AN ACT concerning firearms; relating to the personal and family protection act; prohibiting the carrying of concealed firearms in certain buildings; concerning the liability of public employers; amending K.S.A. 2016 Supp. 75-7c10 and 75-7c20 and repealing the existing section sections.

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

Section 1. K.S.A. 2016 Supp. 75-7c10 is hereby amended to read as follows: 75-7c10. Subject to the provisions of K.S.A. 2016 Supp. 75-7c20, and amendments thereto:

(a) The carrying of a concealed handgun shall not be prohibited in any building unless such building is conspicuously posted in accordance with rules and regulations adopted by the attorney general.

(b) Nothing in this act shall be construed to prevent any private employer from restricting or prohibiting by personnel policies persons from carrying a concealed handgun while on the premises of the employer's business or while engaged in the duties of the person's employment by the employer, except that no employer may prohibit possession of a handgun in a private means of conveyance, even if parked on the employer's premises.

(c) (1) Any private entity which provides adequate security measures in a private building and which conspicuously posts signage in accordance with this section 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.

(2) Any private entity which does not provide adequate security measures in a private 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.

(3) Nothing in this act shall be deemed to increase the liability of any private entity where liability would have existed under the personal and family protection act prior to the effective date of this act.
(d) The governing body or the chief administrative officer, if no governing body exists, of any of the following institutions may permit any employee, who is legally qualified, to carry a concealed handgun in any building of such institution, if the employee meets such institution's own policy requirements regardless of whether such building is conspicuously posted in accordance with the provisions of this section:

(1) A unified school district;

(2) a postsecondary educational institution, as defined in K.S.A. 74-3201b, and amendments thereto;

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

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

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

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

(e) No public employer shall restrict or otherwise prohibit by personnel policies any employee, who is legally qualified, from carrying any concealed handgun while engaged in the duties of such employee's employment outside of such employer's place of business, including while in a means of conveyance. Public employers shall not be liable for any wrongful or negligent act of an employee carrying a concealed handgun that is not being carried in the course and scope of such employee's employment, concerning acts or omissions regarding such handguns.

(f) (1) It shall be a violation of this section to carry a concealed handgun in violation of any restriction or prohibition allowed by subsection (a) or (b) if the building is posted in accordance with rules and regulations adopted by the attorney general pursuant to subsection (j). Any person who violates this section shall not be subject to a criminal penalty but may be subject to denial to such premises or removal from such premises.

(2) Notwithstanding the provisions of subsection (a) or (b), it is not a violation of this section for the United States attorney for the district of Kansas, the attorney general, any district attorney or county attorney, any assistant United States attorney if authorized by the United States attorney for the district of Kansas, any assistant attorney general if authorized by the attorney general, or any assistant district attorney or assistant county attorney if authorized by the district attorney or county attorney by whom such assistant is employed, to possess a handgun within any of the buildings described in subsection (a) or (b), subject to any restrictions or prohibitions imposed in any courtroom by the chief
(3) Notwithstanding the provisions of subsection (a) or (b), it is not a violation of this section for a law enforcement officer, as that term is 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, to possess a handgun within any of the buildings described in subsection (a) or (b), subject to any restrictions or prohibitions imposed in any courtroom by the chief judge of the judicial district.

(g) The provisions of this section shall not apply to the carrying of a concealed handgun in the state capitol.

(h) For the purposes of this section:
(1) "Adequate security measures" shall have the same meaning as the term is defined in K.S.A. 2016 Supp. 75-7c20, and amendments thereto;
(2) "building" shall not include any structure, or any area of any structure, designated for the parking of motor vehicles; and
(3) "public employer" means the state and any municipality as those terms are defined in K.S.A. 75-6102, and amendments thereto, except the term "public employer" shall not include school districts.

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

(j) The attorney general shall adopt rules and regulations prescribing the location, content, size and other characteristics of signs to be posted on a building where carrying a concealed handgun is prohibited pursuant to subsections (a) and (b). Such regulations shall prescribe, at a minimum, that:
(1) The signs be posted at all exterior entrances to the prohibited buildings;
(2) the signs be posted at eye level of adults using the entrance and not more than 12 inches to the right or left of such entrance;
(3) the signs not be obstructed or altered in any way; and
(4) signs which become illegible for any reason be immediately replaced.

Section 1. Sec. 2. 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. 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;
K.S.A. 39-923, and amendments thereto;

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

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

(6) 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
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.

(l) 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.

(m) 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. 3. K.S.A. 2016 Supp. 75-7c10 and 75-7c20 are hereby
repealed.

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