



TESTIMONY IN OPPOSITION OF HB 2055 – Personal and Family Protection Act; public buildings; adequate security

To: Honorable Chairman Arlen Siegfroid
House Standing Committee on Federal and State Affairs

From: Leslee Rivarola, Assistant City Administrator
City of Lenexa
(913) 477-7550
lrivarola@lenexa.com

Date: February 19, 2013

Honorable Chair and Members of the House Standing Federal and State Affairs Committee the City of Lenexa respectfully opposes HB 2055.

HB 2055 will force cities who desire to post their public facilities as “no conceal carry” to install metal detectors and hire staff at each public entrance to our facilities. As a practical matter, the City of Lenexa has 9 facilities which would require installation of metal detection devices and staff to operate them while the facilities are open to the public. This would be a costly unfunded mandate which would force our Governing Body to make significant policy decisions on whether or not to maintain the facilities as “no conceal carry.” We respectfully disagree with the fiscal note which indicates “The Attorney General reports that the fiscal effect of HB 2055 would be negligible.” This may be accurate for State facilities, which are either exempt from this legislation or already have metal detection devices and staff in place, but certainly not at the local level where we do not have metal detectors manned by security staff at public entrances. We respectfully ask your consideration of the burdensome cost this legislation will have on local government budgets.

HB 2055 also infringes upon local units of government employer/employee relationships by preempting policies which would prohibit employees from carrying a firearm. For example, we have employees who work for Departments such as Parks and Recreation and Municipal Services (Public Works) which do not have public entrances, and under this legislation the City would not be

allowed to prohibit these employees from carrying a concealed weapon at work. As a practical matter, these same employees spend a great deal of their time in the field and not inside public facilities, but rather on our streets and in our parks.

In addition, the City of Lenexa also opposes any legislation which would preempt the City's ability to regulate the manner of open carry of firearms within our respective jurisdiction. HB 2111 has no licensing standards, if the Committee intends to work HB 2111 we strongly urge you to establish the same licensing standards for open carry as currently exists for conceal carry. The inability to determine if an open carry individual is mentally ill or otherwise untrained in safe firearm practices is dangerous, particularly in more urban areas. Under HB 2111, no exemptions are provided for municipal court facilities. The proposed legislation seems to anticipate the safety reasons why firearms should be banned from State and County courthouses, and we would express the same safety concerns exist in municipal court settings. Equally concerning is open carry for the transporting of firearms and ammunition. This puts our law enforcement officers in danger and also has the potential to place an untrained open carry individual in danger for not understanding how to safely report there is a firearm and/or ammunition in a vehicle if it is stopped.

I apologize in advance if it is not the Committee's intent to hear conceal carry and open carry at the same time. The City of Lenexa respectfully urges the committee to work open carry legislation separate from any conceal carry legislation.

Lenexa respectfully asks your consideration in allowing us to maintain local control so that we can set policies consistent with the expectation of our community.