

## Frequently Asked Questions

# FAQ's

Updated 5/14/2007

### About the Kansas Personal and Family Protection Act [K.S.A 75-7c01 et. seq]



- When did the Kansas Personal and Family Protection Act (concealed carry) become law?
  - Answer: The act became law on July 1, 2006; however, the law specified that no permits would be issued prior to January 1, 2007.
- When were the first concealed carry handgun (CCH) licenses issued under the Act?
  - Answer: January 3, 2007.
- Where can I get an application?
  - Answer: You can access an online application from the Attorney General's website ([www.ksag.org/content/page/id/90](http://www.ksag.org/content/page/id/90)), or you can obtain a paper copy of the application form at the sheriff's office in your county of residence.
- Where do I submit my application?
  - Answer: Individuals who wish to apply for a Kansas CCH license must apply at the sheriff's office in the county where they live, regardless of whether they downloaded an application or obtained an application from the sheriff.
- How much will a license cost?
  - Answer: The application fee totals \$150 dollars. When a person applies for a Kansas CCH license, he/she will be required to submit a money order or cashier's check in the amount of \$40 payable to the sheriff's office in the county where the applicant resides, and a second money order or cashier's check in the amount of \$110 payable to the Office of the Attorney General.

- How long will a Kansas CCH license be valid?
  - Answer: Kansas CCH licenses will be valid for a period of 4 years (provided the license is not suspended or revoked for some reason.)
  
- Is there any training required?
  - Answer: Yes. The Kansas Personal and Family Protection Act (KPFPA) requires that all CCH license applicants must successfully complete an 8-hour training program approved by the Attorney General before they may obtain a Kansas CCH license.
  
- Where do I go to get the required 8-hour training?
  - Answer: Under the KPFPA the Attorney General is responsible for the certification of instructors approved to teach the required 8-hour training program. A directory of certified instructors (listed by county) is posted on the Attorney General's web site ([www.ksag.org/files/shared/TrainerUpdate07.pdf](http://www.ksag.org/files/shared/TrainerUpdate07.pdf)).
  
- How much will the training class cost?
  - Answer: Because the training classes are taught by private individuals the cost of a class will vary from trainer to trainer. Applicants may receive their training from any certified trainer and applicants may certainly "shop around" for the most convenient or economical class.
  
- Do I have to complete the required training program before or after I submit my application?
  - Answer: The required 8-hour training class must be completed before a person can submit an application to the sheriff's office. Once a person has completed the required class, the instructor will sign a form certifying that the person has completed the class and a copy of that form must be attached when an application is submitted to the sheriff's office.
  
- Do I have to be a citizen of the State of Kansas to obtain a Kansas CCH license?
  - Answer: Yes. All applicants must be a resident of the State of Kansas for at least 6 months prior to making application for a CCH license. Kansas will not issue CCH licenses to non-residents.
  
- How long does it take to process a license application, and when can I expect to receive an approval notice?
  - Answer: The Attorney General must process an application and notify the applicant within 180 days of receiving the application. The turn-around time is reduced to 90 days beginning July 1, 2007. At a minimum, applicants will not receive a notice of approval until 45 days has elapsed. This is to allow the chiefs of police and sheriffs time to submit additional information in support of a license denial. Unless an applicant receives a written request for additional information, the person should not expect to hear from the Attorney General for at least 45 days.

- I have a criminal history, can I still apply?
  - Answer: Yes, but not if you have ever (1) been convicted, placed on diversion, or had an expunged adult felony, (2) been adjudicated as a juvenile for a felony, or (3) had a misdemeanor conviction for domestic violence. Other misdemeanor convictions, if occurring within five years of application may also disqualify the applicant. Applicants are encouraged to read the application forms carefully to determine their eligibility. Persons with a criminal history may want to consult an attorney before applying.
  
- What if I have a change of address or name?
  - Answer: Licensees must notify the Attorney General in writing within 30 days of changing a permanent address. Likewise, they must advise the Attorney General of any change to their name. Once notified, the Attorney General will generate an approval notice to re-issue the license. The licensee will have to go to an approved driver's license station to obtain the re-issued license. The driver's license station will charge a fee to generate a new license card.
  
- What if my license is lost or stolen?
  - Answer: Licensees must notify the Attorney General in writing within 30 days of losing or having a license stolen. The notice to the Attorney General must include a notarized statement setting forth the circumstances of the loss. A fee of \$15.00 in the form of a cashiers check or money order made payable to the Office of Attorney General must accompany the notarized statement. On notified, the Attorney General will generate an approval notice to re-issue the license. The licensee will have to go to an approved driver's license station to obtain the re-issued license. The driver's license station will charge a fee to generate the new license card.
  
- Does Kansas allow for reciprocity with other states that issue CCH licenses?
  - Answer: Yes. The law specifies that the Kansas Attorney General is to review the laws of other states and make a determination on whether to grant reciprocity to CCH licenses issued by other states. A list of recognized and reciprocal states is posted on the Attorney General's web site ([www.ksag.org/files/shared/conceal.carry.reciprocity.pdf](http://www.ksag.org/files/shared/conceal.carry.reciprocity.pdf)).
  
- If I am a Kansas resident and have a valid CCH license from a state recognized by the state of Kansas, can I carry a concealed handgun in Kansas based on that out-of-state license?
  - Answer: No. The Attorney General has published a list of states whose CCH licenses will be recognized in Kansas, however, if a person is a Kansas resident, he/she must have a Kansas issued CCH in order to carry a concealed handgun in the State of Kansas. Kansas residents will not be legal to carry concealed based on a license issued by another state. Likewise, out-of-state licensees must be a resident of the state issuing the license.

- What will the actual CCH license look like?
  - Answer: Under the KPFPA a Kansas CCH license holder will have the choice of either having a separate license card, or will be able to have a CCH designation placed on his/her Kansas driver's license or Kansas non-driver's identification card. If the licensee opts for the separate CCH card, the card will appear very similar to a Kansas driver's license, except the card will have "Concealed Carry License" clearly printed on it, along with an expiration date. If the CCH licensee opts to have a designation added to his/her Kansas driver's license or non-driver's ID card showing that the licensee holds a CCH license, the license will have a section showing "CCH" and the expiration date of the CCH license.
  
- Where will the actual license cards be obtained?
  - Answer: If an applicant has been approved to obtain a Kansas CCH license, the applicant will receive a "license approval notice" from the Office of the Attorney General informing the applicant that he/she has been approved to obtain a license and directing the applicant to go to a Kansas Department of Revenue state driver's license station in order to be photographed for the new CCH license card (or new Kansas driver's license or non-driver's ID card). The new CCH license (or Kansas DL or non-driver's ID) will then be manufactured and mailed to the CCH licensee at the licensee's DL address.
  
- Will there be a cost for the new CCH license card or replacement Kansas driver's license or non-driver's ID card?
  - Answer: Yes. The applicant will be required to pay a \$12 fee to the Kansas Department of Revenue for producing the actual card or license.
  
- If I do apply for and receive a Kansas CCH license, will I be able to carry a handgun anywhere in the State of Kansas?
  - Answer: No. Under K.S.A. 75-7c10 and K.S.A. 75-7c11 there are a number of places where a CCH licensee will still not be allowed to carry a firearm. All licensees are advised to become knowledgeable about the legal restrictions on all locations where firearms will be prohibited.
  
- If I obtain a Kansas CCH license, will I have to carry my CCH license card with me at all times?
  - Answer: All CCH licensees will be required to have their CCH license with them at any time they are actually carrying a firearm concealed. Failure to do so could result in the licensee having his/her CCH license suspended or revoked and could result in criminal charges.
  
- If I have a Kansas CCH license and I am stopped by a law enforcement officer, do I have to tell the officer I have a CCH license and/or firearm?
  - Answer: Under the KPFPA, if at any time a law enforcement officer asks the licensee if he/she is a CCH license holder or asks if the licensee is carrying a firearm, the licensee must display the license.

- Can business owners restrict the concealed carry of firearms by Licensees through posting their property?
  - Answer: Yes. However, as per K.S.A. 75-7c11 (as amended by H.B. 2528, published May 3, 2007 in Kansas Register Vol. 26, No. 18, p. 666) private business owners as well as city, county, or political subdivisions may only restrict the concealed carry of firearms within the building or buildings of that entity.
  
- If I'm licensed to carry concealed and I enter a business that is not posted as prohibiting concealed carry, do I have to leave if the owner or an employee sees my gun and asks me to leave?
  - Answer: Yes. While you would not be violating the concealed carry law, if you refuse to leave an establishment that has asked you to leave, you could be cited for trespassing. Trespassing occurs when you remain in an establishment after the owner or employee tells you to leave (K.S.A. 21-3721).
  
- Can an employer restrict the concealed carry of firearms by Licensees?
  - Answer: Yes. Through personnel policies an employer may prohibit Licensees from carrying concealed while on the premises of the employer's business or while otherwise engaged in the duties of the Licensee's employ except that employer's are not allowed to prohibit Licensee's from storing firearms in the Licensee's private means of conveyance even if parked on the employer's premises.
  
- Can a city, county or political subdivision post signs restricting the concealed carry of firearms by Licensee's?
  - Answer: Yes. However, again, cities, counties and other political subdivisions may only post their buildings. Parks, parking lots, and other open public property is no longer able to be restricted through signage.
  
- Can I, as a Licensee, store a loaded firearm in my vehicle should I need to enter a property that is posted with the "no concealed carry" sign?
  - Answer: Yes. There is no state law against having loaded weapons in an unoccupied vehicle and H.B. 2528 amended the "transportation law" so that the local ordinances and resolutions regarding transportation of firearms do not apply to concealed carry Licensees. Note: It is highly recommended not to leave a loaded weapon unattended in a vehicle for an extended period of time. It is always best to store the weapon unloaded and preferably in a lockable container.
  
- Can I, as a Licensee, remove my loaded weapon from its concealed position if I am traveling in my vehicle and not be subject to criminal violations?
  - Answer: Yes. Again, the changes to the transportation law allow a Licensee to remove the weapon from a concealed position while they are traveling in their vehicle even if the Licensee is in a jurisdiction where "open carry" has been prohibited.

- Where can I obtain an application to become a certified concealed carry instructor?
  - Answer: An application form can be downloaded from the Attorney General's web site ([www.ksag.org](http://www.ksag.org)).
  
- I am a certified law enforcement officer, do I need a concealed carry license in Kansas?
  - Answer: No. Law enforcement officers are authorized to carry concealed firearms, whether on or off duty, through a different authority (see K.S.A. 21-4201).
  
- Are law enforcement officers prohibited from carrying concealed handguns onto premises prohibited by K.S.A. 7507c10, or posted by business or property owners pursuant to K.S.A. 75-7c11?
  - Answer: No. The concealed carry law does not change how law enforcement officers go about their business. In accordance with K.S.A. 21-4201(b)(1) and 18 U.S.C. 926B, "law enforcement officers" are allowed to carry concealed.
  
- Can a retired law enforcement officer, if authorized to carry concealed pursuant to 18 U.S.C. 926C, carry concealed onto a property prohibited by state law or posted with the "no concealed carry" sign?
  - Answer: No. The federal law under 18 U.S.C. 926C contains a specific provision that recognizes state laws granting private entities and individuals the right to decline the concealed carry privilege on their property. In short, the prohibited places cited in K.S.A. 75-7c10 and K.S.A. 75-7c11 apply to retired law enforcement officers.
  
- Are there any exemptions to the required 8-hour training class?
  - Answer: Yes. Law enforcement officers retired less than 8 years are not required to take the training class, all others must complete the required training.
  
- Is there a reduced application fee for retired law enforcement officers?
  - Answer: Yes. The fee for retired law enforcement officers is \$100.00 (\$40.00 to the County Sheriff, \$60.00 to the Attorney General).
  
- While Kansas does not have a general law against carrying a loaded firearm in a vehicle, how can I legally transport a firearm in my vehicle anywhere in Kansas?
  - Answer: K.S.A. 2005 Supp 12-16,124(d) provides that "no person shall be prosecuted under any ordinance, resolution or regulation for transporting a firearm in any air, land or water vehicle if the firearm is unloaded and encased in a container which completely encloses the firearm." Again, concealed carry licensees are not subject to local ordinances or resolutions regarding the manner of transporting a loaded firearm.