

2012 Kansas Statutes

75-7c10. Same; restrictions on carrying concealed handgun on certain property; exceptions; penalties for violations. (a) Provided that the premises are conspicuously posted in accordance with rules and regulations adopted by the attorney general as premises where carrying a concealed handgun is prohibited, no license issued pursuant to or recognized by this act shall authorize the licensee to carry a concealed handgun into the building of:

- (1) Any place where an activity declared a common nuisance by K.S.A. 22-3901, and amendments thereto, is maintained;
- (2) any police, sheriff or highway patrol station;
- (3) any detention facility, prison or jail;
- (4) any courthouse, except that nothing in this section would preclude a judge from carrying a concealed handgun or determining who may carry a concealed handgun in the judge's courtroom;
- (5) any polling place on the day an election is held;
- (6) any state office;
- (7) any facility hosting an athletic event not related to or involving firearms which is sponsored by a private or public elementary or secondary school or any private or public institution of postsecondary education;
- (8) any facility hosting a professional athletic event not related to or involving firearms;
- (9) any drinking establishment as defined by K.S.A. 41-2601, and amendments thereto;
- (10) any elementary or secondary school, attendance center, administrative office, services center or other facility;
- (11) any community college, college or university;
- (12) any child exchange and visitation center provided for in K.S.A. 75-720, and amendments thereto;
- (13) any community mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto; any mental health clinic organized pursuant to K.S.A. 65-211 et seq., and amendments thereto; any psychiatric hospital licensed under K.S.A. 75-3307b, and amendments thereto; or a state psychiatric hospital, as follows: Larned state hospital, Osawatomie state hospital or Rainbow mental health facility;
- (14) any public library operated by the state;
- (15) any day care home or group day care home, as defined in Kansas administrative regulation 28-4-113, or any preschool or childcare center, as defined in Kansas administrative regulation 28-4-420; or
- (16) any place of worship.

(b) Nothing in this act shall be construed to prevent:

(1) Any public or private employer from restricting or prohibiting by personnel policies persons licensed under this act from carrying a concealed handgun while on the premises of the employer's business or while engaged in the duties of the person's employment by the employer, except that no employer may prohibit possession of a handgun in a private means of conveyance, even if parked on the employer's premises; or

(2) any private business or city, county or political subdivision from restricting or prohibiting persons licensed or recognized under this act from carrying a concealed handgun within a building or buildings of such entity, provided that the premises are posted in accordance with rules and regulations adopted by the attorney general pursuant to subsection (f), as premises where carrying a concealed handgun is prohibited.

(c) (1) It shall be a violation of this section to carry a concealed handgun in violation of any restriction or prohibition allowed by subsection (a) or (b) if the premises are posted in accordance with rules and regulations adopted by the attorney general pursuant to subsection (f). Any person who violates this section shall be guilty of a misdemeanor punishable by a fine of: (A) Not more than \$50 for the first offense; or (B) not more than \$100 for the second offense. Any third or subsequent offense is a class B misdemeanor.

(2) Notwithstanding the provisions of subsection (a) or (b), it is not a violation of this section for the United States attorney for the district of Kansas, the attorney general, any district attorney or county attorney, any assistant United States attorney if authorized by the United States attorney for the district of Kansas, any assistant attorney general if authorized by the attorney general, or any assistant district attorney or assistant county attorney if authorized by the district attorney or county attorney by whom such assistant is employed, to possess a handgun within any of the buildings described in subsection (a) or (b), subject to any restrictions or prohibitions imposed in any courtroom by the chief judge of the judicial district. The provisions of this paragraph shall not apply to any person who is not in compliance with K.S.A. 2012 Supp. 75-7c19, and amendments thereto.

(d) For the purposes of this section, "building" shall not include any structure, or any area of any structure, designated for the parking of motor vehicles.

(e) Nothing in this act shall be construed to authorize the carrying or possession of a handgun where prohibited by federal law.

(f) The attorney general shall adopt rules and regulations prescribing the location, content, size and other characteristics of signs to be posted on premises where carrying a concealed handgun is prohibited pursuant to subsections (a) and (b). Such regulations shall prescribe, at a minimum, that:

- (1) The signs be posted at all exterior entrances to the prohibited buildings;
- (2) they be posted at eye level of adults using the entrance and not more than 12 inches to the right or left of such entrance;
- (3) the signs not be obstructed or altered in any way; and
- (4) signs which become illegible for any reason be immediately replaced.

History: L. 2006, ch. 32, § 10; L. 2006, ch. 210, § 7; L. 2007, ch. 166, § 5; L. 2009, ch. 92, § 5; L. 2010, ch. 140, § 9; July 1.