AN ACT concerning firearms; relating to the personal and family protection act; {age requirement for licensure;} recognition of licenses issued by other jurisdictions; amending K.S.A. 2018 Supp. 21-6302 and 75-7c03 {and 75-7c04} and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:
Section 1. K.S.A. 2018 Supp. 21-6302 is hereby amended to read as follows: 21-6302. (a) Criminal carrying of a weapon is knowingly carrying:
(1) Any bludgeon, sandclub, metal knuckles or throwing star;
(2) concealed on one's person, a billy, blackjack, slungshot or any other dangerous or deadly weapon or instrument of like character;
(3) on one's person or in any land, water or air vehicle, with intent to use the same unlawfully, a tear gas or smoke bomb or projector or any object containing a noxious liquid, gas or substance; or
(4) any pistol, revolver or other firearm concealed on one's person if such person is under 21 years of age, except when on such person's land or in such person's abode or fixed place of business; or
(5) a shotgun with a barrel less than 18 inches in length or any other firearm designed to discharge or capable of discharging automatically more than once by a single function of the trigger whether the person knows or has reason to know the length of the barrel or that the firearm is designed or capable of discharging automatically.

(b) Criminal carrying of a weapon as defined in:
(1) Subsections (a)(1), (a)(2), (a)(3) or (a)(4) is a class A nonperson misdemeanor; and
(2) subsection (a)(5) is a severity level 9, nonperson felony.
(c) Subsection (a) shall not apply to:
(1) Law enforcement officers, or any person summoned by any such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;
(2) wardens, superintendents, directors, security personnel and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime, while acting within the scope of their authority;
(3) members of the armed services or reserve forces of the United
States or the Kansas national guard while in the performance of their official duty; or

(4) the manufacture of, transportation to, or sale of weapons to a person authorized under subsections (c)(1), (c)(2) and (c)(3) to possess such weapons.

(d) Subsection (a)(4) shall not apply to any person who possesses a valid license or permit to carry a concealed firearm that was issued pursuant to K.S.A. 2018 Supp. 75-7c01 et seq., and amendments thereto, or by another jurisdiction and is recognized in this state pursuant to K.S.A. 2018 Supp. 75-7c03, and amendments thereto.

(e) Subsection (a)(5) shall not apply to:

(1) Any person who sells, purchases, possesses or carries a firearm, device or attachment which has been rendered unserviceable by steel weld in the chamber and marriage weld of the barrel to the receiver and which has been registered in the national firearms registration and transfer record in compliance with 26 U.S.C. § 5841 et seq. in the name of such person and, if such person transfers such firearm, device or attachment to another person, has been so registered in the transferee's name by the transferor;

(2) any person employed by a laboratory which is certified by the United States department of justice, national institute of justice, while actually engaged in the duties of their employment and on the premises of such certified laboratory. Subsection (a)(5) shall not affect the manufacture of, transportation to or sale of weapons to such certified laboratory; or

(3) any person or entity in compliance with the national firearms act, 26 U.S.C. § 5801 et seq.

(f) As used in this section, "throwing star" means the same as prescribed by K.S.A. 2018 Supp. 21-6301, and amendments thereto.

Sec. 2. K.S.A. 2018 Supp. 75-7c03 is hereby amended to read as follows: 75-7c03. (a) The attorney general shall issue licenses to carry concealed handguns to persons who comply with the application and training requirements of this act and who are not disqualified under K.S.A. 2018 Supp. 75-7c04, and amendments thereto. Such licenses shall be valid throughout the state for a period of four years from the date of issuance. The availability of licenses to carry concealed handguns under this act shall not be construed to impose a general prohibition on the carrying of handguns without such license, whether carried openly or concealed, or loaded or unloaded.

(b) The license shall be a separate card, in a form prescribed by the attorney general, that is approximately the size of a Kansas driver's license and shall bear the licensee's signature, name, address, date of birth and driver's license number or nondriver's identification card number except that the attorney general shall assign a unique number for military applicants or their dependents described in K.S.A. 2018 Supp. 75-7c05(a)
(1)(B), and amendments thereto.

(c) (1) Subject to the provisions of subsection (c)(2), a valid license or permit to carry a concealed firearm issued by another jurisdiction shall be recognized in this state, but only while the holder is not a resident of Kansas.

(2) A valid license or permit that is recognized pursuant to this subsection shall only entitle the lawful holder thereof to carry concealed handguns, as defined by K.S.A. 2018 Supp. 75-7c02, and amendments thereto, in this state, and the holder thereof shall otherwise act in accordance with the laws of this state while such holder is present in this state. The recognition of a license or permit pursuant to this subsection shall not be construed to impose a general prohibition on the carrying of handguns without such license, whether carried openly or concealed, or loaded or unloaded.

(3) As used in this subsection, the terms "jurisdiction" and "license or permit" shall have the same meanings as provided in K.S.A. 2018 Supp. 75-7c04, and amendments thereto.

{Sec. 3. K.S.A. 2018 Supp. 75-7c04 is hereby amended to read as follows: 75-7c04. (a) The attorney general shall not issue a license pursuant to this act if the applicant:

(1) Is not a resident of the county where application for licensure is made or is not a resident of the state;

(2) is prohibited from shipping, transporting, possessing or receiving a firearm or ammunition under 18 U.S.C. § 922(g) or (n), and amendments thereto, or K.S.A. 21-4204, prior to its repeal, or K.S.A. 2018 Supp. 21-6301(a)(10) through (a)(13) or K.S.A. 2018 Supp. 21-6304(a)(1) through (a)(3), and amendments thereto; or

(3) is less than 21 years of age.

(b) (1) The attorney general shall adopt rules and regulations establishing procedures and standards as authorized by this act for an eight-hour handgun safety and training course required by this section. Such standards shall include: (A) A requirement that trainees receive training in the safe storage of handguns, actual firing of handguns and instruction in the laws of this state governing the carrying of concealed handguns and the use of deadly force; (B) general guidelines for courses which are compatible with the industry standard for basic handgun training for civilians; (C) qualifications of instructors; and (D) a requirement that the course be: (i) A handgun course certified or sponsored by the attorney general; or (ii) a handgun course certified or sponsored by the national rifle association or by a law enforcement agency, college, private or public institution or organization or handgun training school, if the attorney general determines that such course meets or exceeds the standards required
by rules and regulations adopted by the attorney general and is taught
by instructors certified by the attorney general or by the national rifle
association, if the attorney general determines that the requirements
for certification of instructors by such association meet or exceed the
standards required by rules and regulations adopted by the attorney
general. Any person wanting to be certified by the attorney general as
an instructor shall submit to the attorney general an application in the
form required by the attorney general and a fee not to exceed $150.

(2) The cost of the handgun safety and training course required
by this section shall be paid by the applicant. The following shall
constitute satisfactory evidence of satisfactory completion of an
approved handgun safety and training course:
(A) Evidence of completion of a course that satisfies the
requirements of subsection (b)(1), in the form provided by rules and
regulations adopted by the attorney general;
(B) an affidavit from the instructor, school, club, organization or
group that conducted or taught such course attesting to the
completion of the course by the applicant;
(C) evidence of completion of a course offered in another
jurisdiction which is determined by the attorney general to have
training requirements that are equal to or greater than those required
by this act; or
(D) a determination by the attorney general pursuant to
subsection (c).
(c) The attorney general may:
(1) Create a list of concealed carry handgun licenses or permits
issued by other jurisdictions which the attorney general finds have
training requirements that are equal to or greater than those of this
state; and
(2) review each application received pursuant to K.S.A. 2018
Supp. 75-7c05, and amendments thereto, to determine if the
applicant's previous training qualifications were equal to or greater
than those of this state.
(d) For the purposes of this section:
(1) "Equal to or greater than" means the applicant's prior
training meets or exceeds the training established in this section by
having required, at a minimum, the applicant to: (A) Receive
instruction on the laws of self-defense; and (B) demonstrate training
and competency in the safe handling, storage and actual firing of
handguns.
(2) "Jurisdiction" means another state or the District of
Columbia.
(3) "License or permit" means a concealed carry handgun license
or permit from another jurisdiction which has not expired and, except for any residency requirement of the issuing jurisdiction, is currently in good standing.

Sec. 3. K.S.A. 2018 Supp. 21-6302 and 75-7c03 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.