

## HOUSE BILL No. 2052

By Committee on Federal and State Affairs

Requested by Representative Howell

1-22

Proposed Amendments to House Bill No.  
Representative Clayton

Prepared by: Mike Heim  
Office of Revisor of Statutes

1 AN ACT concerning firearms; relating to the possession thereof; updating  
2 cross references in the personal and family protection act regarding the  
3 eligibility requirements to obtain a license to carry a concealed  
4 handgun; requiring a license be surrendered to the attorney general  
5 upon suspension or revocation of such license; providing for a  
6 transition from a provisional license to a standard license; prohibiting  
7 the collection of personal information of an off-duty law enforcement  
8 officer entering buildings while armed or requiring such officer to wear  
9 any item identifying such person as a law enforcement officer or being  
10 armed; amending K.S.A. 75-7c07 and 75-7c22 and K.S.A. 2024 Supp.  
11 75-7c04, 75-7c05 and 75-7c08 and repealing the existing sections.  
12

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

14 Section 1. K.S.A. 2024 Supp. 75-7c04 is hereby amended to read as  
15 follows: 75-7c04. (a) The attorney general shall not issue a license  
16 pursuant to this act if the applicant:

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

19 (2) is prohibited from shipping, transporting, possessing or receiving  
20 a firearm or ammunition under 18 U.S.C. § 922(g) or (n), and amendments  
21 thereto, or K.S.A. 21-4204, prior to its repeal, or K.S.A. 21-6301(a)(10)  
22 through (a)(13) or (a)(15) through (a)(18) or K.S.A. 21-6304(a)(1)  
23 through (a)(3) (a)(4), and amendments thereto; or

24 (3) (A) For a provisional license, is less than 18 years of age; or

25 (B) for a standard license, is less than 21 years of age.

26 (b) (1) The attorney general shall adopt rules and regulations  
27 establishing procedures and standards as authorized by this act for an  
28 eight-hour handgun safety and training course required by this section.  
29 Such standards shall include:

30 (A) A requirement that trainees receive training in the safe storage of  
31 handguns, actual firing of handguns and instruction in the laws of this state  
32 governing the carrying of concealed handguns and the use of deadly force;

33 (B) general guidelines for courses which are compatible with the  
34 industry standard for basic handgun training for civilians;

35 (C) qualifications of instructors; and

Strike in line 10

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1 (D) a requirement that the course be:

2 (i) A handgun course certified or sponsored by the attorney general;

3 or

4 (ii) a handgun course certified or sponsored by the national rifle  
5 association or by a law enforcement agency, college, private or public  
6 institution or organization or handgun training school, if the attorney  
7 general determines that such course meets or exceeds the standards  
8 required by rules and regulations adopted by the attorney general and is  
9 taught by instructors certified by the attorney general or by the national  
10 rifle association, if the attorney general determines that the requirements  
11 for certification of instructors by such association meet or exceed the  
12 standards required by rules and regulations adopted by the attorney  
13 general.

14 (2) Any person wanting to be certified by the attorney general as an  
15 instructor shall submit to the attorney general an application in the form  
16 required by the attorney general and a fee not to exceed \$150.

17 ~~(2)~~(3) The cost of the handgun safety and training course required by  
18 this section shall be paid by the applicant. The following shall constitute  
19 satisfactory evidence of satisfactory completion of an approved handgun  
20 safety and training course:

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

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

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

30 (D) a determination by the attorney general pursuant to subsection  
31 (c).

32 (c)(1) The attorney general may:

33 (A) Create a list of concealed carry handgun licenses or permits  
34 issued by other jurisdictions that the attorney general finds have training  
35 requirements that are equal to or greater than those of this state; and

36 (B) review each application received pursuant to K.S.A. 75-7c05, and  
37 amendments thereto, to determine if the applicant's previous training  
38 qualifications were equal to or greater than those of this state.

39 (2) For the purposes of this subsection:

40 (A) "Equal to or greater than" means the applicant's prior training  
41 meets or exceeds the training established in this section by having  
42 required, at a minimum, the applicant to:

43 (i) Receive instruction on the laws of self-defense; and

(ii) demonstrate training and competency in the safe handling, storage and actual firing of handguns.

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

(C) "License or permit" means a concealed carry handgun license or permit from another jurisdiction that has not expired and, except for any residency requirement of the issuing jurisdiction, is currently in good standing.

Sec. 2. K.S.A. 2024 Supp. 75-7c05 is hereby amended to read as follows: 75-7c05. (a) The application for a license pursuant to this act shall be completed, under oath, on a form prescribed by the attorney general and shall only include:

(1) (A) Subject to the provisions of subsection (a)(1)(B), the name, address, social security number, Kansas driver's license number or Kansas nondriver's license identification number, place and date of birth, a photocopy of the applicant's driver's license or nondriver's identification card and a photocopy of the applicant's certificate of training course completion; or

(B) in the case of an applicant who presents proof that such person is on active duty with any branch of the armed forces of the United States, or is the dependent of such a person, and who does not possess a Kansas driver's license or Kansas nondriver's license identification, the number of such license or identification shall not be required;

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

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

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

(5) a statement that the applicant desires a concealed handgun license as a means of lawful self-defense.

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

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

(2) an amount of \$32.50 payable to the sheriff of the county where the applicant resides for the purpose of covering the cost of taking fingerprints pursuant to subsection (c);

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

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

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1 (c) (1) Except as otherwise provided in subsection-~~(i)~~ (j), the sheriff,  
2 upon receipt of the items listed in subsection (b), shall provide for the full  
3 set of fingerprints of the applicant to be taken and forwarded to the  
4 attorney general for purposes of a criminal history records check as  
5 provided by subsection (d). In addition, the sheriff shall forward the  
6 application to the attorney general. Notwithstanding any provision in this  
7 section to the contrary, an applicant shall not be required to submit  
8 fingerprints for a renewal application under K.S.A. 75-7c08, and  
9 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 in accordance with K.S.A. 2024 Supp. 22-4714, and  
27 amendments thereto.

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

30 (1) (A) Issue the license and certify the issuance to the department of  
31 revenue; and

32 (B) if it is impractical for the division of vehicles of the department of  
33 revenue to issue physical cards consistent with the requirements of this act  
34 and the attorney general has determined that the conditions for such  
35 impracticality have existed for at least 30 days, the attorney general shall  
36 issue an authorization document in accordance with K.S.A. 75-7c03(d),  
37 and amendments thereto; or

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

1 informing the applicant the opportunity for a hearing pursuant to the  
2 Kansas administrative procedure act.

3 (f) *Any person who holds a provisional license issued pursuant to this*  
4 *act may, on reaching the age of 21 years, submit a request to the attorney*  
5 *general to have a standard license issued to such person. Upon*  
6 *confirmation that such person is at least 21 years of age, the attorney*  
7 *general shall issue a standard license to such person in accordance with*  
8 *this act. The term of such standard license shall be for the remaining*  
9 *unexpired portion of the term of such person's provisional license.*

10 (g) No person who is issued a license or has such license renewed  
11 shall be required to pay a fee for the cost of the license or renewal except  
12 as otherwise provided in subsection (b) for the purpose of covering the  
13 cost of taking fingerprints.

14 ~~(g)~~(h) (1) A person who is a retired law enforcement officer, as  
15 defined in K.S.A. 21-5111, and amendments thereto, shall be:

16 (A) Exempt from the required completion of a handgun safety and  
17 training course if such person was certified by the Kansas commission on  
18 peace officer's standards and training, or similar body from another  
19 jurisdiction, not more than eight years prior to submission of the  
20 application; and

21 (B) required to comply with the criminal history records check  
22 requirement of this section.

23 (2) Proof of retirement as a law enforcement officer shall be required  
24 and provided to the attorney general in the form of a letter from the agency  
25 head, or their designee, of the officer's retiring agency that attests to the  
26 officer having retired in good standing from that agency as a law  
27 enforcement officer for reasons other than mental instability and that the  
28 officer has a nonforfeitable right to benefits under a retirement plan of the  
29 agency.

30 ~~(h)~~(i) A person who is a corrections officer, a parole officer or a  
31 corrections officer employed by the federal bureau of prisons, as defined  
32 by K.S.A. 75-5202, and amendments thereto, shall be:

33 (1) Exempt from the required completion of a handgun safety and  
34 training course if such person was issued a certificate of firearms training  
35 by the department of corrections or the federal bureau of prisons or similar  
36 body not more than one year prior to submission of the application; and

37 (2) required to comply with the criminal history records check  
38 requirement of this section.

39 ~~(i)~~(j) A person who presents proof that such person is on active duty  
40 with any branch of the armed forces of the United States and is stationed at  
41 a United States military installation located outside this state, may submit  
42 by mail an application described in subsection (a) and the other materials  
43 required by subsection (b) to the sheriff of the county where the applicant

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1 resides. Provided the applicant is fingerprinted at a United States military  
2 installation, the applicant may submit a full set of fingerprints of such  
3 applicant along with the application. Upon receipt of such items, the  
4 sheriff shall forward to the attorney general the application.

5 Sec. 3. K.S.A. 75-7c07 is hereby amended to read as follows: 75-  
6 7c07. (a) In accordance with the provisions of the Kansas administrative  
7 procedure act, the attorney general shall deny a license *or the renewal*  
8 *thereof* to any applicant ~~for license~~ who is ineligible *for such license* under  
9 K.S.A. 75-7c04, and amendments thereto, and, except as provided by  
10 subsection (b), shall revoke at any time the license of any person who  
11 ~~would be~~ *becomes* ineligible *for such license* under K.S.A. 75-7c04, and  
12 amendments thereto, ~~if submitting an application for a license at such time.~~  
13 Review by the district court in accordance with the Kansas judicial review  
14 act shall be, at the option of the party seeking review, in Shawnee county  
15 or the county in which the petitioner resides. The revocation shall remain  
16 in effect pending any appeal and shall not be stayed by the court.

17 (b) The license of a person who is charged for an offense or is subject  
18 to a proceeding that could render the person ineligible pursuant to  
19 ~~subsection (a) of~~ K.S.A. 75-7c04(a), and amendments thereto, shall be  
20 subject to suspension and shall be reinstated upon final disposition of the  
21 charge or outcome of the proceeding as long as the arrest or proceeding  
22 does not result in a disqualifying conviction, commitment, finding or  
23 order.

24 (c) The sheriff of the county where a restraining order is issued that  
25 would prohibit issuance of a license under ~~subsection (a)(2) of~~ K.S.A. 75-  
26 7c04(a)(2), and amendments thereto, shall notify the attorney general  
27 immediately upon receipt of such order. If the person subject to the  
28 restraining order holds a license issued pursuant to this act, the attorney  
29 general immediately shall suspend such license upon receipt of notice of  
30 the issuance of such order. The attorney general shall adopt rules and  
31 regulations establishing procedures which allow for 24-hour notification  
32 and suspension of a license under the circumstances described in this  
33 subsection. The attorney general shall immediately reinstate the license, if  
34 it has not otherwise expired, upon proof of the cancellation of the order.

35 (d) *Upon the suspension or revocation of a license issued pursuant to*  
36 *this act, the licensee shall surrender the physical license card or*  
37 *authorization document issued pursuant to K.S.A. 75-7c03(d), and*  
38 *amendments thereto, to the attorney general. If suspended, such physical*  
39 *license card or authorization document shall be returned to the licensee at*  
40 *the conclusion of such suspension. The attorney general may impose a fee*  
41 *in an amount not to exceed \$250 on any licensee who fails to surrender a*  
42 *license within 30 days after written notification has been sent to such*  
43 *licensee that such license is suspended or revoked. All fees collected by the*

1 *attorney general pursuant to this subsection shall be remitted to the state*  
2 *treasurer who shall deposit the entire amount in the state treasury and*  
3 *credit such amount to the concealed handgun licensure fund.*

4 (e) (1) If the provisions of paragraph (2) are met, a license issued  
5 pursuant to this act shall not be revoked until 90 days after the person  
6 issued such license is no longer a resident of this state, if being a  
7 nonresident of this state is the only grounds for revocation.

8 (2) A license issued pursuant to this act shall be considered valid for  
9 90 days after a licensee is no longer a resident of Kansas, provided that:

10 (A) Prior to the change in residency, the licensee notified the attorney  
11 general in writing of the pending change; and

12 (B) the licensee's new state of residence, or any other state or  
13 jurisdiction that such licensee travels to during the 90-day period, would  
14 recognize such license as valid.

15 ~~(e)(f)~~ A person who has been issued a license pursuant to this act and  
16 who gave up residency in this state, but has returned to reside in this state  
17 shall be eligible to have their license reinstated as valid provided that:

18 (1) The license has not expired; and

19 (2) (A) the licensee notified the attorney general in writing of both the  
20 residency departure and relocation back to this state; or

21 (B) if such licensee failed to comply with the notification  
22 requirements of this subsection, the penalty provisions of ~~subsection (e) of~~  
23 K.S.A. 75-7c06(e), and amendments thereto, have been satisfied.

24 Sec. 4. K.S.A. 2024 Supp. 75-7c08 is hereby amended to read as  
25 follows: 75-7c08. (a) Not less than 90 days prior to the expiration date of  
26 the license, the attorney general shall mail to the licensee a written notice  
27 of the expiration and a renewal form prescribed by the attorney general.  
28 The licensee shall renew the license on or before the expiration date by  
29 filing with the attorney general the renewal form, a notarized affidavit,  
30 either in person or by certified mail, stating that the licensee remains  
31 qualified pursuant to the criteria specified in K.S.A. 75-7c04, and  
32 amendments thereto, and a full frontal view photograph of the applicant  
33 taken within the preceding 30 days to the attorney general. The attorney  
34 general shall complete a name-based background check, including a search  
35 of the national instant criminal background check system database. A  
36 renewal application is considered filed on the date the renewal form and  
37 affidavit are delivered in person to the attorney general's office or on the  
38 date a certified mailing to the attorney general's office containing these  
39 items is postmarked.

40 (b) Upon receipt of a renewal application as specified in subsection  
41 (a), a background check in accordance with K.S.A. 75-7c05(d), and  
42 amendments thereto, shall be completed. Fingerprints shall not be required  
43 for renewal applications. If the licensee is not disqualified as provided by

1 this act, the license shall be renewed upon receipt by the attorney general  
2 of the items listed in subsection (a) and the completion of the background  
3 check. If the licensee holds a valid provisional license at the time the  
4 renewal application is submitted *and has not been issued a standard*  
5 *license pursuant to K.S.A. 75-7c05(f), and amendments thereto*, then the  
6 attorney general shall issue a standard license to the licensee if the licensee  
7 is not disqualified as provided by this act.

8 (c) No license shall be renewed if the renewal application is filed six  
9 months or more after the expiration date of the license, and such license  
10 shall be deemed to be permanently expired. A person whose license has  
11 been permanently expired may reapply for licensure but an application for  
12 licensure pursuant to K.S.A. 75-7c05, and amendments thereto, shall be  
13 submitted, and a background investigation including the submission of  
14 fingerprints, shall be conducted pursuant to the provisions of that section.

15 ~~Sec. 5. K.S.A. 75-7c22 is hereby amended to read as follows: 75-~~  
16 ~~7c22. (a) (1) An off duty law enforcement officer may carry a concealed~~  
17 ~~handgun in any building where an on-duty law enforcement officer would~~  
18 ~~be authorized to carry a concealed handgun regardless of whether the~~  
19 ~~requirements of K.S.A. 75-7c10 or 75-7c20, and amendments thereto, for~~  
20 ~~prohibiting the carrying of a concealed handgun in such building have~~  
21 ~~been satisfied, provided:~~

22 ~~(1)(A) Such officer is in compliance with the firearms policies of such~~  
23 ~~officer's law enforcement agency; and~~

24 ~~(2)(B) such officer possesses identification required by such officer's~~  
25 ~~law enforcement agency and presents such identification when requested~~  
26 ~~by another law enforcement officer or by a person of authority for the~~  
27 ~~building where the carrying of concealed handguns is otherwise~~  
28 ~~prohibited.~~

29 ~~(2) No person of authority for a building shall require, request or~~  
30 ~~record personal information of any off duty law enforcement officer~~  
31 ~~entering such building in accordance with this section, including, but not~~  
32 ~~limited to, such officer's email address, home phone number or home~~  
33 ~~address, nor shall such officer be required to wear any item identifying~~  
34 ~~such officer as a law enforcement officer or as being armed.~~

35 ~~(b) A law enforcement officer from another state or a retired law~~  
36 ~~enforcement officer meeting the requirements of the federal law~~  
37 ~~enforcement officers safety act, 18 U.S.C. §§ 926B and 926C, may carry a~~  
38 ~~concealed handgun in any building where an on-duty law enforcement~~  
39 ~~officer would be authorized to carry a concealed handgun regardless of~~  
40 ~~whether the requirements of K.S.A. 75-7c10 or 75-7c20, and amendments~~  
41 ~~thereto, for prohibiting the carrying of a concealed handgun in such~~  
42 ~~building have been satisfied, provided, such officer possesses~~  
43 ~~identification required by the federal law enforcement officers safety act~~

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1 ~~and presents such identification when requested by another law~~  
2 ~~enforcement officer or by a person of authority for the building where the~~  
3 ~~carrying of concealed handguns is otherwise prohibited.~~

4 ~~(c) Any law enforcement officer or retired law enforcement officer~~  
5 ~~who is issued a license to carry a concealed handgun under the personal~~  
6 ~~and family protection act shall be subject to the provisions of that act,~~  
7 ~~except that for any such law enforcement officer or retired law~~  
8 ~~enforcement officer who satisfies the requirements of either subsection (a)~~  
9 ~~or (b) the provisions of this section shall control with respect to where a~~  
10 ~~concealed handgun may be carried.~~

11 ~~(d) The provisions of this section shall not apply to any building~~  
12 ~~where the possession of firearms is prohibited or restricted by an order of~~  
13 ~~the chief judge of a judicial district, or by federal law or regulation.~~

14 ~~(e) The provisions of this section shall not apply to any law~~  
15 ~~enforcement officer or retired law enforcement officer who has been~~  
16 ~~denied a license to carry a concealed handgun pursuant to K.S.A. 75-7c04,~~  
17 ~~and amendments thereto, or whose license to carry a concealed handgun~~  
18 ~~has been suspended or revoked in accordance with the provisions of the~~  
19 ~~personal and family protection act.~~

20 ~~(f) As used in this section:~~

21 ~~(1) "Law enforcement officer" means:~~

22 ~~(A) Any person employed by a law enforcement agency, who is in~~  
23 ~~good standing and is certified under the Kansas law enforcement training~~  
24 ~~act;~~

25 ~~(B) a law enforcement officer who has obtained a similar designation~~  
26 ~~in a jurisdiction outside the state of Kansas but within the United States; or~~

27 ~~(C) a federal law enforcement officer who as part of such officer's~~  
28 ~~duties is permitted to make arrests and to be armed.~~

29 ~~(2) "Person of authority" means any person who is tasked with~~  
30 ~~screening persons entering the building, or who otherwise has the authority~~  
31 ~~to determine whether a person may enter or remain in the building.~~

32 ~~(g) This section shall be a part of and supplemental to the personal~~  
33 ~~and family protection act.~~

34 ~~Sec. 6. K.S.A. 75-7c07 and 75-7c22 and K.S.A. 2024 Supp. 75-7c04,~~  
35 ~~75-7c05 and 75-7c08 are hereby repealed.~~

36 ~~Sec. 7. This act shall take effect and be in force from and after its~~  
37 ~~publication in the statute book.~~

Strike all in lines 1-33

Strike in line 34