

SESSION OF 2013

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2111

As Amended by House Committee on Federal
and State Affairs

Brief*

HB 2111, as amended, would prohibit cities and counties from adopting ordinances, resolutions, or regulations regarding firearms, including the open carrying of firearms.

The bill also would specify that it is unlawful to carry a firearm within any municipal building that has adequate security measures to ensure no weapons may be carried into the building and has conspicuously posted at each entrance the appropriate signage stating firearms are prohibited within such building. School districts and postsecondary institutions would be excluded from the meaning of "municipality" for purposes of this bill.

In addition, the bill would prohibit the possession of firearms by a minor, except as otherwise provided in current law. An additional exception regarding possession at private shooting ranges would be added to current law listing exceptions permitted.

An existing ban on open carrying of firearms on the grounds of certain prohibited places also would be removed in a current law addressing the Capitol Complex.

Background

Appearing a proponents of the bill at the House Committee hearing were representatives of the Libertarian Party of Kansas and the Kansas State Rifle Association.

*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>

Opponents to the bill included representatives of the Kansas League of Municipalities, the Kansas Association of Counties, the City of Overland Park, and the Unified Government of Wyandotte County/Kansas City.

An Assistant Attorney General provided neutral testimony and suggested technical changes in the bill.

The House Committee amended the bill to prohibit open carrying in municipal buildings and to restrict open carry by minors. The first Committee amendment included reference to all municipal buildings and deleted references to the specific municipal facilities, such as jails, juvenile facilities, or prisons, and add these facilities to the general meaning of municipal buildings that could prohibit open carry.

The second House Committee amendment added provisions modifying current law to prohibit possession of any firearm by a minor under the criminal use of weapons statute, and added an additional exception to the list in current law regarding the prohibition of a minor in possession. Specifically, the amendment would allow minors to possess a firearm at a private shooting range if a parent or guardian had given prior permission.

The fiscal note provided by the Division of the Budget indicated the bill, as introduced, would have no fiscal impact.