

HOUSE BILL No. 2789

By Committee on Federal and State Affairs

3-21

1 AN ACT concerning school districts; creating the Kansas staff as first
2 emergency responders (SAFER) act; exempting certain records from
3 the open records act; closed or executive meetings of boards of
4 education for certain purposes; amending K.S.A. 2017 Supp. 45-221,
5 72-6143, 75-7c03, 75-7c04, 75-7c05, 75-7c08, 75-7c10 and 75-4319
6 and repealing the existing sections.
7

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

9 New Section 1. (a) The state board of education shall develop and
10 adopt statewide standards for making all public schools and attendance
11 centers operated by school districts in this state safe and secure. In
12 developing such standards, the state board shall consult with the office of
13 the adjutant general, the Kansas bureau of investigation, the department of
14 health and environment and any other state agencies as deemed necessary
15 by the state board.

16 (b) The standards developed by the state board under this section
17 shall include, but are not limited to:

18 (1) The infrastructure of school buildings and attendance centers
19 operated by school districts in this state, including secured entrances,
20 windows and other facets of the structural integrity of such buildings;

21 (2) security technology to be utilized in such buildings, including, but
22 not limited to, intrusion detection systems and security cameras;

23 (3) communications systems, including, but not limited to, systems
24 for interoperability between the school district and law enforcement
25 agencies; and

26 (4) any other systems or facilities the state board deems necessary for
27 the safety and security of such buildings.

28 (c) The state board shall notify all school districts of the standards
29 adopted under this section on or before January 1, 2019. The state board
30 shall also provide notice of the adopted standards to those state agencies
31 set forth in subsection (a) and any other state agencies the state board
32 consulted with in developing such standards. To the extent such standards
33 contain emergency or security information or procedures, the state board
34 shall maintain the confidentiality of such standards when sending notices
35 pursuant to this subsection.

36 New Sec. 2. (a) The state board of education shall develop and adopt

1 statewide standards for school safety and security plans to be adopted by
2 each school district. In developing such standards, the state board shall
3 consult with the office of the adjutant general, the Kansas bureau of
4 investigation, the department of health and environment and any other
5 state agencies as deemed necessary by the state board.

6 (b) The standards developed by the state board under this section
7 shall include, but are not limited to:

8 (1) Evaluation of the infrastructure of school buildings and
9 attendance centers for compliance with standards adopted under section 1,
10 and amendments thereto;

11 (2) training of school district employees on school safety and security
12 policies and procedures, and conducting student drills on emergency
13 situations;

14 (3) procedures for making notifications to individuals located outside
15 of the school building during emergency situations and maintaining
16 communication with law enforcement agencies and other necessary
17 individuals;

18 (4) procedures for securing school buildings during an emergency
19 situation;

20 (5) procedures for emergency evacuation of school buildings,
21 including evacuation routes and sites;

22 (6) procedures for recovery after an emergency situation ceases;

23 (7) coordination and incorporation of school safety and security plans
24 with existing school district emergency response plans;

25 (8) distribution of school safety and security plans to local law
26 enforcement agencies and emergency management agencies;

27 (9) procedures for ensuring there is accountability for adopting and
28 implementing the school safety and security plan in accordance with this
29 act and the standards adopted by the state board; and

30 (10) any other policies and procedures the state board deems
31 necessary for school safety and security plans.

32 (c) In developing standards for school safety and security plans under
33 this section the state board shall identify roles and responsibilities for
34 implementing school safety and security plans at the school district and
35 school building level. The state board also shall identify the role of local
36 law enforcement agencies and local emergency management agencies
37 when partnering with school districts in the development and
38 implementation of school safety and security plans.

39 (d) The state board may consider and utilize any materials,
40 documentation or videos that are available through the United States
41 department of homeland security in developing standards under this
42 section.

43 (e) The state board shall notify all school districts of the standards

1 adopted under this section on or before January 1, 2019. The state board
2 shall also provide notice of the adopted standards to those state agencies
3 set forth in subsection (a) and any other state agencies the state board
4 consulted with in developing such standards. To the extent such standards
5 contain emergency or security information or procedures, the state board
6 shall maintain the confidentiality of such standards when sending notices
7 pursuant to this subsection.

8 New Sec. 3. (a) The board of education of each school district shall
9 adopt a comprehensive school safety and security plan based on the
10 statewide standards adopted by the state board of education under sections
11 1 and 2, and amendments thereto

12 (b) Prior to the adoption of a school safety and security plan, each
13 school district shall consult with one or more local law enforcement
14 agencies and local emergency management agencies to review and
15 evaluate: (1) Existing infrastructure of school buildings and attendance
16 centers operated by such school district; and (2) current school district
17 safety and security policies and procedures. The local law enforcement
18 agencies and emergency management agencies may provide guidance on
19 improving a school district's building infrastructure or safety and security
20 polices and procedures. The review and evaluation, and any guidance
21 provided as a result thereof, shall be done in accordance with the standards
22 adopted by the state board of education under sections 1 and 2, and
23 amendments thereto.

24 (c) Upon adoption of a school safety and security plan, the
25 superintendent of the school district shall send a copy of such plan to each
26 local law enforcement agency and emergency management agency the
27 school district consulted with, and shall send a copy to the state board of
28 education.

29 New Sec. 4. Any law enforcement agency and any law enforcement
30 officer employed by such agency shall not be liable for any personal injury
31 or property damage resulting from any act or omission committed by such
32 agency or officer required or permitted by section 1, 2 or 3, and
33 amendments thereto. A law enforcement agency or law enforcement
34 officer who is the prevailing party in any action or other proceeding
35 brought against such agency or officer for acts or omissions by such
36 agency or officer while engaged in the discharge of such agency's or
37 officer's duties under section 1, 2 or 3, and amendments thereto, may be
38 awarded court costs and reasonable attorney fees.

39 New Sec. 5. (a) The board of education of any school district may
40 authorize any employee of such district who has a license to carry a
41 concealed handgun issued pursuant to K.S.A. 2017 Supp. 75-7c01 et seq.,
42 and amendments thereto, or who desires to obtain such license, to obtain a
43 license with a SAFER schools endorsement. Any employee who has

1 obtained a SAFER schools endorsement on such employee's license to
2 carry a concealed handgun shall be designated as a SAFER schools team
3 member by the board of education of such district. All SAFER schools
4 team members shall be authorized by the board of education of the district
5 employing such members to carry a concealed handgun in any building of
6 such district in accordance with K.S.A. 2017 Supp. 75-7c10, and
7 amendments thereto.

8 (b) Any information regarding employees designated as SAFER
9 schools team members, or otherwise authorized to carry a concealed
10 handgun pursuant to K.S.A. 2017 Supp. 75-7c10, and amendments thereto,
11 including any list of such employees, that is kept or maintained by a
12 school district shall be considered confidential and shall not be subject to
13 public disclosure. The board of education of any school district that
14 authorizes employees to carry a concealed handgun pursuant to K.S.A.
15 2017 Supp. 75-7c10, and amendments thereto, shall adopt policies and
16 procedures for maintaining the confidentiality of the names, addresses and
17 other personally identifiable information of such employees. Any
18 individual, association, partnership, corporation or other entity that
19 willfully or knowingly discloses, permits or encourages disclosure of such
20 confidential information shall be guilty of a class C misdemeanor.

21 New Sec. 6. (a) No insurance company shall charge unfair
22 discriminatory premiums, policy fees or rates for, or refuse to provide, any
23 policy or contract of real or personal property insurance, liability insurance
24 or policy containing liability coverage for any unified school district solely
25 because such school district authorizes employees of such school district
26 to carry concealed handguns on the premises of schools and attendance
27 centers operated by such school district, unless the rate differential, or
28 refusal to provide, is based on sound actuarial principles or is related to
29 actual or reasonably anticipated experience. No insurance company shall
30 unfairly discriminate in the payments of dividends, other benefits payable
31 under a policy, or in any of the terms and conditions of such policy or
32 contract solely because the school district that is the owner of the policy or
33 contract authorizes employees of such school district to carry concealed
34 handguns on the premises of schools and attendance centers operated by
35 such school district, unless the difference is based on sound actuarial
36 principles or is related to actual or reasonably anticipated experience.

37 (b) Enforcement of the provisions of this section shall be in
38 accordance with article 24 of chapter 40 of the Kansas Statutes Annotated,
39 and amendments thereto.

40 New Sec. 7. For the purposes of promoting the safety and protection
41 of students and emphasizing how students should respond when
42 encountering a firearm, the board of education of a school district may
43 provide firearm safety education programs. The state board of education

1 shall establish curriculum guidelines for a standardized firearm safety
2 education program. Such guidelines shall include, but not be limited to,
3 accident prevention and: (a) For students enrolled in kindergarten and
4 grades one through five, shall be based on the Eddie Eagle Gunsafe
5 program offered by the national rifle association or any other evidence-
6 based program or any successor program; (b) for students enrolled in
7 grades six, seven and eight, shall be based on the Eddie Eagle Gunsafe
8 program offered by the national rifle association or any successor program,
9 the hunter education in our schools program offered by the Kansas
10 department of wildlife, parks and tourism or any successor program, or
11 any other evidence-based program or any successor program; and (c) for
12 students enrolled in grades nine through 12, shall be based on the hunter
13 education in our schools program offered by the Kansas department of
14 wildlife, parks and tourism or any successor program, or any other
15 evidence-based program or any successor program. If a board of education
16 elects to provide firearm safety education, such instruction shall be in
17 accordance with the guidelines established by the state board of education,
18 and shall be offered so as to ensure that all students are provided the
19 opportunity to take the course.

20 New Sec. 8. The provisions of sections 1 through 8, and amendments
21 thereto, shall be known and may be cited as the Kansas staff as first
22 emergency responders (SAFER) act.

23 Sec. 9. K.S.A. 2017 Supp. 45-221 is hereby amended to read as
24 follows: 45-221. (a) Except to the extent disclosure is otherwise required
25 by law, a public agency shall not be required to disclose:

26 (1) Records the disclosure of which is specifically prohibited or
27 restricted by federal law, state statute or rule of the Kansas supreme court
28 or rule of the senate committee on confirmation oversight relating to
29 information submitted to the committee pursuant to K.S.A. 2017 Supp. 75-
30 4315d, and amendments thereto, or the disclosure of which is prohibited or
31 restricted pursuant to specific authorization of federal law, state statute or
32 rule of the Kansas supreme court or rule of the senate committee on
33 confirmation oversight relating to information submitted to the committee
34 pursuant to K.S.A. 2017 Supp. 75-4315d, and amendments thereto, to
35 restrict or prohibit disclosure.

36 (2) Records which are privileged under the rules of evidence, unless
37 the holder of the privilege consents to the disclosure.

38 (3) Medical, psychiatric, psychological or alcoholism or drug
39 dependency treatment records which pertain to identifiable patients.

40 (4) Personnel records, performance ratings or individually identifiable
41 records pertaining to employees or applicants for employment, except that
42 this exemption shall not apply to the names, positions, salaries or actual
43 compensation employment contracts or employment-related contracts or

1 agreements and lengths of service of officers and employees of public
2 agencies once they are employed as such.

3 (5) Information which would reveal the identity of any undercover
4 agent or any informant reporting a specific violation of law.

5 (6) Letters of reference or recommendation pertaining to the character
6 or qualifications of an identifiable individual, except documents relating to
7 the appointment of persons to fill a vacancy in an elected office.

8 (7) Library, archive and museum materials contributed by private
9 persons, to the extent of any limitations imposed as conditions of the
10 contribution.

11 (8) Information which would reveal the identity of an individual who
12 lawfully makes a donation to a public agency, if anonymity of the donor is
13 a condition of the donation, except if the donation is intended for or
14 restricted to providing remuneration or personal tangible benefit to a
15 named public officer or employee.

16 (9) Testing and examination materials, before the test or examination
17 is given or if it is to be given again, or records of individual test or
18 examination scores, other than records which show only passage or failure
19 and not specific scores.

20 (10) Criminal investigation records, except as provided herein. The
21 district court, in an action brought pursuant to K.S.A. 45-222, and
22 amendments thereto, may order disclosure of such records, subject to such
23 conditions as the court may impose, if the court finds that disclosure:

24 (A) Is in the public interest;

25 (B) would not interfere with any prospective law enforcement action,
26 criminal investigation or prosecution;

27 (C) would not reveal the identity of any confidential source or
28 undercover agent;

29 (D) would not reveal confidential investigative techniques or
30 procedures not known to the general public;

31 (E) would not endanger the life or physical safety of any person; and

32 (F) would not reveal the name, address, phone number or any other
33 information which specifically and individually identifies the victim of any
34 sexual offense in article 35 of chapter 21 of the Kansas Statutes Annotated,
35 prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes
36 Annotated, and amendments thereto.

37 If a public record is discretionarily closed by a public agency pursuant
38 to this subsection, the record custodian, upon request, shall provide a
39 written citation to the specific provisions of paragraphs (A) through (F)
40 that necessitate closure of that public record.

41 (11) Records of agencies involved in administrative adjudication or
42 civil litigation, compiled in the process of detecting or investigating
43 violations of civil law or administrative rules and regulations, if disclosure

1 would interfere with a prospective administrative adjudication or civil
2 litigation or reveal the identity of a confidential source or undercover
3 agent.

4 (12) Records of emergency or security information or procedures of a
5 public agency, or plans, drawings, specifications or related information for
6 any building or facility which is used for purposes requiring security
7 measures in or around the building or facility or which is used for the
8 generation or transmission of power, water, fuels or communications, if
9 disclosure would jeopardize security of the public agency, building or
10 facility.

11 (13) The contents of appraisals or engineering or feasibility estimates
12 or evaluations made by or for a public agency relative to the acquisition of
13 property, prior to the award of formal contracts therefor.

14 (14) Correspondence between a public agency and a private
15 individual, other than correspondence which is intended to give notice of
16 an action, policy or determination relating to any regulatory, supervisory or
17 enforcement responsibility of the public agency or which is widely
18 distributed to the public by a public agency and is not specifically in
19 response to communications from such a private individual.

20 (15) Records pertaining to employer-employee negotiations, if
21 disclosure would reveal information discussed in a lawful executive
22 session under K.S.A. 75-4319, and amendments thereto.

23 (16) Software programs for electronic data processing and
24 documentation thereof, but each public agency shall maintain a register,
25 open to the public, that describes:

26 (A) The information which the agency maintains on computer
27 facilities; and

28 (B) the form in which the information can be made available using
29 existing computer programs.

30 (17) Applications, financial statements and other information
31 submitted in connection with applications for student financial assistance
32 where financial need is a consideration for the award.

33 (18) Plans, designs, drawings or specifications which are prepared by
34 a person other than an employee of a public agency or records which are
35 the property of a private person.

36 (19) Well samples, logs or surveys which the state corporation
37 commission requires to be filed by persons who have drilled or caused to
38 be drilled, or are drilling or causing to be drilled, holes for the purpose of
39 discovery or production of oil or gas, to the extent that disclosure is
40 limited by rules and regulations of the state corporation commission.

41 (20) Notes, preliminary drafts, research data in the process of
42 analysis, unfunded grant proposals, memoranda, recommendations or
43 other records in which opinions are expressed or policies or actions are

1 proposed, except that this exemption shall not apply when such records are
 2 publicly cited or identified in an open meeting or in an agenda of an open
 3 meeting.

4 (21) Records of a public agency having legislative powers, which
 5 records pertain to proposed legislation or amendments to proposed
 6 legislation, except that this exemption shall not apply when such records
 7 are:

8 (A) Publicly cited or identified in an open meeting or in an agenda of
 9 an open meeting; or

10 (B) distributed to a majority of a quorum of any body which has
 11 authority to take action or make recommendations to the public agency
 12 with regard to the matters to which such records pertain.

13 (22) Records of a public agency having legislative powers, which
 14 records pertain to research prepared for one or more members of such
 15 agency, except that this exemption shall not apply when such records are:

16 (A) Publicly cited or identified in an open meeting or in an agenda of
 17 an open meeting; or

18 (B) distributed to a majority of a quorum of any body which has
 19 authority to take action or make recommendations to the public agency
 20 with regard to the matters to which such records pertain.

21 (23) Library patron and circulation records which pertain to
 22 identifiable individuals.

23 (24) Records which are compiled for census or research purposes and
 24 which pertain to identifiable individuals.

25 (25) Records which represent and constitute the work product of an
 26 attorney.

27 (26) Records of a utility or other public service pertaining to
 28 individually identifiable residential customers of the utility or service.

29 (27) Specifications for competitive bidding, until the specifications
 30 are officially approved by the public agency.

31 (28) Sealed bids and related documents, until a bid is accepted or all
 32 bids rejected.

33 (29) Correctional records pertaining to an identifiable inmate or
 34 release, except that:

35 (A) The name; photograph and other identifying information;
 36 sentence data; parole eligibility date; custody or supervision level;
 37 disciplinary record; supervision violations; conditions of supervision,
 38 excluding requirements pertaining to mental health or substance abuse
 39 counseling; location of facility where incarcerated or location of parole
 40 office maintaining supervision and address of a releasee whose crime was
 41 committed after the effective date of this act shall be subject to disclosure
 42 to any person other than another inmate or releasee, except that the
 43 disclosure of the location of an inmate transferred to another state pursuant

1 to the interstate corrections compact shall be at the discretion of the
2 secretary of corrections;

3 (B) the attorney general, law enforcement agencies, counsel for the
4 inmate to whom the record pertains and any county or district attorney
5 shall have access to correctional records to the extent otherwise permitted
6 by law;

7 (C) the information provided to the law enforcement agency pursuant
8 to the sex offender registration act, K.S.A. 22-4901 et seq., and
9 amendments thereto, shall be subject to disclosure to any person, except
10 that the name, address, telephone number or any other information which
11 specifically and individually identifies the victim of any offender required
12 to register as provided by the Kansas offender registration act, K.S.A. 22-
13 4901 et seq., and amendments thereto, shall not be disclosed; and

14 (D) records of the department of corrections regarding the financial
15 assets of an offender in the custody of the secretary of corrections shall be
16 subject to disclosure to the victim, or such victim's family, of the crime for
17 which the inmate is in custody as set forth in an order of restitution by the
18 sentencing court.

19 (30) Public records containing information of a personal nature where
20 the public disclosure thereof would constitute a clearly unwarranted
21 invasion of personal privacy.

22 (31) Public records pertaining to prospective location of a business or
23 industry where no previous public disclosure has been made of the
24 business' or industry's interest in locating in, relocating within or
25 expanding within the state. This exception shall not include those records
26 pertaining to application of agencies for permits or licenses necessary to
27 do business or to expand business operations within this state, except as
28 otherwise provided by law.

29 (32) Engineering and architectural estimates made by or for any
30 public agency relative to public improvements.

31 (33) Financial information submitted by contractors in qualification
32 statements to any public agency.

33 (34) Records involved in the obtaining and processing of intellectual
34 property rights that are expected to be, wholly or partially vested in or
35 owned by a state educational institution, as defined in K.S.A. 76-711, and
36 amendments thereto, or an assignee of the institution organized and
37 existing for the benefit of the institution.

38 (35) Any report or record which is made pursuant to K.S.A. 65-4922,
39 65-4923 or 65-4924, and amendments thereto, and which is privileged
40 pursuant to K.S.A. 65-4915 or 65-4925, and amendments thereto.

41 (36) Information which would reveal the precise location of an
42 archeological site.

43 (37) Any financial data or traffic information from a railroad

1 company, to a public agency, concerning the sale, lease or rehabilitation of
2 the railroad's property in Kansas.

3 (38) Risk-based capital reports, risk-based capital plans and
4 corrective orders including the working papers and the results of any
5 analysis filed with the commissioner of insurance in accordance with
6 K.S.A. 40-2c20 and 40-2d20, and amendments thereto.

7 (39) Memoranda and related materials required to be used to support
8 the annual actuarial opinions submitted pursuant to K.S.A. 40-409(b), and
9 amendments thereto.

10 (40) Disclosure reports filed with the commissioner of insurance
11 under K.S.A. 40-2,156(a), and amendments thereto.

12 (41) All financial analysis ratios and examination synopses
13 concerning insurance companies that are submitted to the commissioner by
14 the national association of insurance commissioners' insurance regulatory
15 information system.

16 (42) Any records the disclosure of which is restricted or prohibited by
17 a tribal-state gaming compact.

18 (43) Market research, market plans, business plans and the terms and
19 conditions of managed care or other third-party contracts, developed or
20 entered into by the university of Kansas medical center in the operation
21 and management of the university hospital which the chancellor of the
22 university of Kansas or the chancellor's designee determines would give an
23 unfair advantage to competitors of the university of Kansas medical center.

24 (44) The amount of franchise tax paid to the secretary of revenue or
25 the secretary of state by domestic corporations, foreign corporations,
26 domestic limited liability companies, foreign limited liability companies,
27 domestic limited partnership, foreign limited partnership, domestic limited
28 liability partnerships and foreign limited liability partnerships.

29 (45) Records, other than criminal investigation records, the disclosure
30 of which would pose a substantial likelihood of revealing security
31 measures that protect: (A) Systems, facilities or equipment used in the
32 production, transmission or distribution of energy, water or
33 communications services; (B) transportation and sewer or wastewater
34 treatment systems, facilities or equipment; or (C) private property or
35 persons, if the records are submitted to the agency. For purposes of this
36 paragraph, security means measures that protect against criminal acts
37 intended to intimidate or coerce the civilian population, influence
38 government policy by intimidation or coercion or to affect the operation of
39 government by disruption of public services, mass destruction,
40 assassination or kidnapping. Security measures include, but are not limited
41 to, intelligence information, tactical plans, resource deployment and
42 vulnerability assessments.

43 (46) Any information or material received by the register of deeds of

1 a county from military discharge papers, DD Form 214. Such papers shall
2 be disclosed: To the military dischargee; to such dischargee's immediate
3 family members and lineal descendants; to such dischargee's heirs, agents
4 or assigns; to the licensed funeral director who has custody of the body of
5 the deceased dischargee; when required by a department or agency of the
6 federal or state government or a political subdivision thereof; when the
7 form is required to perfect the claim of military service or honorable
8 discharge or a claim of a dependent of the dischargee; and upon the written
9 approval of the commissioner of veterans affairs, to a person conducting
10 research.

11 (47) Information that would reveal the location of a shelter or a
12 safehouse or similar place where persons are provided protection from
13 abuse or the name, address, location or other contact information of
14 alleged victims of stalking, domestic violence or sexual assault.

15 (48) Policy information provided by an insurance carrier in
16 accordance with K.S.A. 44-532(h)(1), and amendments thereto. This
17 exemption shall not be construed to preclude access to an individual
18 employer's record for the purpose of verification of insurance coverage or
19 to the department of labor for their business purposes.

20 (49) An individual's e-mail address, cell phone number and other
21 contact information which has been given to the public agency for the
22 purpose of public agency notifications or communications which are
23 widely distributed to the public.

24 (50) Information provided by providers to the local collection point
25 administrator or to the 911 coordinating council pursuant to the Kansas
26 911 act, and amendments thereto, upon request of the party submitting
27 such records.

28 (51) Records of a public agency on a public website which are
29 searchable by a keyword search and identify the home address or home
30 ownership of a law enforcement officer as defined in K.S.A. 2017 Supp.
31 21-5111, and amendments thereto, parole officer, probation officer, court
32 services officer or community correctional services officer. Such
33 individual officer shall file with the custodian of such record a request to
34 have such officer's identifying information restricted from public access on
35 such public website. Within 10 business days of receipt of such requests,
36 the public agency shall restrict such officer's identifying information from
37 such public access. Such restriction shall expire after five years and such
38 officer may file with the custodian of such record a new request for
39 restriction at any time.

40 (52) Records of a public agency on a public website which are
41 searchable by a keyword search and identify the home address or home
42 ownership of a federal judge, a justice of the supreme court, a judge of the
43 court of appeals, a district judge, a district magistrate judge, a municipal

1 judge, the United States attorney for the district of Kansas, an assistant
2 United States attorney, a special assistant United States attorney, the
3 attorney general, an assistant attorney general, a special assistant attorney
4 general, a county attorney, an assistant county attorney, a special assistant
5 county attorney, a district attorney, an assistant district attorney, a special
6 assistant district attorney, a city attorney, an assistant city attorney or a
7 special assistant city attorney. Such person shall file with the custodian of
8 such record a request to have such person's identifying information
9 restricted from public access on such public website. Within 10 business
10 days of receipt of such requests, the public agency shall restrict such
11 person's identifying information from such public access. Such restriction
12 shall expire after five years and such person may file with the custodian of
13 such record a new request for restriction at any time.

14 (53) Records of a public agency that would disclose the name, home
15 address, zip code, e-mail address, phone number or cell phone number or
16 other contact information for any person licensed to carry concealed
17 handguns or of any person who enrolled in or completed any weapons
18 training in order to be licensed or has made application for such license
19 under the personal and family protection act, K.S.A. 2017 Supp. 75-7c01
20 et seq., and amendments thereto, shall not be disclosed unless otherwise
21 required by law.

22 (54) Records of a utility concerning information about cyber security
23 threats, attacks or general attempts to attack utility operations provided to
24 law enforcement agencies, the state corporation commission, the federal
25 energy regulatory commission, the department of energy, the southwest
26 power pool, the North American electric reliability corporation, the federal
27 communications commission or any other federal, state or regional
28 organization that has a responsibility for the safeguarding of
29 telecommunications, electric, potable water, waste water disposal or
30 treatment, motor fuel or natural gas energy supply systems.

31 (55) Records of a public agency containing information or reports
32 obtained and prepared by the office of the state bank commissioner in the
33 course of licensing or examining a person engaged in money transmission
34 business pursuant to K.S.A. 9-508 et seq., and amendments thereto, shall
35 not be disclosed except pursuant to K.S.A. 9-513c, and amendments
36 thereto, or unless otherwise required by law.

37 (56) (A) *Standards adopted by the state board of education pursuant*
38 *to section 1, and amendments thereto, for making all public schools and*
39 *attendance centers operated by school districts in this state safe and*
40 *secure.*

41 (B) *Standards adopted by the state board of education pursuant to*
42 *section 2, and amendments thereto, for school safety and security plans for*
43 *school districts.*

1 (C) *Comprehensive school safety and security plans adopted by the*
2 *board of education of a school district pursuant to section 3, and*
3 *amendments thereto.*

4 (D) *Records regarding school district employees designated as*
5 *SAFER schools team members pursuant to section 5, and amendments*
6 *thereto, or who are otherwise authorized to carry a concealed handgun*
7 *pursuant to K.S.A. 2017 Supp. 75-7c10, and amendments thereto,*
8 *including any list of such employees kept or maintained by the school*
9 *district.*

10 (b) Except to the extent disclosure is otherwise required by law or as
11 appropriate during the course of an administrative proceeding or on appeal
12 from agency action, a public agency or officer shall not disclose financial
13 information of a taxpayer which may be required or requested by a county
14 appraiser or the director of property valuation to assist in the determination
15 of the value of the taxpayer's property for ad valorem taxation purposes; or
16 any financial information of a personal nature required or requested by a
17 public agency or officer, including a name, job description or title
18 revealing the salary or other compensation of officers, employees or
19 applicants for employment with a firm, corporation or agency, except a
20 public agency. Nothing contained herein shall be construed to prohibit the
21 publication of statistics, so classified as to prevent identification of
22 particular reports or returns and the items thereof.

23 (c) As used in this section, the term "cited or identified" shall not
24 include a request to an employee of a public agency that a document be
25 prepared.

26 (d) If a public record contains material which is not subject to
27 disclosure pursuant to this act, the public agency shall separate or delete
28 such material and make available to the requester that material in the
29 public record which is subject to disclosure pursuant to this act. If a public
30 record is not subject to disclosure because it pertains to an identifiable
31 individual, the public agency shall delete the identifying portions of the
32 record and make available to the requester any remaining portions which
33 are subject to disclosure pursuant to this act, unless the request is for a
34 record pertaining to a specific individual or to such a limited group of
35 individuals that the individuals' identities are reasonably ascertainable, the
36 public agency shall not be required to disclose those portions of the record
37 which pertain to such individual or individuals.

38 (e) The provisions of this section shall not be construed to exempt
39 from public disclosure statistical information not descriptive of any
40 identifiable person.

41 (f) Notwithstanding the provisions of subsection (a), any public
42 record which has been in existence more than 70 years shall be open for
43 inspection by any person unless disclosure of the record is specifically

1 prohibited or restricted by federal law, state statute or rule of the Kansas
2 supreme court or by a policy adopted pursuant to K.S.A. 72-6214, and
3 amendments thereto.

4 (g) Any confidential records or information relating to security
5 measures provided or received under the provisions of subsection (a)(45)
6 shall not be subject to subpoena, discovery or other demand in any
7 administrative, criminal or civil action.

8 Sec. 10. K.S.A. 2017 Supp. 72-6143 is hereby amended to read as
9 follows: 72-6143. (a) If a school employee has information that a pupil is a
10 pupil to whom the provisions of this subsection apply, the school
11 employee shall report such information and identify the pupil to the
12 superintendent of schools. The superintendent of schools shall investigate
13 the matter and, upon determining that the identified pupil is a pupil to
14 whom the provisions of this subsection apply, shall provide the reported
15 information and identify the pupil to all school employees who are directly
16 involved or likely to be directly involved in teaching or providing other
17 school related services to the pupil. The provisions of this subsection apply
18 to:

19 (1) Any pupil who has been expelled for the reason provided by
20 K.S.A. 2017 Supp. 72-6114(c), and amendments thereto, for conduct
21 which endangers the safety of others;

22 (2) any pupil who has been expelled for the reason provided by
23 K.S.A. 2017 Supp. 72-6114(d), and amendments thereto;

24 (3) any pupil who has been expelled under a policy adopted pursuant
25 to K.S.A. 2017 Supp. 72-6132, and amendments thereto;

26 (4) any pupil who has been adjudged to be a juvenile offender and
27 whose offense, if committed by an adult, would constitute a felony under
28 the laws of Kansas or the state where the offense was committed, except
29 any pupil adjudicated as a juvenile offender for a felony theft offense
30 involving no direct threat to human life; and

31 (5) any pupil who has been tried and convicted as an adult of any
32 felony, except any pupil convicted of a felony theft crime involving no
33 direct threat to human life.

34 A school employee and the superintendent of schools shall not be
35 required to report information concerning a pupil specified in this
36 subsection if the expulsion, adjudication as a juvenile offender or
37 conviction of a felony occurred more than 365 days prior to the school
38 employee's report to the superintendent of schools.

39 (b) Each board of education shall adopt a policy that includes:

40 (1) A requirement that an immediate report be made to the
41 appropriate state or local law enforcement agency by or on behalf of any
42 school employee who knows or has reason to believe that an act has been
43 committed at school, on school property, or at a school supervised activity

1 and that the act involved conduct which constitutes the commission of a
2 felony or misdemeanor or which involves the possession, use or disposal
3 of explosives, firearms or other weapons, provided that the report would
4 not violate the terms of the memorandum of understanding approved by
5 the school employee's school district pursuant to subsection (i); and

6 (2) the procedures for making such a report.

7 (c) School employees shall not be subject to the provisions of K.S.A.
8 2017 Supp. 72-6144(b), and amendments thereto, if:

9 (1) They follow the procedures from a policy adopted pursuant to the
10 provisions of subsection (b); or

11 (2) their board of education fails to adopt such policy.

12 (d) Each board of education shall annually compile and report to the
13 state board of education at least the following information relating to
14 school safety and security: The types and frequency of criminal acts that
15 are required to be reported pursuant to the provisions of subsection (b),
16 arrests and referrals to law enforcement or juvenile intake and assessment
17 services made in connection to the criminal act, disaggregated by
18 occurrences at school, on school property and at school supervised
19 activities. The data must include an analysis according to race, gender and
20 any other relevant demographic information. The report shall be
21 incorporated into and become part of the current report required under the
22 quality performance accreditation system.

23 (e) Each board of education shall make available to pupils and their
24 parents, to school employees and, upon request, to others, district policies
25 and reports concerning school safety and security, except that the
26 provisions of this subsection shall not apply to reports made by a
27 superintendent of schools and school employees pursuant to subsection
28 (a).

29 (f) Nothing in this section shall be construed or operate in any
30 manner so as to prevent any school employee from reporting criminal acts
31 to school officials and to appropriate state and local law enforcement
32 agencies.

33 (g) The state board of education shall extract the information relating
34 to school safety and security from the quality performance accreditation
35 report and transmit the information to the governor, the legislature, the
36 attorney general, the secretary of health and environment, the secretary for
37 children and families and the commissioner of juvenile justice.

38 (h) No board of education, member of any such board, superintendent
39 of schools or school employee shall be liable for damages in a civil action
40 resulting from a person's good faith acts or omissions in complying with
41 the requirements or provisions of the Kansas school safety and security
42 act.

43 (i) The state board of education shall require that the superintendent

1 of schools in each school district or the superintendent's designee develop,
2 approve and submit to the state board of education a memorandum of
3 understanding developed in collaboration with relevant stakeholders,
4 including law enforcement agencies, the courts and the district and county
5 attorneys, establishing clear guidelines for how and when school-based
6 behaviors are referred to law enforcement or the juvenile justice system
7 with the goal of reducing such referrals and protecting public safety. The
8 state board of education shall provide a report annually to the department
9 of corrections and to the office of judicial administration compiling school
10 district compliance and summarizing the content of each memorandum of
11 understanding.

12 *(j) Any pupil, teacher, administrator or other individual, regardless of*
13 *whether such individual is employed by a school district, may report any*
14 *pupil to whom subsection (a) applies through the SAFER schools hotline*
15 *maintained by the Kansas bureau of investigation. All reports made*
16 *through the SAFER schools hotline shall be investigated in accordance*
17 *with the provisions of this section. Each school district shall prominently*
18 *publish the SAFER schools hotline on the homepage of such district's*
19 *website. The Kansas bureau of investigation shall establish and maintain a*
20 *SAFER schools hotline for purposes of this subsection.*

21 Sec. 11. K.S.A. 2017 Supp. 75-7c03 is hereby amended to read as
22 follows: 75-7c03. (a) The attorney general shall issue licenses to carry
23 concealed handguns to persons who comply with the application and
24 training requirements of this act and who are not disqualified under K.S.A.
25 2017 Supp. 75-7c04, and amendments thereto. Such licenses shall be valid
26 throughout the state for a period of four years from the date of issuance.
27 The availability of licenses to carry concealed handguns under this act
28 shall not be construed to impose a general prohibition on the carrying of
29 handguns without such license, whether carried openly or concealed, or
30 loaded or unloaded.

31 (b) The license shall be a separate card, in a form prescribed by the
32 attorney general, that is approximately the size of a Kansas driver's license
33 and shall bear the licensee's signature, name, address, date of birth and
34 driver's license number or nondriver's identification card number except
35 that the attorney general shall assign a unique number for military
36 applicants or their dependents described in K.S.A. 2017 Supp. 75-7c05(a)
37 (1)(B), and amendments thereto.

38 *(c) The attorney general shall issue a license to carry a concealed*
39 *handgun with a SAFER schools endorsement to any person who is eligible*
40 *for such endorsement and who complies with the application and training*
41 *requirements of this act for such endorsement. A license with a SAFER*
42 *schools endorsement shall be valid for a period of four years from the date*
43 *of issuance and may be renewed in accordance with K.S.A. 2017 Supp. 75-*

1 7c08, and amendments thereto. The SAFER schools endorsement shall be
2 prominently displayed on the front of the license in such form as
3 prescribed by the attorney general.

4 Sec. 12. K.S.A. 2017 Supp. 75-7c04 is hereby amended to read as
5 follows: 75-7c04. (a) The attorney general shall not issue a license
6 pursuant to this act if the applicant:

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

9 (2) is prohibited from shipping, transporting, possessing or receiving
10 a firearm or ammunition under 18 U.S.C. § 922(g) or (n), and amendments
11 thereto, or K.S.A. 21-4204, prior to its repeal, or K.S.A. 2017 Supp. 21-
12 6301(a)(10) through (a)(13) or K.S.A. 2017 Supp. 21-6304(a)(1) through
13 (a)(3), and amendments thereto; or

14 (3) is less than 21 years of age.

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

37 (2) The cost of the handgun safety and training course required by
38 this section shall be paid by the applicant. The following shall constitute
39 satisfactory evidence of satisfactory completion of an approved handgun
40 safety and training course:

41 (A) Evidence of completion of a course that satisfies the requirements
42 of subsection (b)(1), in the form provided by rules and regulations adopted
43 by the attorney general;

1 (B) an affidavit from the instructor, school, club, organization or
 2 group that conducted or taught such course attesting to the completion of
 3 the course by the applicant;

4 (C) evidence of completion of a course offered in another jurisdiction
 5 which is determined by the attorney general to have training requirements
 6 that are equal to or greater than those required by this act; or

7 (D) a determination by the attorney general pursuant to subsection
 8 ~~(e)~~ (d).

9 (c) (1) *The attorney general shall only issue a license with a SAFER*
 10 *schools endorsement to applicants who have been authorized by the board*
 11 *of education of the school district employing such applicant to carry a*
 12 *concealed handgun in the buildings operated by such school district*
 13 *pursuant to K.S.A. 2017 Supp. 75-7c10(d), and amendments thereto.*

14 (2) *The attorney general shall adopt rules and regulations*
 15 *establishing procedures and standards as authorized by this act for a*
 16 *SAFER schools handgun safety and training course required for any*
 17 *person applying for a license with a SAFER schools endorsement. Such*
 18 *standards shall include: (A) A requirement that trainees satisfy the*
 19 *handgun safety and training course required under subsection (b); (B) a*
 20 *requirement that trainees receive specific training designed for school*
 21 *district employees based on guidelines for such training developed by the*
 22 *commission on peace officers' standards and training; (C) qualifications*
 23 *of instructors; and (D) a requirement that the course be provided by a*
 24 *handgun course instructor certified by the attorney general or by a law*
 25 *enforcement officer who is working with the school district employing the*
 26 *trainee.*

27 ~~(e)~~ (d) The attorney general may:

28 (1) Create a list of concealed carry handgun licenses or permits issued
 29 by other jurisdictions which the attorney general finds have training
 30 requirements that are equal to or greater than those of this state; and

31 (2) review each application received pursuant to K.S.A. 2017 Supp.
 32 75-7c05, and amendments thereto, to determine if the applicant's previous
 33 training qualifications were equal to or greater than those of this state.

34 ~~(d)~~ (e) For the purposes of this section:

35 (1) "Equal to or greater than" means the applicant's prior training
 36 meets or exceeds the training established in this section by having
 37 required, at a minimum, the applicant to: (A) Receive instruction on the
 38 laws of self-defense; and (B) demonstrate training and competency in the
 39 safe handling, storage and actual firing of handguns.

40 (2) "Jurisdiction" means another state or the District of Columbia.

41 (3) "License or permit" means a concealed carry handgun license or
 42 permit from another jurisdiction which has not expired and, except for any
 43 residency requirement of the issuing jurisdiction, is currently in good

1 standing.

2 Sec. 13. K.S.A. 2017 Supp. 75-7c05 is hereby amended to read as
3 follows: 75-7c05. (a) The application for a license pursuant to this act shall
4 be completed, under oath, on a form prescribed by the attorney general and
5 shall only include:

6 (1) (A) Subject to the provisions of subsection (a)(1)(B), the name,
7 address, social security number, Kansas driver's license number or Kansas
8 nondriver's license identification number, place and date of birth, a
9 photocopy of the applicant's driver's license or nondriver's identification
10 card and a photocopy of the applicant's certificate of training course
11 completion; (B) in the case of an applicant who presents proof that such
12 person is on active duty with any branch of the armed forces of the United
13 States, or is the dependent of such a person, and who does not possess a
14 Kansas driver's license or Kansas nondriver's license identification, the
15 number of such license or identification shall not be required;

16 (2) a statement that the applicant is in compliance with criteria
17 contained within K.S.A. 2017 Supp. 75-7c04, and amendments thereto;

18 (3) a statement that the applicant has been furnished a copy of this act
19 and is knowledgeable of its provisions;

20 (4) a conspicuous warning that the application is executed under oath
21 and that a false answer to any question, or the submission of any false
22 document by the applicant, subjects the applicant to criminal prosecution
23 under K.S.A. 2017 Supp. 21-5903, and amendments thereto; ~~and~~

24 (5) a statement that the applicant desires a concealed handgun license
25 as a means of lawful self-defense; *and*

26 (6) *a statement that the applicant is applying for a SAFER schools*
27 *endorsement for such license, if applicable.*

28 (b) Except as otherwise provided in subsection (†) (j), the applicant
29 shall submit to the sheriff of the county where the applicant resides, during
30 any normal business hours:

31 (1) A completed application described in subsection (a);

32 (2) a nonrefundable license fee of \$132.50, if the applicant has not
33 previously been issued a statewide license or if the applicant's license has
34 permanently expired, which fee shall be in the form of two cashier's
35 checks, personal checks or money orders of \$32.50 payable to the sheriff
36 of the county where the applicant resides and \$100 payable to the attorney
37 general;

38 (3) if applicable, a photocopy of the proof of training required by
39 K.S.A. 2017 Supp. 75-7c04(b)(1), and amendments thereto; and

40 (4) a full frontal view photograph of the applicant taken within the
41 preceding 30 days.

42 (c) (1) Except as otherwise provided in subsection (†) (j), the sheriff,
43 upon receipt of the items listed in subsection (b), shall provide for the full

1 set of fingerprints of the applicant to be taken and forwarded to the
2 attorney general for purposes of a criminal history records check as
3 provided by subsection (d). In addition, the sheriff shall forward to the
4 attorney general the application and the portion of the original license fee
5 which is payable to the attorney general. The cost of taking such
6 fingerprints shall be included in the portion of the fee retained by the
7 sheriff. Notwithstanding anything in this section to the contrary, an
8 applicant shall not be required to submit fingerprints for a renewal
9 application under K.S.A. 2017 Supp. 75-7c08, and amendments thereto.

10 (2) The sheriff of the applicant's county of residence or the chief law
11 enforcement officer of any law enforcement agency, at the sheriff's or chief
12 law enforcement officer's discretion, may participate in the process by
13 submitting a voluntary report to the attorney general containing readily
14 discoverable information, corroborated through public records, which,
15 when combined with another enumerated factor, establishes that the
16 applicant poses a significantly greater threat to law enforcement or the
17 public at large than the average citizen. Any such voluntary reporting shall
18 be made within 45 days after the date the sheriff receives the application.
19 Any sheriff or chief law enforcement officer submitting a voluntary report
20 shall not incur any civil or criminal liability as the result of the good faith
21 submission of such report.

22 (3) All funds retained by the sheriff pursuant to the provisions of this
23 section shall be credited to a special fund of the sheriff's office which shall
24 be used solely for the purpose of administering this act.

25 (d) Each applicant shall be subject to a state and national criminal
26 history records check which conforms to applicable federal standards,
27 including an inquiry of the national instant criminal background check
28 system for the purpose of verifying the identity of the applicant and
29 whether the applicant has been convicted of any crime or has been the
30 subject of any restraining order or any mental health related finding that
31 would disqualify the applicant from holding a license under this act. The
32 attorney general is authorized to use the information obtained from the
33 state or national criminal history record check to determine the applicant's
34 eligibility for such license.

35 (e) Within 90 days after the date of receipt of the items listed in
36 subsection (b), the attorney general shall:

37 (1) Issue the license and certify the issuance to the department of
38 revenue; or

39 (2) deny the application based solely on: (A) The report submitted by
40 the sheriff or other chief law enforcement officer under subsection (c)(2)
41 for good cause shown therein; or (B) the ground that the applicant is
42 disqualified under the criteria listed in K.S.A. 2017 Supp. 75-7c04, and
43 amendments thereto. If the attorney general denies the application, the

1 attorney general shall notify the applicant in writing, stating the ground for
2 denial and informing the applicant the opportunity for a hearing pursuant
3 to the Kansas administrative procedure act.

4 (f) Each person issued a license shall pay to the department of
5 revenue a fee for the cost of the license which shall be in amounts equal to
6 the fee required pursuant to K.S.A. 8-243 and 8-246, and amendments
7 thereto, for replacement of a driver's license.

8 (g) (1) *A person who possesses a license to carry a concealed*
9 *handgun issued pursuant to this act may apply for a SAFER schools*
10 *endorsement for such license. The application for a SAFER schools*
11 *endorsement shall be completed, under oath, on a form prescribed by the*
12 *attorney general and shall only include: (A) A photocopy of the applicant's*
13 *license to carry a concealed handgun; (B) a photocopy of the applicant's*
14 *certificate of completion of the SAFER schools handgun safety and*
15 *training course; (C) a photocopy of the resolution adopted by the board of*
16 *education of the school district authorizing such applicant to carry a*
17 *concealed handgun in any building operated by such school district; (D) a*
18 *statement that the applicant is in compliance with criteria contained*
19 *within K.S.A. 2017 Supp. 75-7c04, and amendments thereto; and (E) a*
20 *conspicuous warning that the application is executed under oath and that*
21 *a false answer to any question, or the submission of any false document by*
22 *the applicant, subjects the applicant to criminal prosecution under K.S.A.*
23 *2017 Supp. 21-5903, and amendments thereto.*

24 (2) *All applications for a SAFER schools endorsement shall be*
25 *submitted to the attorney general along with a nonrefundable endorsement*
26 *fee of \$50. Within 90 days after the date of receipt of the items listed in*
27 *paragraph (1), the attorney general shall either issue a new license with a*
28 *SAFER schools endorsement and certify the issuance to the department of*
29 *revenue, or deny the application based solely on the applicant's*
30 *disqualification under the criteria listed in K.S.A. 2017 Supp. 75-7c04,*
31 *and amendments thereto. If the attorney general denies the application,*
32 *the attorney general shall notify the applicant in writing, stating the*
33 *reasons for denial and informing the applicant the opportunity for a*
34 *hearing pursuant to the Kansas administrative procedure act.*

35 ~~(g)~~ (h) (1) A person who is a retired law enforcement officer, as
36 defined in K.S.A. 2017 Supp. 21-5111, and amendments thereto, shall be:
37 (A) Required to pay an original license fee as provided in subsection (b)
38 (2), to be forwarded by the sheriff to the attorney general; (B) exempt from
39 the required completion of a handgun safety and training course if such
40 person was certified by the Kansas commission on peace officer's
41 standards and training, or similar body from another jurisdiction, not more
42 than eight years prior to submission of the application; (C) required to pay
43 the license renewal fee; (D) required to pay to the department of revenue

1 the fees required by subsection (f); and (E) required to comply with the
2 criminal history records check requirement of this section.

3 (2) Proof of retirement as a law enforcement officer shall be required
4 and provided to the attorney general in the form of a letter from the agency
5 head, or their designee, of the officer's retiring agency that attests to the
6 officer having retired in good standing from that agency as a law
7 enforcement officer for reasons other than mental instability and that the
8 officer has a nonforfeitable right to benefits under a retirement plan of the
9 agency.

10 (h) (i) A person who is a corrections officer, a parole officer or a
11 corrections officer employed by the federal bureau of prisons, as defined
12 by K.S.A. 75-5202, and amendments thereto, shall be: (1) Required to pay
13 an original license fee as provided in subsection (b)(2); (2) exempt from
14 the required completion of a handgun safety and training course if such
15 person was issued a certificate of firearms training by the department of
16 corrections or the federal bureau of prisons or similar body not more than
17 one year prior to submission of the application; (3) required to pay the
18 license renewal fee; (4) required to pay to the department of revenue the
19 fees required by subsection (f); and (5) required to comply with the
20 criminal history records check requirement of this section.

21 (h) (j) A person who presents proof that such person is on active duty
22 with any branch of the armed forces of the United States and is stationed at
23 a United States military installation located outside this state, may submit
24 by mail an application described in subsection (a) and the other materials
25 required by subsection (b) to the sheriff of the county where the applicant
26 resides. Provided the applicant is fingerprinted at a United States military
27 installation, the applicant may submit a full set of fingerprints of such
28 applicant along with the application. Upon receipt of such items, the
29 sheriff shall forward to the attorney general the application and the portion
30 of the original license fee which is payable to the attorney general.

31 (k) *The provisions of subsections (h), (i) and (j) shall not apply to any*
32 *person applying for a license with a SAFER schools endorsement.*

33 Sec. 14. K.S.A. 2017 Supp. 75-7c08 is hereby amended to read as
34 follows: 75-7c08. (a) Not less than 90 days prior to the expiration date of
35 the license, the attorney general shall mail to the licensee a written notice
36 of the expiration and a renewal form prescribed by the attorney general.
37 The licensee shall renew the license on or before the expiration date by
38 filing with the attorney general the renewal form, a notarized affidavit,
39 either in person or by certified mail, stating that the licensee remains
40 qualified pursuant to the criteria specified in K.S.A. 2017 Supp. 75-7c04,
41 and amendments thereto, a full frontal view photograph of the applicant
42 taken within the preceding 30 days and a nonrefundable license renewal
43 fee of \$25 payable to the attorney general. The attorney general shall

1 complete a name-based background check, including a search of the
2 national instant criminal background check system database. A licensee
3 who fails to file a renewal application on or before the expiration date of
4 the license must pay an additional late fee of \$15. A renewal application is
5 considered filed on the date the renewal form, affidavit, and required fees
6 are delivered in person to the attorney general's office or on the date a
7 certified mailing to the attorney general's office containing these items is
8 postmarked.

9 (b) Upon receipt of a renewal application as specified in subsection
10 (a), a background check in accordance with ~~subsection (d) of~~ K.S.A. 2017
11 Supp. 75-7c05(d), and amendments thereto, shall be completed.
12 Fingerprints shall not be required for renewal applications. If the licensee
13 is not disqualified as provided by this act, the license shall be renewed
14 upon receipt by the attorney general of the items listed in subsection (a)
15 and the completion of the background check.

16 (c) No license shall be renewed if the renewal application is filed six
17 months or more after the expiration date of the license, and such license
18 shall be deemed to be permanently expired. A person whose license has
19 been permanently expired may reapply for licensure but an application for
20 licensure and fees pursuant to K.S.A. 2017 Supp. 75-7c05, and
21 amendments thereto, shall be submitted, and a background investigation
22 including the submission of fingerprints, shall be conducted pursuant to
23 the provisions of that section.

24 (d) *In addition to the requirements of subsection (a), any renewal*
25 *application for a license with a SAFER schools endorsement shall include*
26 *certification that the applicant has passed the handgun safety and training*
27 *test required by K.S.A. 2017 Supp. 75-7c04(c), and amendments thereto,*
28 *within the preceding 30 days.*

29 Sec. 15. K.S.A. 2017 Supp. 75-7c10 is hereby amended to read as
30 follows: 75-7c10. Subject to the provisions of K.S.A. 2017 Supp. 75-7c20,
31 and amendments thereto:

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

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

42 (c) (1) Any private entity which provides adequate security measures
43 in a private building and which conspicuously posts signage in accordance

1 with this section prohibiting the carrying of a concealed handgun in such
2 building shall not be liable for any wrongful act or omission relating to
3 actions of persons carrying a concealed handgun concerning acts or
4 omissions regarding such handguns.

5 (2) Any private entity which does not provide adequate security
6 measures in a private building and which allows the carrying of a
7 concealed handgun shall not be liable for any wrongful act or omission
8 relating to actions of persons carrying a concealed handgun concerning
9 acts or omissions regarding such handguns.

10 (3) Nothing in this act shall be deemed to increase the liability of any
11 private entity where liability would have existed under the personal and
12 family protection act prior to the effective date of this act.

13 (d) The governing body or the chief administrative officer, if no
14 governing body exists, of any of the following institutions may permit any
15 employee, who is legally qualified, to carry a concealed handgun in any
16 building of such institution, if the employee meets such institution's own
17 policy requirements regardless of whether such building is conspicuously
18 posted in accordance with the provisions of this section:

19 (1) A unified school district;

20 (2) a postsecondary educational institution, as defined in K.S.A. 74-
21 3201b, and amendments thereto;

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

24 (4) a state or municipal-owned adult care home, as defined in K.S.A.
25 39-923, and amendments thereto;

26 (5) a community mental health center organized pursuant to K.S.A.
27 19-4001 et seq., and amendments thereto; or

28 (6) an indigent health care clinic, as defined by K.S.A. 2017 Supp.
29 65-7402, and amendments thereto.

30 (e) (1) No public employer shall restrict or otherwise prohibit by
31 personnel policies any employee, who is legally qualified, from carrying
32 any concealed handgun while engaged in the duties of such employee's
33 employment outside of such employer's place of business, including while
34 in a means of conveyance. Public employers shall not be liable for any
35 wrongful or negligent act of an employee carrying a concealed handgun
36 that is not being carried in the course and scope of such employee's
37 employment, concerning acts or omissions regarding such handguns.

38 (2) *In any action against a unified school district arising out of acts*
39 *or omissions regarding the possession or use of firearms on the premises*
40 *of such school district, there shall be a rebuttable presumption of*
41 *negligence on the part of such school district when it is shown by evidence*
42 *that such school district did not authorize any employee of such school*
43 *district, other than school security officers, to carry concealed handguns*

1 *in buildings operated by such school district pursuant to subsection (d).*

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

9 (2) Notwithstanding the provisions of subsection (a) or (b), it is not a
10 violation of this section for the United States attorney for the district of
11 Kansas, the attorney general, any district attorney or county attorney, any
12 assistant United States attorney if authorized by the United States attorney
13 for the district of Kansas, any assistant attorney general if authorized by
14 the attorney general, or any assistant district attorney or assistant county
15 attorney if authorized by the district attorney or county attorney by whom
16 such assistant is employed, to possess a handgun within any of the
17 buildings described in subsection (a) or (b), subject to any restrictions or
18 prohibitions imposed in any courtroom by the chief judge of the judicial
19 district.

20 (3) Notwithstanding the provisions of subsection (a) or (b), it is not a
21 violation of this section for a law enforcement officer, as that term is
22 defined in K.S.A. 2017 Supp. 75-7c22, and amendments thereto, who
23 satisfies the requirements of either K.S.A. 2017 Supp. 75-7c22(a) or (b),
24 and amendments thereto, to possess a handgun within any of the buildings
25 described in subsection (a) or (b), subject to any restrictions or
26 prohibitions imposed in any courtroom by the chief judge of the judicial
27 district.

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

30 (h) For the purposes of this section:

31 (1) "Adequate security measures" shall have the same meaning as the
32 term is defined in K.S.A. 2017 Supp. 75-7c20, and amendments thereto;

33 (2) "building" shall not include any structure, or any area of any
34 structure, designated for the parking of motor vehicles; and

35 (3) "public employer" means the state and any municipality as those
36 terms are defined in K.S.A. 75-6102, and amendments thereto, except the
37 term "public employer" shall not include school districts.

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

40 (j) The attorney general shall adopt rules and regulations prescribing
41 the location, content, size and other characteristics of signs to be posted on
42 a building where carrying a concealed handgun is prohibited pursuant to
43 subsections (a) and (b). Such regulations shall prescribe, at a minimum,

1 that:

- 2 (1) The signs be posted at all exterior entrances to the prohibited
3 buildings;
- 4 (2) the signs be posted at eye level of adults using the entrance and
5 not more than 12 inches to the right or left of such entrance;
- 6 (3) the signs not be obstructed or altered in any way; and
- 7 (4) signs which become illegible for any reason be immediately
8 replaced.

9 Sec. 16. K.S.A. 2017 Supp. 75-4319 is hereby amended to read as
10 follows: 75-4319. (a) Upon formal motion made, seconded and carried, all
11 public bodies and agencies subject to the open meetings act may recess,
12 but not adjourn, open meetings for closed or executive meetings. Any
13 motion to recess for a closed or executive meeting shall include: (1) A
14 statement describing the subjects to be discussed during the closed or
15 executive meeting; (2) the justification listed in subsection (b) for closing
16 the meeting; and (3) the time and place at which the open meeting shall
17 resume. The complete motion shall be recorded in the minutes of the
18 meeting and shall be maintained as a part of the permanent records of the
19 public body or agency. Discussion during the closed or executive meeting
20 shall be limited to those subjects stated in the motion.

21 (b) Justifications for recess to a closed or executive meeting may
22 only include the following, the need:

- 23 (1) To discuss personnel matters of nonelected personnel;
- 24 (2) for consultation with an attorney for the public body or agency
25 which would be deemed privileged in the attorney-client relationship;
- 26 (3) to discuss employer-employee negotiations whether or not in
27 consultation with the representative or representatives of the public body
28 or agency;
- 29 (4) to discuss data relating to financial affairs or trade secrets of
30 corporations, partnerships, trusts, and individual proprietorships;
- 31 (5) to discuss matters relating to actions adversely or favorably
32 affecting a person as a student, patient or resident of a public institution,
33 except that any such person shall have the right to a public hearing if
34 requested by the person;
- 35 (6) for the preliminary discussion of the acquisition of real property;
- 36 (7) to discuss matters relating to parimutuel racing permitted to be
37 discussed in a closed or executive meeting pursuant to K.S.A. 74-8804,
38 and amendments thereto;
- 39 (8) to discuss matters relating to the care of children permitted to be
40 discussed in a closed or executive meeting pursuant to K.S.A. 2017 Supp.
41 38-2212(d)(1) or 38-2213(e), and amendments thereto;
- 42 (9) to discuss matters relating to the investigation of child deaths
43 permitted to be discussed in a closed or executive meeting pursuant to

1 K.S.A. 22a-243(j), and amendments thereto;

2 (10) to discuss matters relating to patients and providers permitted to
3 be discussed in a closed or executive meeting pursuant to K.S.A. 39-
4 7,119(g), and amendments thereto;

5 (11) to discuss matters required to be discussed in a closed or
6 executive meeting pursuant to a tribal-state gaming compact;

7 (12) to discuss matters relating to security measures, if the discussion
8 of such matters at an open meeting would jeopardize such security
9 measures, that protect: (A) Systems, facilities or equipment used in the
10 production, transmission or distribution of energy, water or
11 communications services; (B) transportation and sewer or wastewater
12 treatment systems, facilities or equipment; (C) a public body or agency,
13 public building or facility or the information system of a public body or
14 agency; or (D) private property or persons, if the matter is submitted to the
15 public body or agency for purposes of this paragraph. For purposes of this
16 paragraph, security means measures that protect against criminal acts
17 intended to intimidate or coerce the civilian population, influence
18 government policy by intimidation or coercion or to affect the operation of
19 government by disruption of public services, mass destruction,
20 assassination or kidnapping. Security measures include, but are not limited to,
21 intelligence information, tactical plans, resource deployment and
22 vulnerability assessments;

23 (13) to discuss matters relating to maternity centers and child care
24 facilities permitted to be discussed in a closed or executive meeting
25 pursuant to K.S.A. 65-525(d), and amendments thereto;

26 (14) to discuss matters relating to the office of inspector general
27 permitted to be discussed in a closed or executive meeting pursuant to
28 K.S.A. 2017 Supp. 75-7427, and amendments thereto; ~~and~~

29 (15) for the governor's domestic violence fatality review board to
30 conduct case reviews; *and*

31 *(16) to discuss matters relating to the authorization of school district*
32 *employees to carry concealed handguns pursuant to K.S.A. 2017 Supp. 75-*
33 *7c10, and amendments thereto, or the designation of SAFER schools team*
34 *members pursuant to section 5, and amendments thereto.*

35 (c) No binding action shall be taken during closed or executive
36 recesses, and such recesses shall not be used as a subterfuge to defeat the
37 purposes of this act.

38 (d) Any confidential records or information relating to security
39 measures provided or received under the provisions of subsection (b)(12),
40 shall not be subject to subpoena, discovery or other demand in any
41 administrative, criminal or civil action.

42 Sec. 17. K.S.A. 2017 Supp. 45-221, 72-6143, 75-7c03, 75-7c04, 75-
43 7c05, 75-7c08, 75-7c10 and 75-4319 are hereby repealed.

1 Sec. 18. This act shall take effect and be in force from and after its
2 publication in the Kansas register.