or
15 within 30 days after ~~having~~ *the discovery that* a license *has been* lost or
16 destroyed, the licensee shall notify the attorney general of such change,
17 loss or destruction. The attorney general, upon notice and opportunity
18 for hearing in accordance with the provisions of the Kansas administrative
19 procedure act, may order a licensee to pay a fine of not more than \$100,
20 or may suspend the licensee's license for not more than 180 days, for
21 failure to notify the attorney general pursuant to the provisions of this
22 subsection.

23 (f) In the event that a concealed weapon license is lost or destroyed,
24 the license shall be automatically invalid, and the person to whom the
25 license was issued, upon payment of \$15 to the attorney general, may
26 obtain a duplicate, or substitute thereof, upon furnishing a notarized
27 statement to the attorney general that such license has been lost or
28 destroyed.

29 Sec. 6. K.S.A. 2009 Supp. 75-7c07 is hereby amended to read as
30 follows: 75-7c07. (a) In accordance with the provisions of the Kansas
31 administrative procedure act, the attorney general shall deny a license to
32 any applicant for license who is ineligible under K.S.A. 2009 Supp. 75-
33 7c04, and amendments thereto, and, except as provided by subsection
34 (b), shall revoke at any time the license of any person who would be
35 ineligible under K.S.A. 2009 Supp. 75-7c04, and amendments thereto, if
36 submitting an application for a license at such time ~~or who fails to submit~~
37 ~~evidence of completion of a weapons safety and training course as re-~~
38 ~~quired by subsection (c) of K.S.A. 2009 Supp. 75-7c04, and amendments~~
39 ~~thereto.~~ Any Review by the district court in accordance with the act for
40 judicial review and civil enforcement of agency actions shall be, *at the*
41 *option of the party seeking review,* in Shawnee county *or the county in*
42 *which the petitioner resides.* The revocation shall remain in effect pending
43 any appeal and shall not be stayed by the court.

1 (b) The license of a person who ~~would be~~ *is arrested for an offense*
 2 *or is subject to a proceeding that could render the person* ineligible pur-
 3 *suant to subsection (a)(6) of K.S.A. 2009 Supp. 75-7c04, and amendments*
 4 *thereto, shall be subject to suspension and shall be reinstated upon final*
 5 *disposition of the charge or outcome of the proceeding as long as the*
 6 ~~person is otherwise eligible for a license~~ *the arrest or proceeding does not*
 7 *result in a disqualifying conviction, commitment, finding or order.*

8 (c) The sheriff of the county where a restraining order is issued that
 9 would prohibit issuance of a license under subsection (a) ~~(13)~~ (1) of K.S.A.
 10 2009 Supp. 75-7c04, and amendments thereto, shall notify the attorney
 11 general immediately upon receipt of such order. If the person subject to
 12 the restraining order holds a license issued pursuant to this act, the at-
 13 torney general immediately shall ~~revoke~~ *suspend* such license upon re-
 14 ceipt of notice of the issuance of such order. The attorney general shall
 15 adopt rules and regulations establishing procedures which allow for 24-
 16 hour notification and ~~revocation~~ *suspension* of a license under the cir-
 17 cumstances described in this subsection. *The attorney general shall im-*
 18 *mediately reinstate the license, if it has not otherwise expired, upon proof*
 19 *of the cancellation of the order.*

20 Sec. 7. K.S.A. 2009 Supp. 75-7c08 is hereby amended to read as
 21 follows: 75-7c08. (a) Not less than 90 days prior to the expiration date of
 22 the license, the attorney general shall mail to the licensee a written notice
 23 of the expiration and a renewal form prescribed by the attorney general.
 24 The licensee shall renew the license on or before the expiration date by
 25 filing with the sheriff of the applicant's county of residence the renewal
 26 form, a notarized affidavit, *either in person or by certified mail*, stating
 27 that the licensee remains qualified pursuant to the criteria specified in
 28 K.S.A. 2009 Supp. 75-7c04, and amendments thereto, a full frontal view
 29 photograph of the applicant taken within the preceding 30 days and a
 30 nonrefundable license renewal fee of \$100 ~~which fee shall be in the form~~
 31 ~~of two cashier checks or money orders~~ \$50, one of \$50 \$25 payable to
 32 the sheriff of the county where the applicant resides and one of \$50 \$25
 33 payable to the attorney general. The license shall be renewed upon re-
 34 ceipt of the completed renewal application and appropriate payment of
 35 fees. A licensee who fails to file a renewal application on or before the
 36 expiration date of the license must pay an additional late fee of \$15. *A*
 37 *renewal application is considered filed on the date the renewal form, af-*
 38 *fidavit, and required fees are delivered in person to the appropriate sher-*
 39 *iff's office or on the date a certified mailing to the appropriate sheriff's*
 40 *office containing these items is postmarked.*

41 (b) *Upon receipt of a renewal application as specified in subsection*
 42 *(a), the sheriff shall forward the application to the attorney general, and*
 43 *a background check in accordance with K.S.A. 2009 Supp. 75-7c05(d),*

1 *and amendments thereto, shall be completed. Fingerprints shall not be*
 2 *required for renewal applications.* If the licensee is ~~qualified~~ *not dis-*
 3 *qualified* as provided by this act, the license shall be renewed upon receipt
 4 by the attorney general of the items listed in subsection (a) *and the com-*
 5 *pletion of the background check.*

6 (c) No license shall be renewed *if the renewal application is filed* six
 7 months or more after the expiration date of the license, and such license
 8 shall be deemed to be permanently expired. A person whose license has
 9 been permanently expired may reapply for licensure but an application
 10 for licensure and fees pursuant to K.S.A. 2009 Supp. 75-7c05, and amend-
 11 ments thereto, shall be submitted, and a background investigation *in-*
 12 *cluding the submission of fingerprints*, shall be conducted pursuant to the
 13 provisions of that section.

14 Sec. 8. K.S.A. 2009 Supp. 75-7c10 is hereby amended to read as
 15 follows: 75-7c10. (a) Provided that the premises are conspicuously posted
 16 in accordance with rules and regulations adopted by the attorney general
 17 as premises where carrying a concealed weapon is prohibited, no license
 18 issued pursuant to *or recognized by* this act shall authorize the licensee
 19 to carry a concealed weapon into *the building of*:

20 (1) Any place where an activity declared a common nuisance by
 21 K.S.A. 22-3901, and amendments thereto, is maintained;

22 (2) any police, sheriff or highway patrol station;

23 (3) any detention facility, prison or jail;

24 (4) any courthouse;

25 ~~(5) any courtroom~~, except that nothing in this section would preclude
 26 a judge from carrying a concealed weapon or determining who ~~will~~ *may*
 27 carry a concealed ~~weapon~~ *handgun* in the judge's courtroom;

28 ~~(6) (5) any polling place on the day an election is held;~~

29 ~~(7) any meeting of the governing body of a county, city or other po-~~
 30 ~~litical or taxing subdivision of the state, or any committee or subcommit-~~
 31 ~~tee thereof;~~

32 ~~(8) on the state fairgrounds;~~

33 ~~(9) (6) any state office building;~~

34 ~~(10) (7) any facility hosting an~~ athletic event not related to or involv-
 35 ing firearms which is sponsored by a private or public elementary or
 36 secondary school or any private or public institution of postsecondary
 37 education;

38 ~~(11) (8) any facility hosting a~~ professional athletic event not related
 39 to or involving firearms;

40 ~~(12) (9) any portion of a~~ drinking establishment as defined by K.S.A.
 41 41-2601, and amendments thereto, ~~except that this provision shall not~~
 42 ~~apply to a restaurant as defined by K.S.A. 41-2601, and amendments~~
 43 ~~thereto;~~

1 ~~(13)~~ (10) any elementary or secondary school, attendance center, ad-
 2 ministrative office, services center or other facility;

3 ~~(14)~~ (11) any community college, college or university facility;

4 ~~(15) any place where the carrying of firearms is prohibited by federal~~
 5 ~~or state law;~~

6 ~~(16)~~ (12) any child exchange and visitation center provided for in
 7 K.S.A. 75-720, and amendments thereto;

8 ~~(17)~~ (13) any community mental health center organized pursuant to
 9 K.S.A. 19-4001 et seq., and amendments thereto; *any* mental health clinic
 10 organized pursuant to K.S.A. 65-211 et seq., and amendments thereto;
 11 *any* psychiatric hospital licensed under K.S.A. 75-3307b, and amend-
 12 ments thereto; or *a* state psychiatric hospital, as follows: Larned state
 13 hospital, Osawatomie state hospital or Rainbow mental health facility;

14 ~~(18) any city hall;~~

15 ~~(19)~~ (14) any public library operated by the state ~~or by a political~~
 16 ~~subdivision of the state;~~

17 ~~(20)~~ (15) any day care home or group day care home, as defined in
 18 Kansas administrative regulation 28-4-113, or any preschool or childcare
 19 center, as defined in Kansas administrative regulation 28-4-420;

20 ~~(21)~~ (16) any ~~church or temple~~ *place of worship*; or

21 ~~(22) any place in violation of K.S.A. 21-4218, and amendments~~
 22 ~~thereto.~~

23 (b) ~~(1) Violation of this section is a class A misdemeanor. Carrying~~
 24 ~~a concealed handgun in violation of any restriction or prohibition allowed~~
 25 ~~by subsection (a), if the premises are posted in accordance with rules and~~
 26 ~~regulations adopted by the attorney general pursuant to subsection (c) of~~
 27 ~~K.S.A. 2009 Supp. 75-7c11, shall upon the first offense be punishable by~~
 28 ~~a fine of not more than \$50 payable to the county where the infraction~~
 29 ~~occurred and upon the second offense be punishable by a fine of not more~~
 30 ~~than \$100 payable to the county where the infraction occurred. Any third~~
 31 ~~or subsequent offense is a class B misdemeanor.~~

32 (2) Notwithstanding the provisions of subsection (a), it is not a vio-
 33 lation of this section for the United States attorney for the district of
 34 Kansas, the attorney general, any district attorney or county attorney, any
 35 assistant United States attorney if authorized by the United States attor-
 36 ney for the district of Kansas, any assistant attorney general if authorized
 37 by the attorney general, or any assistant district attorney or assistant
 38 county attorney if authorized by the district attorney or county attorney
 39 by whom such assistant is employed, to possess a ~~firearm~~ *handgun* within
 40 any county courthouse or court-related facility, subject to any restrictions
 41 or prohibitions imposed in any courtroom by the chief judge of the judicial
 42 district. The provisions of this paragraph shall not apply to any person
 43 *who is* not in compliance with K.S.A. 2009 Supp. 75-7c19, and amend-

1 ments thereto.

2 (c) *For the purposes of this section, "building" shall not include any*
3 *structure, or any area of any structure, designated for the parking of*
4 *motor vehicles.*

5 (d) *Nothing in this act shall be construed to authorize the carrying*
6 *or possession of a handgun where prohibited by federal law.*

7 Sec. 9. K.S.A. 2009 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 by
10 personnel policies persons licensed under this act from carrying a con-
11 cealed weapon while on the premises of the employer's business or while
12 engaged in the duties of the person's employment by the employer, ex-
13 cept that no employer may prohibit possession of a firearm in a private
14 means of conveyance, even if parked on the employer's premises; or

15 (2) any private business or city, county or political subdivision from
16 restricting or prohibiting persons licensed under this act from carrying a
17 concealed ~~weapon~~ handgun within a building or buildings of such entity,
18 provided that the premises are posted, in accordance with rules and reg-
19 ulations adopted by the attorney general pursuant to ~~this section, as prem-~~
20 ~~ises where carrying a concealed weapon is prohibited~~ subsection (c).

21 (b) (1) Carrying a concealed ~~weapon~~ handgun in violation of any re-
22 striction or prohibition allowed by subsection (a), if the premises are
23 posted in accordance with rules and regulations adopted by the attorney
24 general, ~~pursuant to subsection (c), upon the first offense shall be punish-~~
25 ~~able by a fine of not more than \$50 payable to the county where the~~
26 ~~infraction occurred and upon the second offense be punishable by a fine~~
27 ~~of not more than \$100 payable to the county where the infraction oc-~~
28 ~~curred. Any third or subsequent offense is a class B misdemeanor.~~

29 (2) Notwithstanding the provisions of subsection (a)(2), it is not a
30 violation of this section for the United States attorney for the district of
31 Kansas, the attorney general, any district attorney or county attorney, any
32 assistant United States attorney if authorized by the United States attor-
33 ney for the district of Kansas, any assistant attorney general if authorized
34 by the attorney general, or any assistant district attorney or assistant
35 county attorney if authorized by the district attorney or county attorney
36 by whom such assistant is employed, to possess a ~~firearm~~ handgun within
37 any county courthouse or court-related facility, subject to any restrictions
38 or prohibitions imposed in any courtroom by the chief judge of the judicial
39 district. The provisions of this paragraph shall not apply to any person not
40 in compliance with K.S.A. 2009 Supp. 75-7c19, and amendments thereto.

41 (c) The attorney general shall adopt rules and regulations prescribing
42 the location, content, size and other characteristics of signs to be posted
43 on premises where carrying a concealed ~~weapon~~ handgun is prohibited

1 pursuant to subsection (a) of K.S.A. 2009 Supp. 75-7c10 and paragraph
2 (2) of subsection (a) of K.S.A. 2009 Supp. 75-7c11 and amendments
3 thereto. *Such regulations shall prescribe, at a minimum, that the signs be*
4 *eight inches tall by 10 inches wide; that they be posted at all exterior*
5 *entrances to the prohibited buildings; that the signs be posted at eye level*
6 *of adults using the entrance and not more than 12 inches to the right or*
7 *left of such entrance; that the signs not be obstructed or altered in any*
8 *way; and that signs which become illegible for any reason be immediately*
9 *replaced.*

10 (d) *For the purposes of this section, "building" shall not include any*
11 *structure, or any area of any structure, designated for the parking of*
12 *motor vehicles.*

13 Sec. 10. K.S.A. 2009 Supp. 75-7c12 is hereby amended to read as
14 follows: 75-7c12. (a) ~~It is a class A nonperson misdemeanor for a person~~
15 ~~licensed pursuant to this act to carry a concealed weapon while under the~~
16 ~~influence of alcohol or drugs, or both. Except as otherwise provided in~~
17 *this section, a person under the influence of alcohol or an illegally used*
18 *controlled substance, to such a degree as to render such person incapable*
19 *of safely operating a firearm, who knowingly possesses or carries a loaded*
20 *firearm on or about the person, or within the person's immediate access*
21 *and control while in a vehicle, commits a class A nonperson misdemeanor.*

22 (b) *This section shall not apply to any of the following:*

23 (l) *A person who possesses or carries a firearm while in the person's*
24 *own dwelling or place of business or on land owned or possessed by the*
25 *person; or*

26 (2) *the transitory possession or use of a firearm during an act com-*
27 *mitted in self-defense or in defense of another person or any other act*
28 *committed if legally justified or excused, provided such possession or use*
29 *lasts no longer than is immediately necessary.*

30 ~~(b)~~ (c) *In any criminal prosecution for carrying a concealed weapon*
31 *while under the influence of alcohol or drugs, or both, evidence of the*
32 *concentration of alcohol or drugs in the defendant's blood, urine, breath*
33 *or other bodily substance may be admitted and shall give rise to the*
34 *following:*

35 (1) *If the alcohol concentration is less than .08, that fact may be con-*
36 *sidered with other competent evidence to determine if the defendant was*
37 *under the influence of alcohol, or both alcohol and drugs as it applies in*
38 *subsection (a).*

39 (2) *If the alcohol concentration is .08 or more, it shall be prima facie*
40 *evidence that the defendant was under the influence of alcohol as it ap-*
41 *plies in subsection (a).*

42 (3) *If there was present in the defendant's bodily substance any nar-*
43 *cotic, hypnotic, somnifacient, stimulating or other drug which has the*

1 capacity to render the defendant incapacitated, that fact may be consid-
2 ered to determine if the defendant was under the influence of drugs, or
3 both alcohol and drugs *as it applies in subsection (a)*.

4 ~~(c)~~ (d) The provisions of subsection (b) shall not be construed as
5 limiting the introduction of any other competent evidence bearing upon
6 the question of whether or not the defendant was under the influence of
7 alcohol or drugs, or both.

8 ~~(d)~~ Any person licensed pursuant to this act is deemed to have given
9 consent to submit to one or more tests of the person's blood, breath,
10 urine or other bodily substance to determine the presence of alcohol or
11 drugs. The testing deemed consented to under this subsection shall in-
12 clude all quantitative and qualitative tests for alcohol and drugs. A law
13 enforcement officer shall request a person to submit to a test or tests
14 deemed consented to under this subsection if such person is arrested or
15 otherwise taken into custody for any offense involving carrying of a con-
16 cealed weapon while under the influence of alcohol or drugs, or both, in
17 violation of this section and the arresting officer has reasonable grounds
18 to believe that prior to arrest the person was carrying a concealed weapon
19 under the influence of alcohol or drugs, or both. The test or tests shall
20 be administered in the manner provided by for administration of tests for
21 alcohol or drugs pursuant to K.S.A. 8-1001, and amendments thereto,
22 and the person performing or assisting in the performance of any such
23 test and the law enforcement officer requesting any such test shall be
24 immune from civil and criminal liability to the same extent as in the case
25 of tests performed pursuant to that statute.

26 ~~(e)~~ Before a test or tests are administered under this section, the
27 person shall be given oral and written notice that:

28 ~~(1)~~ Kansas law requires the person to submit to and complete one or
29 more tests of breath, blood or urine to determine if the person is under
30 the influence of alcohol or drugs, or both;

31 ~~(2)~~ the opportunity to consent to or refuse a test is not a constitutional
32 right;

33 ~~(3)~~ there is no constitutional right to consult with an attorney regard-
34 ing whether to submit to testing;

35 ~~(4)~~ if the person refuses to submit to and complete any test of breath,
36 blood or urine hereafter requested by a law enforcement officer, the
37 person's license to carry a concealed weapon will be revoked for a mini-
38 mum of three years; and

39 ~~(5)~~ after the completion of the testing, the person has the right to
40 consult with an attorney and may secure additional testing, which, if de-
41 sired, should be done as soon as possible and is customarily available from
42 medical care facilities and physicians.

43 ~~(f)~~ After giving the foregoing information, a law enforcement officer

1 shall request the person to submit to testing. The selection of the test or
2 tests shall be made by the officer. If the person refuses to submit to and
3 complete a test as requested pursuant to this section, additional testing
4 shall not be given unless the law enforcement officer has probable cause
5 to believe that the person while under the influence of alcohol or drugs,
6 or both, was carrying a concealed weapon used in killing or seriously
7 injuring another person. If the test results show a blood or breath alcohol
8 concentration of .08 or greater, the person's license to carry a concealed
9 weapon shall be subject to suspension or revocation pursuant to this act.
10 —(g)—The person's refusal shall be admissible in evidence against the
11 person at any trial on a charge arising out of carrying a concealed weapon
12 while under the influence of alcohol or drugs, or both.
13 —(h)—Failure of a person to provide an adequate breath sample or sam-
14 ples as directed shall constitute a refusal unless the person shows that the
15 failure was due to physical inability caused by a medical condition unre-
16 lated to any ingested alcohol or drugs.
17 —(i) (1)—If the person refuses to submit to testing when requested pur-
18 suant to this section, the person's weapon and license shall be seized by
19 the law enforcement officer and the person's license shall be forwarded
20 to the attorney general, together with the officer's certification of the
21 following: (A) There existed reasonable grounds to believe the person was
22 carrying a concealed weapon while under the influence of alcohol or
23 drugs, or both, and a statement of such grounds; (B) the person had been
24 placed under arrest or was in custody; (C) a law enforcement officer had
25 presented the person with the oral and written notice required by this
26 section, and (D) the person refused to submit to and complete a test as
27 requested by a law enforcement officer.
28 —(2)—If the person fails a test administered pursuant to this section, the
29 person's weapon and license shall be seized by the law enforcement of-
30 ficer and the person's license shall be forwarded to the attorney general,
31 together with the officer's certification of the following: (A) There existed
32 reasonable grounds to believe the person was carrying a concealed
33 weapon while under the influence of alcohol or drugs, or both; (B) the
34 person had been placed under arrest or was in custody; (C) a law enforce-
35 ment officer had presented the person with the oral and written notice
36 required by K.S.A. 8-1001, and amendments thereto, and (D) the result
37 of the test showed that the person had an alcohol concentration of .08 or
38 greater in such person's blood or breath.
39 —(3)—With regard to failure of a breath test, in addition to those matters
40 required to be certified under subsection (h)(2), the law enforcement
41 officer shall certify that: (A) The testing equipment used was certified by
42 the Kansas department of health and environment; (B) the testing pro-
43 cedures used were in accordance with the requirements set out by the

1 Kansas department of health and environment, and (C) the person who
2 operated the testing equipment was certified by the Kansas department
3 of health and environment to operate such equipment.

4 ~~(4)~~ For purposes of this subsection, certification shall be complete
5 upon signing, and no additional acts of oath, affirmation, acknowledgment
6 or proof of execution shall be required. The signed certification or a copy
7 or photostatic reproduction thereof shall be admissible in evidence in all
8 proceedings brought pursuant to this act, and receipt of any such certi-
9 fication, copy or reproduction shall accord the department authority to
10 proceed as set forth herein. Any person who signs a certification submit-
11 ted to the attorney general knowing it contains a false statement is guilty
12 of a class B nonperson misdemeanor.

13 ~~(5)~~ Upon receipt of a certification in accordance with this section, the
14 attorney general shall revoke the person's license for three years.

15 ~~(j)~~ It shall not be a defense that the person did not understand the
16 written or oral notice required by this section.

17 ~~(k)~~ No test results shall be suppressed because of technical irregu-
18 larities in the consent or notice required pursuant to this act.

19 ~~(H)~~ (e) Nothing in this section shall be construed to limit the admis-
20 sibility at any trial of alcohol or drug concentration testing results obtained
21 pursuant to a search warrant or *voluntary testing*, but no person shall be
22 deemed to have implied consent to mandatory testing by obtaining a con-
23 cealed handgun license or by carrying a concealed handgun under the
24 terms of this act.

25 ~~(m)~~ (f) Upon the request of any person submitting to testing under
26 this section subsection (e), a report of the results of the testing shall be
27 made available to such person.

28 Sec. 11. K.S.A. 2009 Supp. 21-4218 is hereby amended to read as
29 follows: 21-4218. ~~(a)~~ Possession of a firearm on the grounds of or in the
30 state capitol building, within the governor's residence, on the grounds of
31 or in any building on the grounds of the governor's residence, within the
32 state office building at 915 Harrison known as the Docking state office
33 building, within the state office building at 900 Jackson known as the
34 Landon state office building, within the Kansas judicial center at 301 West
35 10th, within any other state-owned or leased building if the secretary of
36 administration has so designated by rules and regulations and conspicu-
37 ously placed signs clearly stating that firearms are prohibited within such
38 building, and within any county courthouse, unless, by county resolution,
39 the board of county commissioners authorize the possession of a firearm
40 within such courthouse, is possession of a firearm by a person other than
41 a commissioned law enforcement officer, a full-time salaried law enforce-
42 ment officer of another state or the federal government who is carrying
43 out official duties while in this state, any person summoned by any such

1 ~~officer to assist in making arrests or preserving the peace while actually~~
2 ~~engaged in assisting such officer or a member of the military of this state~~
3 ~~or the United States engaged in the performance of duties who brings a~~
4 ~~firearm into, or possesses a firearm within, the state capitol building, any~~
5 ~~state legislative office, any office of the governor or office of other state~~
6 ~~government elected official, any hearing room in which any committee~~
7 ~~of the state legislature or either house thereof is conducting a hearing,~~
8 ~~the governor's residence, on the grounds of or in any building on the~~
9 ~~grounds of the governor's residence or the Landon state office building,~~
10 ~~Docking state office building, Kansas judicial center, county courthouses~~
11 ~~unless otherwise allowed, or any other state-owned or leased building, so~~
12 ~~designated. (a) Except as otherwise specified in this section, no person~~
13 ~~shall possess a firearm on the grounds in any of the following places:~~
14 (1) *the state capitol building;*
15 (2) *within the governor's residence;*
16 (3) *on the grounds of or in any building on the grounds of the gov-*
17 *ernor's residence;*
18 (4) *within the state office building at 915 Harrison known as the*
19 *Docking state office building;*
20 (5) *within the state office building at 900 Jackson known as the Lan-*
21 *don state office building;*
22 (6) *within the Kansas judicial center building at 301 West Tenth*
23 *Street;*
24 (7) *within any other state-owned or leased building if the secretary*
25 *of administration has so designated by rules and regulations and con-*
26 *spicuously placed signs clearly stating that firearms are prohibited within*
27 *such building; and*
28 (8) *within any county courthouse, unless, by county resolution, the*
29 *board of county commissioners authorize the possession of a firearm*
30 *within such courthouse.*
31 (b) *The prohibitions in subsection (a) shall not apply to:*
32 (1) *A commissioned law enforcement officer;*
33 (2) *a full-time salaried law enforcement officer of another state or the*
34 *federal government who is carrying out official duties while in this state;*
35 (3) *any person summoned by any such officer to assist in making*
36 *arrests or preserving the peace while actually engaged in assisting such*
37 *officer;*
38 (4) *a member of the military of this state or the United States engaged*
39 *in the performance of duties who brings a firearm into, or possesses a*
40 *firearm within the state capitol building, any state legislative office, any*
41 *office of the governor or office of other state government elected official,*
42 *any hearing room in which any committee of the state legislature or either*
43 *house thereof is conducting a hearing, the governor's residence, on the*

1 grounds of or in any building on the grounds of the governor's residence
2 or the Landon state office building, Docking state office building, Kansas
3 judicial center, county courthouses unless otherwise allowed, or any other
4 state owned or leased building, so designated; or
5 (5) a person with a license issued pursuant to or recognized under
6 K.S.A. 75-7c01 through 75-7c18, and amendments thereto, except in
7 buildings posted in accordance with K.S.A. 75-7c10, and amendments
8 thereto, and in the areas specified in paragraphs (2) and (3) of subsection
9 (a).
10 (c) For the purposes of paragraphs (1), (4), (5), (6) and (7) of subsec-
11 tion (a), "building" shall not include any structure, or any area of any
12 structure, designated for the parking of motor vehicles.
13 ~~(b)~~ (d) It is not a violation of this section for the governor, the gov-
14 ernor's immediate family, or specifically authorized guests of the governor
15 to possess a firearm within the governor's residence or on the grounds of
16 or in any building on the grounds of the governor's residence.
17 ~~(c)~~ (e) It is not a violation of this section for the United States attorney
18 for the district of Kansas, the attorney general, any district attorney or
19 county attorney, any assistant United States attorney if authorized by the
20 United States attorney for the district of Kansas, any assistant attorney
21 general if authorized by the attorney general, or any assistant district
22 attorney or assistant county attorney if authorized by the district attorney
23 or county attorney by whom such assistant is employed, to possess a fire-
24 arm within any county courthouse and court-related facility, subject to
25 any restrictions or prohibitions imposed in any courtroom by the chief
26 judge of the judicial district. The provisions of this paragraph shall not
27 apply to any person not in compliance with K.S.A. 2009 Supp. 75-7c19,
28 and amendments thereto.
29 ~~(d)~~ (f) Notwithstanding the provisions of this section, any county may
30 elect by passage of a resolution that the provisions of subsection (c) shall
31 not apply to such county's courthouse or court-related facilities if: (1)
32 Such facilities have adequate security measures to ensure that no weapons
33 are permitted to be carried into such facilities. For the purposes of this
34 section, "adequate security measures" means the use of electronic equip-
35 ment and personnel to detect and restrict the carrying of any weapons
36 into the facility, including, but not limited to, metal detectors, metal de-
37 tector wands or any other equipment used for similar purposes;
38 (2) such facilities have adequate measures for storing and securing
39 lawfully carried weapons, including, but not limited to, the use of gun
40 lockers or other similar storage options;
41 (3) such county also has a policy or regulation requiring all law en-
42 forcement officers to secure and store such officer's firearm upon enter-
43 ing the courthouse or court-related facility. Such policy or regulation may

1 provide that it does not apply to court security or sheriff's office personnel
2 for such county; and
3 (4) such facilities have a sign conspicuously posted at each entryway
4 into such facility stating that the provisions of subsection (c) do not apply
5 to such facility.
6 ~~(g)~~ (g) Violation of subsection (a) is a class A misdemeanor.
7 ~~(h)~~ (h) This section shall be part of and supplemental to the Kansas
8 criminal code.
9 Sec. 12. K.S.A. 2009 Supp. 21-4218, 75-7c02, 75-7c03, 75-7c04, 75-
10 7c05, 75-7c06, 75-7c07, 75-7c08, 75-7c10, 75-7c11 and 75-7c12 are
11 hereby repealed.
12 Sec. 13. This act shall take effect and be in force from and after its
13 publication in the statute book.