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MEMORANDUM

To: Chairperson Thompson
Members of the Senate Committee on Federal and State Affairs

From: The Office of Revisor of Statutes

Date: March 17, 2025

Subject: HB 2052 – Updating cross references in the personal and family protection act regarding the eligibility requirements to obtain a license to carry a concealed handgun, requiring the surrender of a suspended or revoked license, providing for a transition from a provisional license to a standard license and prohibiting the collection of personal information of an off-duty law enforcement officer entering buildings while armed or requiring such officer to wear any item identifying such person as a law enforcement officer or being armed.

House Bill No. 2052 (HB 2052) amends the Personal and Family Protection Act to update the state law violations that make an individual ineligible to possess a license to carry a concealed handgun, to provide for the transition from a provisional license to a standard license, to direct a license holder to surrender their license if it is suspended or revoked, and to prohibit requiring off-duty law enforcement officers from identifying themselves when entering a building.

First, HB 2052 amends K.S.A. 75-7c04 regarding the criminal offenses that disqualify an individual from obtaining a license to carry a concealed handgun. Currently, those offenses are the following: (1) Federal prohibitions under 18 U.S.C. § 922(g) or (n); (2) state prohibitions under K.S.A. 21-6301(a)(10) through (a)(13); and (3) state prohibitions under K.S.A. 21-6302(a)(1) through (a)(3).

The bill removes the offenses related to possession on school property and replace them with offenses that mirror the federal prohibitions. These include being: (1) A fugitive; (2) an illegal alien in the United States; (3) subject to a protection from abuse order; and (4) having

been convicted of a domestic violence offense. Additionally, the bill adds the offense of unlawful possession of a concealed firearm.

Second, HB 2052 amends K.S.A. 75-7c05 to allow a person who has been issued a provisional license because they were under 21 at the time of application to request that their provisional license be replaced with a standard license when they turn 21. Under current law, to lawfully carry a concealed handgun while under the age of 21 a person must be in possession of a valid license issued by the Attorney General. This is a provisional license. Individuals who are 21 or older may carry a concealed handgun in Kansas without a license and if such individual applies for a license, they are issued a standard license.

The House Committee of the Whole amended HB 2052 to require the Attorney General provide a 60-day notice to each provisional licensee prior to the licensee turning 21 notifying the licensee that they may request to be issued a standard license.

Third, HB 2052 amends K.S.A. 75-7c07 to specify that the Attorney General may deny the renewal of a license if the holder becomes ineligible for such license. Also, new language is included that if a license is suspended or revoked by the Attorney General, then the licensee must surrender their license to the Attorney General. A suspended license would be returned to the license holder upon the conclusion of the suspension period. The Attorney General is authorized to impose a fee of up to \$250 on any licensee that fails to surrender their license within 30 days after receiving notice of the suspension or revocation.

Finally, HB 2052 amends K.S.A. 75-7c08 to prohibit the owner/operator of a building from requiring or recording the personal information of an off-duty law enforcement officer who enters the building, or requiring such officer wear any type of badge or other item identifying the officer as being a law enforcement officer or being armed.

HB 2052 passed the House of Representatives on a final action vote of 108-15.

If enacted, HB 2052 would become effective on July 1, 2025.