

***OTHER PLACES WHERE CARRYING FIREARMS  
IS PROHIBITED BY FEDERAL OR STATE LAW***

**Note: In addition to the prohibited places cited in K.S.A. 75-7c10 and K.S.A. 75-7c11, carrying a firearm is prohibited by federal or state law in the following places:**

- 1.) Pursuant to K.S.A. 75-7c10(a)(1), “common nuisance” places, identified in K.S.A. 22-3901, where the following “unlawful activities and the use of real or personal property in maintaining and carrying on such activities” is located:
  - (a) Commercial gambling;
  - (b) dealing in gambling devices;
  - (c) possession of gambling devices;
  - (d) promoting obscenity;
  - (e) promoting prostitution;
  - (f) habitually promoting prostitution;
  - (g) violations of any law regulating controlled substances;
  - (h) habitual violations of any law regulating the sale or exchange of alcoholic liquor or cereal malt beverages, by any person not licensed pursuant to chapter 41 of the Kansas Statutes Annotated;
  - (i) habitual violations of any law regulating the sale or exchange of cigarettes or tobacco products, by any person not licensed pursuant to article 33 of chapter 79 of the Kansas Statutes Annotated;
  - (j) any felony committed for the benefit of, at the direction of, or in association with any criminal street gang, with the specific intent to promote, further or assist in any criminal conduct by gang members. As used in this subsection, 'criminal street gang' means any organization, association or group, whether formal or informal:
    - (1) Consisting of three or more persons;
    - (2) having as one of its primary activities the commission of one or more person felonies, person misdemeanors, felony violations of the uniform controlled substances act, K.S.A. 65-4101 et seq., and amendments thereto, or the comparable juvenile offenses, which if committed by an adult would constitute the commission of such felonies or misdemeanors;
    - (3) which has a common name or common identifying sign or symbol; and
    - (4) whose members, individually or collectively engage in or have engaged in the commission, attempted commission, conspiracy to commit or solicitation of two or more person felonies, person misdemeanors, felony violations of the uniform controlled substances act, K.S.A. 65-4101 et seq., and amendments thereto, or the comparable juvenile offenses, which if committed by an adult would constitute the commission of such felonies or misdemeanors, or any substantially similar offense from another jurisdiction; or
  - (k) use of pyrotechnics, pyrotechnic devices or pyrotechnic materials in violation of K.S.A. 2005 Supp. 31-170, and amendments thereto.

- 2.) Any “state office building,” 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. 10<sup>th</sup> 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 10<sup>th</sup> Street [Avenue];
    - (5) the Dillon house, 404 SW 9<sup>th</sup> 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.”

3.) **Federal Facilities** (K.S.A. 75-7c10(a)(15))

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 (see also, 39 C.F.R. 232.1(1)), 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).

#### **4.) Casinos**

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.

#### **5.) Race tracks**

The possession of weapons while visiting Kansas race tracks is prohibited per Kansas administrative regulation 112-11-21.

#### **6.) State Wildlife Areas and State Parks**

As a general matter, assume that State Parks will be off limits for concealed carry. As of the date of this publication, the Department of Wildlife and Parks had not yet determined how it would handle this issue. While there is no blanket disallowance for the carrying of firearms into state parks, DWP has a regulation which allows them to regulate such an activity through the posting of the park.

Wildlife areas are a different matter. Since these areas are generally allowed to be lawfully hunted upon, the concealed carry of weapons would be allowed while lawfully hunting in and on wildlife areas. *See*, K.S.A. 21-4201(c)(2).

#### **7.) Federal lands**

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.

#### **8.) Tribal Lands**

As a general matter, tribal lands are independently governed by their own respective tribes and state laws have no effect upon tribal laws. 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 while traveling upon tribal properties.