AN ACT concerning firearms; relating to the personal and family protection act; prohibiting the carrying of concealed firearms in certain buildings; amending K.S.A. 2016 Supp. 75-7c20 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2016 Supp. 75-7c20 is hereby amended to read as follows: 75-7c20. (a) The carrying of a concealed handgun shall not be prohibited in any public area of any state or municipal building unless such public area has adequate security measures to ensure that no weapons are permitted to be carried into such public area and the public area is conspicuously posted with either permanent or temporary signage approved by the governing body, or the chief administrative officer, if no governing body exists, in accordance with K.S.A. 2016 Supp. 75-7c10, and amendments thereto.

(b) The carrying of a concealed handgun shall not be prohibited throughout any state or municipal building in its entirety unless such building has adequate security measures at all public access entrances to ensure that no weapons are permitted to be carried into such building and the building is conspicuously posted in accordance with K.S.A. 2016 Supp. 75-7c10, and amendments thereto.

(c) No state agency or municipality shall prohibit an employee from carrying a concealed handgun at the employee's work place unless the building has adequate security measures at all public access entrances to ensure that no weapons are permitted to be carried into such building and the building is conspicuously posted in accordance with K.S.A. 2016 Supp. 75-7c10, and amendments thereto.

(d) (1) It shall not be a violation of the personal and family protection act for a person to carry a concealed handgun into a state or municipal building, or any public area thereof, so long as that person has authority to enter through a restricted access entrance into such building, or public area thereof, which provides adequate security measures at all public access entrances and the building, or public area thereof, is conspicuously posted in accordance with K.S.A. 2016 Supp. 75-7c10, and amendments thereto.

(2) Any person, who is not an employee of the state or a municipality...
and is not otherwise authorized to enter a state or municipal building
through a restricted access entrance, shall be authorized to enter through a
restricted access entrance, provided such person:

(A) is authorized by the chief law enforcement officer, governing
body, or the chief administrative officer, if no governing body exists, to
enter such state or municipal building through a restricted access entrance;
(B) is issued an identification card by the chief law enforcement
officer, governing body, or the chief administrative officer, if no governing
body exists, which includes such person's photograph, name and any other
identifying information deemed necessary by the issuing entity, and which
states on the identification card that such person is authorized to enter such
building through a restricted access entrance; and
(C) executes an affidavit or other notarized statement that such person
acknowledges that certain firearms and weapons may be prohibited in such
building and that violating any such regulations may result in the
revocation of such person's authority to enter such building through a
restricted access entrance.

The chief law enforcement officer, governing body, or the chief
administrative officer, if no governing body exists, shall develop criteria
for approval of individuals subject to this paragraph to enter the state or
municipal building through a restricted access entrance. Such criteria may
include the requirement that the individual submit to a state and national
criminal history records check before issuance and renewal of such
authorization and pay a fee to cover the costs of such background checks.
An individual who has been issued a concealed carry permit by the state of
Kansas shall not be required to submit to another state and national
criminal records check before issuance and renewal of such authorization.
Notwithstanding any authorization granted under this paragraph, an
individual may be subjected to additional security screening measures
upon reasonable suspicion or in circumstances where heightened security
measures are warranted. Such authorization does not permit the individual
to carry a concealed weapon into a public building, which has adequate
security measures, as defined by this act, and which is conspicuously
posted in accordance with K.S.A. 2016 Supp. 75-7c10, and amendments
thereto.

(e) A state agency or municipality—which that provides adequate
security measures in a state or municipal building and which
conspicuously posts signage in accordance with K.S.A. 2016 Supp. 75-
7c10, and amendments thereto, prohibiting the carrying of a concealed
handgun in such building shall not be liable for any wrongful act or
omission relating to actions of persons carrying a concealed handgun
concerning acts or omissions regarding such handguns.
(f) A state agency or municipality—which that does not provide
adequate security measures in a state or municipal building and which allows the carrying of a concealed handgun shall not be liable for any wrongful act or omission relating to actions of persons carrying a concealed handgun concerning acts or omissions regarding such handguns.

(g) Nothing in this act shall limit the ability of a corrections facility, a jail facility or a law enforcement agency to prohibit the carrying of a handgun or other firearm concealed or unconcealed by any person into any secure area of a building located on such premises, except those areas of such building outside of a secure area and readily accessible to the public shall be subject to the provisions of subsection (a).

(h) Nothing in this section shall limit the ability of the chief judge of each judicial district to prohibit the carrying of a concealed handgun by any person into courtrooms or ancillary courtrooms within the district provided the public area has adequate security measures to ensure that no weapons are permitted to be carried into such public area and the public area is conspicuously posted in accordance with K.S.A. 2016 Supp. 75-7c10, and amendments thereto.

(i) The governing body or the chief administrative officer, if no governing body exists, of a state or municipal building, may exempt the building, or any public area thereof, from this section until July 1, 2017, by adopting a resolution, or drafting a letter, listing the legal description of such building, listing the reasons for such exemption, and including the following statement: "A security plan has been developed for the building being exempted which supplies adequate security to the occupants of the building and merits the prohibition of the carrying of a concealed handgun." A copy of the security plan for the building shall be maintained on file and shall be made available, upon request, to the Kansas attorney general and the law enforcement agency of local jurisdiction. Notice of this exemption, together with the resolution adopted or the letter drafted, shall be sent to the Kansas attorney general and to the law enforcement agency of local jurisdiction. The security plan shall not be subject to disclosure under the Kansas open records act.

(j) The governing body or the chief administrative officer, if no governing body exists, of any of the following institutions, postsecondary educational institution, as defined in K.S.A. 74-3201b, and amendments thereto, may exempt any building of such institution, including any buildings located on the grounds of such institution and any buildings leased by such institution, or any public area thereof, from this section until July 1, 2017, by stating the reasons for such exemption and sending notice of such exemption to the Kansas attorney general:

(1) A state or municipal owned medical care facility, as defined in K.S.A. 65-425, and amendments thereto;

(2) a state or municipal owned adult care home, as defined in K.S.A.
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39-923, and amendments thereto;

(3) a community mental health center organized pursuant to K.S.A.
19-4001 et seq., and amendments thereto;

(4) an indigent health care clinic, as defined by K.S.A. 2016 Supp.
65-7402, and amendments thereto; or

(5) a postsecondary educational institution, as defined in K.S.A. 74-
3201b, and amendments thereto, including any buildings located on the
grounds of such institution and any buildings leased by such institution.

(k) The provisions of this section shall not apply to:

(1) any building located on the grounds of the Kansas state school for
the deaf or the Kansas state school for the blind;

(2) except as provided in subsection (m) and paragraph (2), the
governing body or the chief administrative officer, if no governing body
exists, of any of the following institutions may prohibit the carrying of
concealed handguns in any building of such institutions, including any
buildings located on the grounds of the institution and any buildings
leased by the institution, or any public area thereof, provided that the
building or public area thereof is conspicuously posted in accordance
with K.S.A. 2016 Supp. 75-7c10, and amendments thereto:

(A) a state or municipal-owned medical care facility, as defined
in K.S.A. 65-425, and amendments thereto;

(B) a state or municipal-owned adult care home, as defined in
K.S.A. 39-923, and amendments thereto;

(C) a community mental health center organized pursuant to
K.S.A. 19-4001 et seq., and amendments thereto;

(D) an indigent health care clinic, as defined by K.S.A. 2016
Supp. 65-7402, and amendments thereto; or

(E) any building owned or leased by the authority created under
the university of Kansas hospital authority act, any building located within
the health care district, as defined in the unified government of Wyandotte
county and Kansas City, Kansas City-wide master plan, Rosedale master
plan and traffic study or similar master plan or comprehensive planning
or zoning document approved by the unified government of Wyandotte
county and Kansas City, Kansas in effect on January 12, 2017.

(2) Except as provided in subsection (m), any institution listed in
paragraph (1) shall not prohibit the holder of a license issued pursuant
to or recognized by the personal and family protection act from carrying
a concealed handgun in any building of such institution or public area
thereof, unless the building or public area has adequate security
measures to ensure that no weapons are permitted to be carried into the
building or public area or such institution provides gun lockers or
similar storage options at the institution to ensure handguns in the
possession of such persons are securely stored upon entry, and the
building or public area thereof is conspicuously posted in accordance
with K.S.A. 2016 Supp. 75-7c10, and amendments thereto.

(m) Any person who is a patient at Larned state hospital,
Osawatomie state hospital, Kansas neurological institute or Parsons
state hospital and training center is prohibited from carrying a
concealed handgun in any building of such institution or public area
thereof.}

Nothing in this section shall be construed to prohibit any law
enforcement officer, as defined in K.S.A. 2016 Supp. 75-7c22, and
amendments thereto, who satisfies the requirements of either K.S.A. 2016
Supp. 75-7c22(a) or (b), and amendments thereto, from carrying a
concealed handgun into any state or municipal building, or any public area
thereof, in accordance with the provisions of K.S.A. 2016 Supp. 75-7c22,
and amendments thereto, subject to any restrictions or prohibitions
imposed in any courtroom by the chief judge of the judicial district.

{o} For purposes of this section:

(1) "Adequate security measures" means the use of electronic
equipment and armed personnel at public entrances to detect and restrict
the carrying of any weapons into the state or municipal building, or any
public area thereof, including, but not limited to, metal detectors, metal
detector wands or any other equipment used for similar purposes to ensure
that weapons are not permitted to be carried into such building or public
area by members of the public. Adequate security measures for storing and
securing lawfully carried weapons, including, but not limited to, the use of
gun lockers or other similar storage options may be provided at public
entrances.

(2) "Authorized personnel" means employees of a state agency or
municipality and any person granted authorization pursuant to subsection
(d)(2), who are authorized to enter a state or municipal building through a
restricted access entrance.

(3) The terms "municipality" and "municipal" are interchangeable
and have the same meaning as the term "municipality" is defined in K.S.A.
75-6102, and amendments thereto, but does not include school districts.

(4) "Public area" means 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 building.

(5) "Restricted access entrance" means an entrance that is restricted to
the public and requires a key, keycard, code, or similar device to allow
entry to authorized personnel.

(6) "State" means the same as the term is defined in K.S.A. 75-6102,
and amendments thereto.

(7) (A) "State or municipal building" means a building owned or
leased by such public entity. It does not include a building owned by the state or a municipality which is leased by a private entity whether for profit or not-for-profit or a building held in title by the state or a municipality solely for reasons of revenue bond financing.

(B) The term "state and municipal building" shall not include the state capitol.

(8) "Weapon" means a weapon described in K.S.A. 2016 Supp. 21-6301, and amendments thereto, except the term "weapon" shall not include any cutting instrument that has a sharpened or pointed blade.

This section shall be a part of and supplemental to the personal and family protection act.

Sec. 2. K.S.A. 2016 Supp. 75-7c20 is hereby repealed.

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