

KANSAS OFFICE of  
**REVISOR of STATUTES**

LEGISLATURE of THE STATE of KANSAS  
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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 2, 2017

Subject: HB 2081 – Public employer liability limitations under the Personal and Family Protection Act.

House Bill No. 2081 (HB 2081) amends K.S.A. 75-7c10 with respect to public employees carrying a concealed handgun while engaged in the duties of their employment. Prior enactments amended subsection (e) of K.S.A. 75-7c10 to prohibit public employers from restricting or otherwise prohibiting employees from carrying a concealed handgun while engaged in their duties away from the employer's usual place of business. This applies to public employees who work in the field.

HB 2081 further amends K.S.A. 75-7c10(e) to limit the liability of public employers for any wrongful or negligent conduct of an employee carrying a concealed handgun when such conduct involves the use or carrying of such handgun. Under the proposed amendment, if a public employer was negligent in carrying a concealed handgun while working and that negligence caused a private individual to be injured, then the private individual would be limited in seeking damages from the public employer.

Please note the language limiting public employer liability is very similar to existing provisions of K.S.A. 75-7c10 that limit private business liability regarding concealed handguns. The existing provisions are on page 1 of HB 2081 in lines 22-24 and 27-29.

If enacted HB 2081 would become effective on July 1, 2017.