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Senate Federal and State Affairs Committee  
SB 157  
Assistant Attorney General Charles W. Klebe  
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Mr. Chairman and members of the Committee, thank you for allowing me to provide written testimony regarding Senate Bill 157 ("Bill"). I am the Assistant Attorney General responsible for the Concealed Carry Licensing Unit (Unit) and its administration of the Kansas Personal and Family Protection Act (KPFPA). If you wish, I am happy to stand for any questions. Our position here is that the contents of this Bill is a policy determination which rests within the discretion of the Legislature and, therefore, we stand neutral and merely offer technical considerations for it.

SB 157

**Subsection (a):** The Unit is unsure as to why the language "the building of" is being stricken here. Over the past few years, culminating in 2010, the KPFPA has been clarified as to what locations can and cannot be restricted with Attorney General-approved signage. The Legislature felt that licensees should be able to carry in the open spaces of our society; hence a "buildings" only limitation was inserted in 2010.

Removal of that "building" language, and leaving the remaining "premises" language found in subsection (a), puts some of those limitations at jeopardy given the language of the locations listed thereunder (for example, what would constitute the boundaries of a community college's, college's or university's "premises" under (a)(11)?).

**Subsection (c)**

The language proposed here in sub-paragraph (2) is problematic in its placement. From this proponents of this proposal, the Unit understands the intent of this language is that it has nothing to do with the Kansas concealed carry licensing process itself. It is instead meant to remedy limitations imposed by Federal law under 18 U.S.C. 926B and 18 U.S.C. 926C which require those carrying concealed under the authority of those federal laws to obey CCH limitations which are contained within State laws. See 18 U.S.C. 926B(b) and 18 U.S.C. 926C(b). For example, if a business owner exercises their current right to post AG-approved signage and prohibit licensed concealed carry within their business, a current service law-enforcement officer (not acting in the scope of their duties) from another state carrying in Kansas under 18 U.S.C. 926B (or any retired law enforcement officer carrying under 18 U.S.C. 926C) would have to abide by that property owner's signage and not carry within that building.

The language is complicated by the fact that subparagraph (2) requires any individual it exempts (such as the US Attorney, assistants of the US Attorney, the Attorney General, etc.) to be in compliance with K.S.A. 75-7c19. K.S.A. 75-7c19, in turn, requires each of those individuals claiming the privilege to obtain a Kansas concealed carry license *and* complete an extra training course (specific to prosecutors carrying within courthouses) which is put on by the Kansas Law Enforcement Training Center.


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If this language is left where it is, those two requirements would be equally imposed upon the "law enforcement officers from another state" (who likely cannot, by definition, get a Kansas concealed carry license as they are likely not residents of Kansas) and "retired law enforcement officer[s]."

Again, it is not the policy of the proposed addition which the Unit sees issues with. Whether or not the State of Kansas wants to exempt those two groups of current and former law enforcement officers from being constrained by the limitations of KSA 75-7c10 is a policy decision for the Legislature to make. But the proposed placement of that exemption simply does not fit, and, in most respects, would have zero effect towards the result it seeks. If these exemptions are the direction the Legislature wishes to proceed in, this Office remains available for discussion of a proper location for such exemptions.

Again, I appreciate the Committee's time and attention to my testimony. Hopefully my comments provide some clarity to technical issues that we foresee. If not, I will gladly stand for questions to clarify my comments.

Respectfully submitted,



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Concealed Carry Unit