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Senate Standing Committee on Federal and State Affairs

Testimony Supporting SB 66

Addressing Adequate Security in Parts of Publicly Owed Buildings

February 5, 2015

Chairman Ostmeier,

Welcome back!

Senate Bill 66 is simply allowing the provisions of the public building security bill, which was passed two years ago, to be applied in a part of, rather than in the entire, state or municipal building. Courthouses in many rural counties, for example, have chosen to secure the court areas and would like to only provide adequate security there and to post prohibiting any firearm only in those areas.

An Attorney General opinion was published stating that the new statute allowed only entire buildings to be considered and posted, not parts of buildings. This was indeed a literal reading of the law, but the spirit of the law would include any area that could be secured. This bill is intended to accomplish this by defining a "public area" and applying the same law to this area.

I would like to request the committee to consider amending the bill in some ways. A purely technical amendment would be to reinstate the deleted language on page 4, found in lines 7 through 9, which lists the definition of "Restricted access entrance." It turns out that the term is still used in the statute and can be seen on line 36 of page 1.

Another amendment that is just clean up of the statutes, because the date has passed, deals with the exemptions that are listed on pages 2 and 3. By changing the date "2014" shown on page 2, line 33, to "2018" and deleting all language following the date, through the word "years" on line 37, the exemptions are allowed until the end of the four year period, January 1, 2018. Also, on page 3 by deleting on line 10 the words "for a period of only four years only" and replacing it with "until January 1, 2018" the same thing is accomplished in a more clear manner.

Related to further date clean up and clarification, note the language deleted on page 4, lines 20 and 21. I would ask the committee to consider deleting line 22 also. I believe that not considering the capitol a state or municipal building was needed in its unique treatment during this previous time period. I don't believe there is any reason to treat it differently at this point and would ask for this amendment.

Thank you for your positive consideration of Senate Bill 66. This allows the state and the municipalities more flexibility in dealing with their security needs.