



KANSAS BOARD OF REGENTS

## Amending the Policy on Weapons Possession at State Universities in Kansas FACT SHEET

October 2015

### Signs posted at exterior entrances to state university buildings articulate current state law:

*On and after July 1, 2013, persons licensed<sup>i</sup> to carry concealed handguns under the Personal and Family Protection Act are prohibited from carrying concealed handguns within this state or municipal building because either a temporary exemption or adequate security measures are in place pursuant to K.S.A. 2013 Supp. 75-7c20.*

In June 2013, the Kansas Board of Regents exercised an option outlined in this statute to activate a temporary exemption from its requirements. This resulted in each of the six state universities being exempt from the statute for four years, the maximum allowed. By law, the exemption **expires on July 1, 2017**. [K.S.A. 75-7c20(j)(5)]

Effective July 1, 2014, state law was enacted to require posting signs in order to prohibit the open carry of firearms in buildings. **That law does not remove the Board of Regents' authority to continue to prohibit the open carry of firearms on university campuses**, in buildings and all other areas, provided the required signage is posted at all exterior entrances of each building. [K.S.A. 75-7c24]

### Under current state law<sup>ii</sup> it is a crime for certain individuals to possess a **concealed handgun**:

- any person under the age of 21, except on one's own land, home or fixed place of business [K.S.A. 21-6302(a)(4)]

Under current state law it is a crime for certain individuals to possess any firearm, or to possess certain firearms under certain circumstances, **whether or not concealed**:

- any person under the influence of alcohol or drugs, or both, to such a degree as to render such person incapable of safely operating a firearm [K.S.A. 21-6332]
- any person under the age of 18, any firearm with a barrel less than 12 inches in length, except in very limited circumstances [K.S.A. 21-6301(a)(14)]
- any person who is both addicted to and an unlawful user of a controlled substance [K.S.A. 21-6301(a)(10)]
- any person who is or has been a mentally ill person subject to involuntary commitment [K.S.A. 21-6301(a)(13)]
- any person with an alcohol or substance abuse problem subject to involuntary commitment [K.S.A. 21-6301(a)(13)]
- any convicted felon, as defined by law [K.S.A. 21-6304]

Under current state law, with certain limited exceptions, it is a crime for any person to possess certain types of firearms and ammunition, **whether or not concealed**, or to discharge firearms under certain circumstances:

- any shotgun with a barrel less than 18 inches in length [K.S.A. 21-6301(a)(5)]
- any firearm capable of discharging automatically by single function of the trigger [K.S.A. 21-6301(a)(5)]
- any cartridge which can be fired by a handgun and which has a plastic-coated bullet with a core of less than 60% lead by weight [K.S.A. 21-6301(a)(6)]
- any suppressor or silencer [K.S.A. 21-6301(a)(4)]
- discharging a firearm in the corporate limits of a city or at a dwelling, or at a structure or vehicle in which people are present, unless under specific situations as outlined [K.S.A. 21-6308 and 21-6308a]

The Kansas Personal and Family Protection Act allows for state universities to continue the prohibition of carrying a concealed handgun in any building for which "adequate security measures," as defined by law, and proper signage are in place. Part of the ongoing implementation process of the Board of Regents and state universities will be to identify those buildings and areas of buildings for which these adequate security measures should be installed by July 1, 2017.

<sup>i</sup> Please note: An amendment to the Personal and Family Protection Act, passed in 2015, removed the licensure requirement for carrying a concealed handgun in Kansas. However, there are still a number of state law eligibility requirements to lawfully carry a concealed handgun.

<sup>ii</sup> Current state law as outlined is in effect now and will continue to be in effect on July 1, 2017, unless amended by a future legislature.