

SESSION OF 2018

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2042

As Amended by Senate Committee on Federal
and State Affairs

Brief*

HB 2042, as amended, would require the State of Kansas to recognize all valid concealed carry licenses and permits issued by other states to non-Kansas residents.

The bill would specify that such recognition of licenses would entitle the license holder to carry only concealed handguns, and license holders would be required to act in accordance with Kansas laws while in the state.

The bill would state the recognition of out-of-state concealed carry licenses would not be construed as a prohibition on the permit-less, concealed, or open carrying of loaded or unloaded firearms in the state.

Further, the bill would extend the prohibition on disclosing certain records relating to concealed carry permits under the Kansas Open Records Act (KORA) to the Office of the Attorney General, the Department of Revenue, any sheriff's office or other law enforcement agency, and all employees, contractors, and agents thereof, and any other agency, office, department, or other governmental entity, and all employees, contractors, and agents thereof with access to such records. Under current law, the disclosure of records relating to persons issued licenses, persons applying for licenses, or persons denied licenses cannot be disclosed as part of KORA.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Background

The bill was introduced in the House Committee on Federal and State Affairs at the request of the Office of the Attorney General. In the House Committee hearing held in February 2017, a representative of the Office of the Attorney General appeared in support of the bill. A private citizen appeared in opposition to the bill. Written-only opponent testimony was provided by Kansas Moms Demand Action for Gun Sense in America. No other testimony was provided.

The House Committee of the Whole amended the bill to include provisions lowering the age required to obtain a concealed carry permit and to allow postsecondary educational institutions to prohibit concealed carry by any person who does not possess a concealed carry license. The House Committee also adopted a technical amendment to update certain statutory references.

In the Senate Committee on Federal and State Affairs hearing held in February 2018, a representative of the Office of the Attorney General testified as a proponent. The Kansas Rifle Association offered written-only proponent testimony. Representatives of the Kansas Chapter of Moms Demand Action for Gun Sense in America, Kansas Conference of the American Association of University Professors, the University of Kansas American Association of University Professors, and several private citizens appeared as opponents to the bill. The Kansas Chapter of the Brady Campaign to Prevent Gun Violence, Kansas Interfaith Action, and Moms Demand Action for Gun Sense in America provided written-only opponent testimony. No other testimony was provided.

The Senate Committee amended the bill to remove the House Committee of the Whole amendments concerning the age required to obtain a concealed carry permit and allowing postsecondary educational institutions to prohibit concealed carry by any person who does not possess a concealed carry license, and to update certain statutory references.

According to the fiscal note prepared by the Division of the Budget during the 2017 Session, on the bill as introduced, the Office of the Attorney General indicates enactment of the bill would have no effect on its concealed carry licensing processes or operations. The Kansas Association of Counties reports the bill would have no fiscal effect on local governments. An updated fiscal note was not available at the time the Senate Committee took action on the bill.