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Testimony in Support of House Bill 2058

**Presented to the House Committee on Federal & State Affairs
By Kansas Attorney General Derek Schmidt
January 27, 2021**

Chairman Barker and Members of the Committee:

Thank you for allowing me to provide testimony in support of House Bill 2058. This bill seeks to restore language in the Personal and Family Protection Act that we believe was inadvertently stricken in 2015 when the Legislature adopted the current law, allowing concealed carry without a license.

Prior to 2015, a provision in the KPFPA required the attorney general to recognize all “valid” concealed carry licenses issued by other “jurisdiction.” That language was amended into the law in 2013 at our request to maximize the number of states that would recognize concealed carry licenses issued by the State of Kansas. While that all-inclusive recognition language was theoretically no longer necessary in order for a qualifying, non-resident to carry concealed in Kansas, that language was helpful to be able to demonstrate to other states that their licenses are recognized. This becomes important because some state laws require their licenses to be recognized by Kansas in order to recognize Kansas licensees who visit their states.

Since that language was repealed in 2015, we have had several states inquire about the lack of reciprocity language in our statute. Fortunately, so far we have been able to demonstrate that because Kansas law generally does not require a license to carry a concealed handgun, therefore, most licensees from another state would be able to carry under that general permission. However, it is possible that in the future, some licensing authority in another state could determine the lack of specific recognition language in our statutes is not sufficient for reciprocity.

The bill before you today would largely restore the 2013 language, while recognizing that state law now allows for the carrying of a concealed handgun without a license. This bill has been before you several times before. We first brought this proposal in 2017. The bill passed out of this committee in 2017, but was not considered on the floor. In 2018, the bill did pass both the House and Senate in different forms, but the Conference Committee did not come to agreement on the bill before the Legislature adjourned. The bill passed the House again in 2019, but was not considered by the Senate during the 2019-2020 biennium.

I appreciate the Committee taking up this issue once again this year.

We are aware that you are also hearing House Bill 2059 today. That bill also contains these provisions regarding reciprocity, along with a new proposal for issuing permits to individuals between 18-20 years of age. We appreciate the inclusion of the reciprocity language in that bill, but do not take a position on the other provisions of that bill.

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