

**OFFICE OF THE ATTORNEY GENERAL
ECONOMIC IMPACT STATEMENT
Amended K.A.R. 16-11-7 and New 16-13-1**

I. Summary of Proposed Temporary Regulation, Including Its Purpose.

K.A.R. 16-11-7 is an existing regulation that requires amendment in order to reflect changes to the Kansas personal and family protection act which were brought about by 2014 House Bill 2578 (L. 2014, ch. 97). Currently, K.A.R. 16-11-7 sets out the signage requirements for restricting the licensed concealed carry of handguns within a building depending upon if that building is a “state or municipal building” (defined under K.S.A. 75-7c20) or any other building (generally private buildings). HB 2578 now adds a requirement that the Attorney General develop a sign for buildings to post in order to prohibit the *open* carry of firearms. See, § 5. That section also requires that the current AG-approved signage that prevents licensed CCH within a building may be used to also restrict the open carry of firearms within that building.

To comply with those requirements, the Attorney General determined a two-pronged approach was necessary. First, a brand new ‘open carry’ regulation needed to be developed to comply with those requirements of § 5. Those new OC sign requirements are contained in proposed temporary regulation 16-13-1 and explained in more detail below. Secondly, due to the requirement that current AG-approved signage could also prohibit open carry, updates to KAR 16-11-7 were felt necessary.

The Attorney General then held an *ad hoc* meeting of impacted groups that was open to media and the public. There, some general characteristics of the new signage were laid out for purposes of these temporary regulations and, hopefully, the permanent regulations going forward. It was determined that there are several courses a building can now take: (A) the building could allow both CCH and open carry; (B) the building could prohibit both forms of carry; (C) the building could allow CCH but prohibit open carry; and (D) the building could allow open carry but prohibit CCH. As such it was felt signage for three of those options was necessary (no signage is necessary where both forms of carry are allowed). These temporary regulations capture those three options plus a fourth sign (which is really a short cut for option “D” above) that allows the attachment of certain language to AG-approved CCH signs that are already posted on a building.

II. Whether the Regulation Is Mandated by Federal Law and Whether it Exceeds Requirements of Federal law.

This is not a regulation required by Federal law; therefore, the regulation does not exceed the requirements of federal law.

III. Anticipated Economic Impact upon the Attorney General

Any costs to the Attorney General’s office related to regulation 16-11-7 and/or 16-13-1 and these amendments are *de minimus* costs associated with oversight of the concealed carry program.

IV. Anticipated Financial Impact upon Other Governmental Agencies and upon Private Business or Individuals.

Synopsis: There will be no financial impact to Kansas citizens who wish to carry firearms. The financial impact to other governmental agencies and to private businesses will be *de minimus*.

Both the new law and the new regulations expressly provide that existing signage may be used to prohibit open carry as well as concealed carry, so an agency or business that is currently posted and wishes to now prohibit open carry is not required to print and post new signs.

New signs are required only if: a building is being posted for the first time, a currently posted building decides to permit open carry but prohibit concealed carry; or a currently posted building decides to permit concealed carry but prohibit open carry. Any financial impact, however, will be limited to the cost of printing and posting a new sign(s) from the appropriate sign template(s) which will be provided at no cost on the Attorney General's website.

VI. Less Costly or Intrusive Methods That Were Considered, but Rejected, and the Reason for Rejection.

Due to the language of HB 2578, section 5, and the status of firearm signage current law, the Attorney General's office could not envision a less-costly or alternate method than having these above-described options available for buildings depending upon ownership/management wishes.

Any costs associated with these amendments should be minimal. Requiring no change to current signage for those buildings that currently prohibit CCH and also want to exercise the discretion allowed by section 5 was the easiest and cheapest option as they are not required to do anything further. For the only required new sign from section 5, it is minimalist in design and its intent is clear. The other signage option can be accomplished in little to no time or cost. All of these options will clearly express the intentions of the building management/ownership as to which, if any, forms of carry it will prohibit.