

SESSION OF 2016

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2440

As Amended by House Committee on Federal
and State Affairs

Brief*

HB 2440 would amend the Personal and Family Protection Act to allow the governing body or, if no governing body exists, the chief administrative officer to prohibit the concealed carrying of handguns in “public areas” of State and municipal buildings. Under existing law, the concealed carrying of firearms may be prohibited throughout the entirety of state and municipal buildings by the governing body or chief administrative officer of the building. The bill would make the requirements for prohibiting concealed carry in public areas the same as those found in existing law for prohibiting concealed carry in public buildings: the building or area must have adequate security at all public access entrances to ensure no weapons are permitted to be carried in the area or building and must conspicuously post the prohibition. “Public area” would be defined as any portion of a State or municipal building that is open to and accessible by the public or which is otherwise designated as a public area by the governing body or the chief administrative officer, if no governing body exists, of such a building.

The bill also would clarify the ability to temporarily post signage prohibiting concealed carry at the discretion of the governing body or the chief administrative officer if the adequate security measures requirement is satisfied.

*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>

Background

The bill was introduced in the House Committee on Federal and State Affairs at the request of Representative Claeys. At the House Committee hearing on the bill, proponents testifying on the bill included Representative Claeys, the Court Administrator for the 28th Judicial District, and a representative of the League of Kansas Municipalities. Written proponents included representatives of the Kansas Association of Counties, the Kansas Association of Chiefs of Police, the Kansas Sheriffs Association, the Kansas Peace Officers Association, and the Kansas State Rifle Association. There was no opponent or neutral testimony.

The House Committee amended the bill by restoring the definition of “restricted access entrance.” The House Committee also amended the bill by clarifying that governing bodies or chief administrative officers have the authority to place temporary signage prohibiting the concealed carrying of handguns in public areas of State or municipal buildings.

The fiscal note prepared by the Division of the Budget on the bill, as introduced, indicates that the State or a local government could experience savings from reducing the number of entrances that require adequate security measures. However, the specific fiscal effect of the bill cannot be determined because the security changes that may be made to each State and local government building is unknown. The Division of the Budget also indicates any changes to security costs relating to this bill would be incurred by individual agencies, and notes the Department of Administration estimates any costs would not change substantially with the passage of this bill. Lastly, the Office of Attorney General indicates there would likely be no fiscal effect on the agency unless numerous interpretations of the law are requested; if so, the Office could be required to hire an additional attorney to handle the requests. Any fiscal effect association with the bill is not reflected in *The FY 2017 Governor’s Budget Report*.