

SENATE BILL No. 157

By Committee on Judiciary

2-8

1 AN ACT concerning the personal and family protection act; amending
2 K.S.A. 2012 Supp. 75-7c10 and repealing the existing section.

3
4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. K.S.A. 2012 Supp. 75-7c10 is hereby amended to read as
6 follows: 75-7c10. (a) Provided that the premises are conspicuously posted
7 in accordance with rules and regulations adopted by the attorney general as
8 premises where carrying a concealed handgun is prohibited, no license
9 issued pursuant to or recognized by this act shall authorize the licensee to
10 carry a concealed handgun into ~~the building of~~:

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

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

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

15 (4) any courthouse, except that nothing in this section would preclude
16 a judge from carrying a concealed handgun or determining who may carry
17 a concealed handgun in the judge's courtroom;

18 (5) any polling place on the day an election is held;

19 (6) any state office;

20 (7) any facility hosting an athletic event not related to or involving
21 firearms which is sponsored by a private or public elementary or
22 secondary school or any private or public institution of postsecondary
23 education;

24 (8) any facility hosting a professional athletic event not related to or
25 involving firearms;

26 (9) any drinking establishment as defined by K.S.A. 41-2601, and
27 amendments thereto;

28 (10) any elementary or secondary school, attendance center,
29 administrative office, services center or other facility;

30 (11) any community college, college or university;

31 (12) any child exchange and visitation center provided for in K.S.A.
32 75-720, and amendments thereto;

33 (13) any community mental health center organized pursuant to
34 K.S.A. 19-4001 et seq., and amendments thereto; any mental health clinic
35 organized pursuant to K.S.A. 65-211 et seq., and amendments thereto; any
36 psychiatric hospital licensed under K.S.A. 75-3307b, and amendments

1 thereto; or a state psychiatric hospital, as follows: Larned state hospital,
2 Osawatomie state hospital or Rainbow mental health facility;

3 (14) any public library operated by the state;

4 (15) any day care home or group day care home, as defined in Kansas
5 administrative regulation 28-4-113, or any preschool or childcare center, as
6 defined in Kansas administrative regulation 28-4-420; or

7 (16) any place of worship.

8 (b) 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
11 concealed handgun while on the premises of the employer's business or
12 while engaged in the duties of the person's employment by the employer,
13 except that no employer may prohibit possession of a handgun 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 or recognized under this act
17 from carrying a concealed handgun within a building or buildings of such
18 entity, provided that the premises are posted in accordance with rules and
19 regulations adopted by the attorney general pursuant to subsection (f), as
20 premises where carrying a concealed handgun is prohibited.

21 (c) (1) It shall be a violation of this section to carry a concealed
22 handgun in violation of any restriction or prohibition allowed by
23 subsection (a) or (b) if the premises are posted in accordance with rules
24 and regulations adopted by the attorney general pursuant to subsection (f).
25 Any person who violates this section shall be guilty of a misdemeanor
26 punishable by a fine of: (A) Not more than \$50 for the first offense; or (B)
27 not more than \$100 for the second offense. Any third or subsequent
28 offense is a class B misdemeanor.

29 (2) Notwithstanding the provisions of subsection (a) or (b), 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 attorney
33 for the district of Kansas, any assistant attorney general if authorized by
34 the attorney general, or any assistant district attorney or assistant county
35 attorney if authorized by the district attorney or county attorney by whom
36 such assistant is employed, *or a law enforcement officer from another*
37 *state or a retired law enforcement officer meeting the requirements of the*
38 *federal law enforcement officers safety act, 18 U.S.C. §§ 926B and 926C,*
39 to possess a handgun within any of the buildings described in subsection
40 (a) or (b), subject to any restrictions or prohibitions imposed in any
41 courtroom by the chief judge of the judicial district. The provisions of this
42 paragraph shall not apply to any person who is not in compliance with
43 K.S.A. 2012 Supp. 75-7c19, and amendments thereto.

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

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

6 (f) The attorney general shall adopt rules and regulations prescribing
7 the location, content, size and other characteristics of signs to be posted on
8 premises where carrying a concealed handgun is prohibited pursuant to
9 subsections (a) and (b). Such regulations shall prescribe, at a minimum,
10 that:

11 (1) The signs be posted at all exterior entrances to the prohibited
12 buildings;

13 (2) ~~they~~ *the signs* be posted at eye level of adults using the entrance
14 and not more than 12 inches to the right or left of such entrance;

15 (3) the signs not be obstructed or altered in any way; and

16 (4) signs which become illegible for any reason be immediately
17 replaced.

18 Sec. 2. K.S.A. 2012 Supp. 75-7c10 is hereby repealed.

19 Sec. 3. This act shall take effect and be in force from and after its
20 publication in the statute book.