



TO: Senate Federal and State Affairs Committee

FROM: Eric B. Smith, Legal Counsel

DATE: March 14, 2013

RE: Opposition to SB 186

I want to thank the Committee for allowing the League of Kansas Municipalities to testify in opposition to SB 186. We believe that cities should have the right to control the concealed carry of firearms in our communities, but understand that the Legislature has made a policy choice to the contrary. This bill, however, would allow license holders to carry concealed in every building and premise owned by the state, cities, and counties. This bill takes away the ability of local governments to regulate concealed firearms on their property unless they spend large amounts of taxpayer money. LKM certainly understands the arguments of the proponents of this bill regarding public safety, but the principles of local control should be respected to allow cities who disagree to control their own buildings and employees.

What the bill does in New Section 1 is to state that carrying a concealed weapon cannot be prohibited in state or municipal facilities or premises unless they have in place "adequate security measures," defined as the use of electronic screening equipment and personnel at all public entrances, to ensure no one has a weapon. It also stops municipalities from prohibiting employees with a concealed carry license from carrying a weapon in the workplace, unless the workplace is likewise screened. All of the exceptions to being able to carry concealed in K.S.A. 75-7c10 are only excepted if the facility is adequately screened. Few cities in Kansas could afford the equipment and personnel to meet this mandate, depriving cities of the ability to control their own facilities.

LKM understands there is a desire to expand the ability of concealed carry license holders to enter into public buildings. SB 186 does provide some local control by allowing a governing body to seek a four year exemption. We are grateful for this exemption language and believe that local governments will be able to work with this version as opposed to other versions which provide no options for local governing bodies. LKM supports the local control options provided in SB 186.

The exemption provided in sub-section g of New Section 1 is very important for cities so they can examine each of their facilities and develop a security plan that is appropriate based on the needs and funds available. This will allow places such as the City of Emporia to exempt the building that the university uses for athletics to avoid conflicts with the athletic conferences. There are so many different buildings owned by municipalities that local officials should have the ability to control the buildings with an understanding that the Legislature wants the local officials to consider the rights and safety of all citizens including those with concealed carry licenses. Local government is in a better place to make security decisions at local buildings than a flat mandate from the state.

LKM takes no position as to the rights of gun owners. Our opposition is based on the removal of local control over locally owned facilities and local government employees. LKM respectfully urges this Committee to **not** report SB 186 favorably for passage.