

OTHER PROHIBITED PLACES OF CONSIDERATION

Since the last update to this document, the Kansas Legislature made amendments to the ‘prohibited places’ of concealed carry enumerated or otherwise allowed under K.S.A. 75-7c10 and K.S.A. 75-7c11. The general stance of those 2007 amendments is spelled out under the Summary of the 2007 Changes to Concealed Carry document found at:

<http://www.ksag.org/files/shared/HB2528.Modifications.pdf>.

In sum, all places enumerated under K.S.A. 75-7c10, **except for federal properties**, now require A.G. approved signage in order to carry a violation of 75-7c10. As a general matter then, all Kansas, or visiting, licensees should be on the look-out for A.G. approved signage in order to give them notice of not to carry at that location. There is no need, therefore, to spell out in quite as much detail, the list of locations previously enumerated with this document – for example, the ‘common nuisance’ locations of K.S.A. 75-7c10(a)(1) – so some of those areas have been removed while others will remain.

Below are some locations that licensees will definitely need to be cognizant of during their travels if they are carrying concealed.

State office buildings (A.G. Posting required)

As per K.A.R. 16-11-1, includes the interior of any of the following buildings:

- a) Those buildings named in 21-4218, and amendments thereto;
 - (1) K.S.A. 21-4218 prohibits firearms within the following;
 - (a) the State capitol building;
 - (b) the Governor’s residence;
 - (c) the buildings located on the grounds of the Governor’s residence;
 - (d) the Docking building located in Topeka;
 - (e) the Landon building located in Topeka;
 - (f) the Kansas Judicial Center located in Topeka;
 - (g) any other state owned or leased buildings if firearms are prohibited by regulation and signs are posted informing of such prohibition;
 - (h) the office of the Governor;
 - (i) the office of any other state elected official;
 - (j) any room where the state legislature is conducting a hearing; or
 - (k) any county courthouse (unless the concealed carry licensee also meets one of the enumerated exceptions to carrying concealed in a county courthouse).

- b) the following buildings located in Topeka, Kansas;
 - (1) the Memorial building, 120 S.W. 10th Avenue
 - (2) the Forbes office building #740
 - (3) the division of printing plant, 201 NW MacVicar;
 - (4) the state office building located at 3440 SE 10th Street [Avenue];
 - (5) the Dillon house, 404 SW 9th Street;
 - (6) the Curtis state office building, 1000 SW Jackson;
 - (7) the state office building located at 700 SW Harrison; and
- c) all other state-owned or state-leased buildings in which firearm possession is prohibited by posting as provided in K.A.R. 1-49-11;
 - (1) K.A.R. 1-49-11 states: “The provisions of K.S.A. 1992 Supp. 21-4218, as amended, with respect to possession of firearms shall apply to all state-owned or leased buildings in which the agency or agencies occupying the building have conspicuously placed signs clearly stating that firearms are prohibited within that building.”

Federal Facilities (No A.G. Posting Required)

18 U.S.C. 930 states that the possession of firearms, or causing a firearm to be present, in a federal facility or federal court facility will subject the individual to federal charges.

- a.) A “federal facility” is defined as, “a building or part thereof owned or leased by the Federal Government, where Federal employees are regularly present for the purpose of performing their official duties.” 18 U.S.C. 930(g)(1).

For example: Post Offices; FBI branch offices, IRS branch offices, etc.

- b.) A “federal court facility” means, “the courtroom, judges' chambers, witness rooms, jury deliberation rooms, attorney conference rooms, prisoner holding cells, offices of the court clerks, the United States attorney, and the United States marshal, probation and parole offices, and adjoining corridors of any court of the United States.” 18 U.S.C. 930(g)(3).

Federal Lands (No A.G. Posting Required)

As a general matter, carrying concealed weapons into National Parks, Monuments, and all other lands will be prohibited. *See*, 36 C.F.R. 2.4. There are possible exceptions, but a licensee will need to contact Park, Monument, or other appropriate officials in order to determine the legality of possessing weapons at said site.

Corp of Engineers Land (No A.G. Posting Required)

As a general matter, these lands are “no firearms allowed” as per federal regulation (36 CFR 327.13) and licensees should always call ahead to Corp authorities to find out any such property boundaries so as to avoid crossing into such. This is especially important as often times, Corp properties may abut or be found within State park areas (where carrying a firearm is generally allowed).

Casinos (Tribal casinos: no A.G. posting required. Non-tribal: A.G. Posting required)

Pursuant to the Tribal Gaming Compacts, casinos located on tribal lands are areas where no firearms will be allowed to be carried by the general public or concealed carry licensees. Some non-tribal casinos have begun and will continue to develop throughout Kansas in recent years and beyond – those casinos will be governed by Kansas laws and licensees should be aware of any signage restricting their firearms access into the casino.

Tribal Lands (No A.G. posting required)

As a general matter, tribal lands are independently governed by their own respective tribes and state laws have no effect upon tribal laws. It is our understanding that visiting licensees will be recognized so long as they are acting according to state laws. However, should a licensee be traveling onto tribal lands, it is always best to contact the local policing authority and inquire as to the proper manner of carrying a firearm.

Race tracks (A.G. Posting Required)

The possession of weapons while visiting Kansas race tracks (par-mutual or otherwise) is prohibited per Kansas administrative regulation (e.g., K.A.R. 112-11-21).

State Wildlife Areas and State Parks (A.G. Posting Required)

With the allowances for hunting in many State Park areas, as a general matter, assume that State Parks will allow licensees to concealed carry. Any park buildings, however, will probably be posted and off limits to carry within those structures. Additionally, KDWP has a regulation which allows them to regulate such an activity through the posting of the park so licensees should again be on the look-out just to be sure.