



**K-1
Concealed Carry**

**K-2
Uniform State
Laws—Knives,
Handguns, State
Pre-emption,
and Unlawful
Discharge**

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Firearms and Weapons

K-2 Uniform State Laws—Knives, Handguns, State Pre-emption, and Unlawful Discharge

The 2013 Legislature passed HB 2033, which prohibits municipalities from regulating the transportation, possession, carrying, sales, transfer, purchase, gifting, licensing, registration, or use of a knife or knife-making components. In addition, the legislation:

- Prohibits a municipality from passing any ordinance, resolution, or rule that would be more restrictive regarding knife manufacturing than the manufacture of any other commercial product;
- Amends provisions related to the criminal use of weapons and criminal carrying of a weapon by removing certain types of knives, as well as by eliminating certain exceptions for carrying specific types of pocket knives and switchblade knives; and
- Excludes from the definition of “municipality” certain entities, namely, school districts, jails, and juvenile correctional facilities.

2nd Amendment Rights

The 2013 Legislature passed SB 102, which establishes the Second Amendment Protection Act in statute. The legislation has three main provisions that:

- Exclude from federal regulation any personal firearm, firearm accessory, or ammunition manufactured commercially or privately and owned in Kansas. The legislation provides that for as long as any such personal firearm, firearm accessory, or ammunition remains within the borders of Kansas, it is not subject to any federal law, regulation, or authority;
- Prevent any federal agent or contracted employee, any state employee, or any local authority from enforcing any federal regulation or law governing any personal firearm, firearm accessory, or ammunition manufactured commercially or privately and owned in Kansas, provided it remains within the borders of Kansas. In the process of a criminal prosecution, the legislation would preclude any arrest or detention prior to a trial for a violation of the Act; and
- Allow a county or district attorney or the Attorney General to seek injunctive relief in court to enjoin certain federal officials from enforcing federal law regarding a firearm, a firearm accessory, or ammunition that is manufactured commercially or privately

and owned in the state of Kansas and that remains within the borders of Kansas.

Uniform Regulation of Firearms and Concealed Carry

The 2013 Legislature amended existing law concerning firearms, concealed handguns, criminal law regarding concealed handguns, and the Personal and Family Protection Act (concealed carry of handguns). The principal legislation was Senate Sub. for HB 2052 that:

- Prohibits the unlawful discharge of a firearm within or into the corporate limits of any city. The bill provides exemptions for when a firearm may be discharged within or into a city and also classifies the unlawful discharge of a firearm as a class B, nonperson misdemeanor;
- Provides that it will not be a criminal violation for a licensed person to carry a concealed handgun through a restricted access entrance into a state or municipal building with adequate security measures;
- Establishes that it is not a crime for a person to carry a concealed handgun into a public building if properly posted and allows for the denial entry to a building or removal of such person from a building where concealed carry is prohibited; and
- Modifies the Personal and Family Protection Act to allow the possession of firearms on certain governmental property, including in most state and municipal buildings, except where prohibited in compliance with and under provisions of the new law (see article on Concealed Carry for details).

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