

## HOUSE BILL No. 2058

By Committee on Federal and State Affairs

1-13

1 AN ACT concerning firearms; relating to the personal and family  
2 protection act; recognition of licenses issued by other jurisdictions;  
3 amending K.S.A. 75-7c03 and K.S.A. 2020 Supp. 21-6302 and  
4 repealing the existing sections.

5  
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 2020 Supp. 21-6302 is hereby amended to read as  
8 follows: 21-6302. (a) Criminal carrying of a weapon is knowingly  
9 carrying:

10 (1) Any bludgeon, sandclub, metal knuckles or throwing star;

11 (2) concealed on one's person, a billy, blackjack, slungshot or any  
12 other dangerous or deadly weapon or instrument of like character;

13 (3) on one's person or in any land, water or air vehicle, with intent to  
14 use the same unlawfully, a tear gas or smoke bomb or projector or any  
15 object containing a noxious liquid, gas or substance; ~~or~~

16 (4) any pistol, revolver or other firearm concealed on one's person if  
17 such person is under 21 years of age, except when on such person's land or  
18 in such person's abode or fixed place of business; or

19 (5) a shotgun with a barrel less than 18 inches in length or any other  
20 firearm designed to discharge or capable of discharging automatically  
21 more than once by a single function of the trigger whether the person  
22 knows or has reason to know the length of the barrel or that the firearm is  
23 designed or capable of discharging automatically.

24 (b) Criminal carrying of a weapon as defined in:

25 (1) Subsections (a)(1), (a)(2), (a)(3) or (a)(4) is a class A nonperson  
26 misdemeanor; and

27 (2) subsection (a)(5) is a severity level 9, nonperson felony.

28 (c) Subsection (a) shall not apply to:

29 (1) Law enforcement officers, or any person summoned by any such  
30 officers to assist in making arrests or preserving the peace while actually  
31 engaged in assisting such officer;

32 (2) wardens, superintendents, directors, security personnel and  
33 keepers of prisons, penitentiaries, jails and other institutions for the  
34 detention of persons accused or convicted of crime, while acting within the  
35 scope of their authority;

36 (3) members of the armed services or reserve forces of the United

1 States or the Kansas national guard while in the performance of their  
2 official duty; or

3 (4) the manufacture of, transportation to, or sale of weapons to a  
4 person authorized under subsections (c)(1), (c)(2) and (c)(3) to possess  
5 such weapons.

6 *(d) Subsection (a)(4) shall not apply to any person who possesses a  
7 valid license or permit to carry a concealed firearm that was issued by  
8 another jurisdiction and is recognized in this state pursuant to K.S.A. 75-  
9 7c03, and amendments thereto.*

10 ~~(d)~~(e) Subsection (a)(5) shall not apply to:

11 (1) Any person who sells, purchases, possesses or carries a firearm,  
12 device or attachment which has been rendered unserviceable by steel weld  
13 in the chamber and marriage weld of the barrel to the receiver and which  
14 has been registered in the national firearms registration and transfer record  
15 in compliance with 26 U.S.C. § 5841 et seq. in the name of such person  
16 and, if such person transfers such firearm, device or attachment to another  
17 person, has been so registered in the transferee's name by the transferor;

18 (2) any person employed by a laboratory which is certified by the  
19 United States department of justice, national institute of justice, while  
20 actually engaged in the duties of their employment and on the premises of  
21 such certified laboratory. Subsection (a)(5) shall not affect the manufacture  
22 of, transportation to or sale of weapons to such certified laboratory; or

23 (3) any person or entity in compliance with the national firearms act,  
24 26 U.S.C. § 5801 et seq.

25 ~~(e)~~(f) As used in this section, "throwing star" means the same as  
26 prescribed by K.S.A. 2020 Supp. 21-6301, and amendments thereto.

27 Sec. 2. K.S.A. 75-7c03 is hereby amended to read as follows: 75-  
28 7c03. (a) The attorney general shall issue licenses to carry concealed  
29 handguns to persons who comply with the application and training  
30 requirements of this act and who are not disqualified under K.S.A. 75-  
31 7c04, and amendments thereto. Such licenses shall be valid throughout the  
32 state for a period of four years from the date of issuance. The availability  
33 of licenses to carry concealed handguns under this act shall not be  
34 construed to impose a general prohibition on the carrying of handguns  
35 without such license, whether carried openly or concealed, or loaded or  
36 unloaded.

37 (b) The license shall be a separate card, in a form prescribed by the  
38 attorney general, that is approximately the size of a Kansas driver's license  
39 and shall bear the licensee's signature, name, address, date of birth and  
40 driver's license number or nondriver's identification card number except  
41 that the attorney general shall assign a unique number for military  
42 applicants or their dependents described in K.S.A. 75-7c05(a)(1)(B), and  
43 amendments thereto.

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

5       (2) *A valid license or permit that is recognized pursuant to this*  
6 *subsection shall only entitle the lawful holder thereof to carry concealed*  
7 *handguns, as defined by K.S.A. 75-7c02, and amendments thereto, in this*  
8 *state, and the holder thereof shall otherwise act in accordance with the*  
9 *laws of this state while such holder is present in this state. The recognition*  
10 *of a license or permit pursuant to this subsection shall not be construed to*  
11 *impose a general prohibition on the carrying of handguns without such*  
12 *license, whether carried openly or concealed, or loaded or unloaded.*

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

16       Sec. 3. K.S.A. 75-7c03 and K.S.A. 2020 Supp. 21-6302 are hereby  
17 repealed.

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