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FORREST J. KNOX

House Committee on Federal and State Affairs

Hearing on

HB 2353, Publically Owned Building Security

Is the general public more secure or less secure when an unsecured building is posted prohibiting the carry of a concealed weapon by licensed individuals?

Currently any building, public or private, can be posted prohibiting concealed carry regardless of the level of security provided within the building.

HB 2353 requires that any publically owned or leased building, in order to restrict concealed carry of a handgun within the building by posting, must provide adequate security to insure that no member of the public can bring a weapon into the building.

Federal law takes precedence. Any building where federal law prohibits weapons may post, and actually must post, prohibiting concealed carry.

Under HB 2353 public employees and the general public, licensed to carry, will be able to carry in any publically owned or leased building that is unsecured.

In a secured, publically owned or leased building any person who is authorized to enter through a restricted access entrance and is licensed to carry may legally do so.

In such a secured building state or municipal agencies may institute employee policy restricting concealed carry by licensed individuals.

HB 2353 does not limit corrections, law enforcement, and jail buildings from prohibiting concealed carry within such buildings. Proper security is assumed.

The list of buildings in Section 2 is meaningless in present statute. These buildings must be posted in order to restrict concealed carry. If they are not posted, concealed carry is not restricted, except perhaps by federal law.

The requirement for adequate security applies to the building list in Section 3; the capitol complex, governor's mansion and grounds, state owned and leased buildings, and county courthouses.

COMMITTEE ASSIGNMENTS: FINANCIAL INSTITUTIONS (CHAIRMAN)
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JT. COMMITTEE ON ENERGY AND ENVIRONMENTAL POLICY

Courtrooms remain under the control of the chief judge.

Clean-up language will be included in an amendment, as advised by the Attorney General, when the bill is worked in committee. In statute only "buildings" are allowed to be posted. Words such as "facilities" and "premises" will be replaced with "buildings." Clarifying language may also be included in the amendment.

Conferees are encouraged to suggest changes to address such instances and, perhaps, specific situations in need of consideration.

Putting a sign on a building saying, "No guns allowed," keeps law abiding citizens from possessing firearms in that building. It does not make us safer. It makes us less secure because the criminals, bent on harm, will not obey the sign. But they will pay attention to the announcement of "No armed citizens." Unless adequate security exists in the building, it makes us less safe.

Mr. Chairman, I will stand for questions on the bill at your pleasure.

HB 2353 addresses a very important issue, the issue of security. Unfortunately, security can no longer be taken for granted in America.

The Personal and Family Protection Act, allowing concealed carry of a handgun, has wisely been adopted as the law of the land in Kansas to address the need for personal security. Its basis is the foundational, individual right of every American, guaranteed in the Constitution, to own and bear arms – the Second Amendment.

The Founding Fathers made clear in the founding documents that Americans were free men (and women) and possessed all rights and liberties unless they were specifically limited in the Constitution. The greater importance of a few of these rights in the eyes of the Founders is made manifest by them being listed specifically in the Bill of Rights. Gun ownership and the right to possess and carry a firearm and be skilled in its use was a high priority in the days of the Founders. As a matter of fact, it was required by law in many early states.

The benefits of a well armed society included not only personal security, but national security and security from a tyrannical government as well. This was clearly the intention of the Founders. We still see that this applies today. A well armed society is a polite society.

As concealed carry has been adopted in state after state, experience across the nation has made clear that concealed carry not only benefits the individual, it benefits society as a whole. Crime decreases. The societal benefit is perhaps the greatest benefit.

I hope you will listen carefully to the conferees that will stand before you today. These are not lobbyists, paid to represent some group. These are ordinary people from around the state who have come at their own expense because they consider this of great importance. They come from all walks of life: men and women; a public school teacher, a retired Marine, a housewife, a college professor, a county commissioner, a crop duster. They have their own real life stories to tell. They have a right to provide for their own personal security and this cannot be provided in any other way.

When I read over their testimony I realized that I needn't say more. They will tell it better than I.

Thank you Mr. Chairman.