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MEMORANDUM

To: Chairman Barker
Members of the House Committee on Federal and State Affairs

From: Jason B. Long, Senior Assistant Revisor

Date: February 1, 2017

Subject: HB 2042 – Recognition of licenses and confidentiality requirements under the Personal and Family Protection Act.

House Bill No. 2042 (HB 2042) amends K.S.A. 75-7c03 and 75-7c06. The first amendments are to K.S.A. 75-7c03 regarding recognition of licenses or permits to carry a concealed handgun issued by another jurisdiction. Prior legislation that removed the licensure requirement under Kansas law also removed provisions recognizing licenses issued by other jurisdictions. HB 2042 reinstates this recognition. Under the bill a license or permit issued by another jurisdiction will be recognized as a valid license to carry a concealed handgun in Kansas provided the holder is not a resident of Kansas. Furthermore, HB 2042 provides that any holder of a license or permit issued by another jurisdiction is to carry a concealed handgun in accordance with the laws of the State of Kansas.

The second amendment is to K.S.A. 75-7c06 regarding the confidentiality of records made during the licensure process. Current law makes records relating to the issuance of a license to carry a concealed handgun confidential and such records are not subject to the Kansas Open Records Act. It is a Class A misdemeanor to violate this confidentiality provision. HB 2042 clarifies that these existing provisions apply to the Attorney General's Office, the Department of Revenue, and any sheriff's office or other law enforcement agency. The confidentiality provisions also apply to any employees, agents, or contractors working with any such agency.

If enacted HB 2042 would become effective on July 1, 2017.