

HOUSE BILL No. 2042

By Committee on Federal and State Affairs

1-12

1 AN ACT concerning firearms; relating to the personal and family
2 protection act; relating to the recognition of licenses issued by another
3 jurisdiction; relating to confidentiality of licensure documents;
4 amending K.S.A. 2016 Supp. 75-7c03 and 75-7c06 and repealing the
5 existing sections.
6

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

8 Section 1. K.S.A. 2016 Supp. 75-7c03 is hereby amended to read as
9 follows: 75-7c03. (a) The attorney general shall issue licenses to carry
10 concealed handguns to persons who comply with the application and
11 training requirements of this act and who are not disqualified under K.S.A.
12 2016 Supp. 75-7c04, and amendments thereto. Such licenses shall be valid
13 throughout the state for a period of four years from the date of issuance.
14 The availability of licenses to carry concealed handguns under this act
15 shall not be construed to impose a general prohibition on the carrying of
16 handguns without such license, whether carried openly or concealed, or
17 loaded or unloaded.

18 (b) The license shall be a separate card, in a form prescribed by the
19 attorney general, that is approximately the size of a Kansas driver's license
20 and shall bear the licensee's signature, name, address, date of birth and
21 driver's license number or nondriver's identification card number except
22 that the attorney general shall assign a unique number for military
23 applicants or their dependents described in K.S.A. 2016 Supp. 75-7c05(a)
24 (1)(B), and amendments thereto.

25 (c) (1) *Subject to the provisions of subsection (c)(2), a valid license*
26 *or permit to carry concealed weapons issued by another jurisdiction shall*
27 *be recognized in this state, but only while the holder is not a resident of*
28 *Kansas.*

29 (2) *A valid license or permit that is recognized pursuant to this*
30 *subsection shall only entitle the lawful holder thereof to carry concealed*
31 *handguns, as defined by K.S.A. 2016 Supp. 75-7c02, and amendments*
32 *thereto, in this state and the holder thereof shall otherwise act in*
33 *accordance with the laws of this state while such holder is present in this*
34 *state. The recognition of a license or permit pursuant to this subsection*
35 *shall not be construed to impose a general prohibition on the carrying of*
36 *handguns without such license, whether carried openly or concealed, or*

1 *loaded or unloaded.*

2 (3) *As used in this subsection, the terms "jurisdiction" and "license or*
3 *permit" shall have the same meanings as provided in K.S.A. 2016 Supp.*
4 *75-7c04, and amendments thereto.*

5 Sec. 2. K.S.A. 2016 Supp. 75-7c06 is hereby amended to read as
6 follows: 75-7c06. (a) The attorney general shall be the official custodian of
7 all records relating to licenses issued pursuant to the personal and family
8 protection act.

9 (b) Except as provided by subsections (c) and (d), records relating to
10 persons issued licenses pursuant to this act, persons applying for licenses
11 pursuant to this act or persons who have had a license denied pursuant to
12 this act shall be confidential and shall not be disclosed pursuant to the
13 Kansas open records act. Any disclosure of a record in violation of this
14 subsection is a class A misdemeanor. *The provisions of this subsection*
15 *shall apply to the office of the attorney general, the department of revenue,*
16 *any sheriff's office or other law enforcement agency, and all employees,*
17 *contractors and agents thereof, and any other agency, office, department*
18 *or other governmental entity, and all employees, contractors and agents*
19 *thereof, having access to or otherwise privy to any of the records*
20 *described in this subsection.*

21 (c) Records of a person whose license has been suspended or revoked
22 pursuant to this act shall be subject to public inspection in accordance with
23 the open records act.

24 (d) The attorney general shall maintain an automated listing of license
25 holders and pertinent information, and such information shall be available
26 at all times to all law enforcement agencies in this state, other states and
27 the District of Columbia when requested for a legitimate law enforcement
28 purpose.

29 (e) Within 30 days after the changing of a permanent address, or
30 within 30 days after the discovery that a license has been lost or destroyed,
31 the licensee shall notify the attorney general of such change, loss or
32 destruction. The attorney general, upon notice and opportunity for hearing
33 in accordance with the provisions of the Kansas administrative procedure
34 act, may order a licensee to pay a fine of not more than \$100, or may
35 suspend the licensee's license for not more than 180 days, for failure to
36 notify the attorney general pursuant to the provisions of this subsection.

37 (f) In the event that a concealed handgun license is lost or destroyed,
38 the license shall be automatically invalid, and the person to whom the
39 license was issued, upon payment of \$15 to the attorney general, may
40 obtain a duplicate, or substitute thereof, upon furnishing a notarized
41 statement to the attorney general that such license has been lost or
42 destroyed.

43 Sec. 3. K.S.A. 2016 Supp. 75-7c03 and 75-7c06 are hereby repealed.

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