



Office of Attorney General Derek Schmidt

Kansas Application for Concealed Carry Handgun License and Qualifying Information (Updated 06/2018)



Instructions for Application

Please complete this concealed carry handgun license (CCHL) application in full by typing or printing (in ink) all requested information, and attaching items required by 1 through 5 of this page. Then submit the complete application to the Sheriff's Office in your county of residence where your fingerprints will be taken and the application will be forwarded to the Attorney General (AG). By law, the AG is allowed 90 days to approve or deny an application. If approved, you will receive a notice of approval in the mail and be directed to a State driver's license station to obtain the CCHL. You must pay any additional fees the Department of Revenue requires in order to issue the CCHL card. ALL APPLICATION FEES ARE NONREFUNDABLE.

Check this box if this is a re-application after a prior "permanent expiration." (See, pg. 4 definition)

- 1. Two money orders, cashier's checks or personal checks: For new applications (or re-applications) which are received by the Sheriff on or between July 1, 2018, and June 30, 2019, (per "Sheriff's Verification" on pg. 2), one check shall be in an amount of \$79.50 payable to "Office of the Attorney General;" the other check shall be for \$32.50 payable to "Sheriff of \_\_\_\_\_ County." (The check to the AG shall be for \$100.00 if submitted to the Sheriff prior to July 1, 2018.)
2. Unless submitting a reapplication, proof of sufficient handgun training from one of the following (see, K.S.A. 75-7c04):
- Completion of the Kansas CCHL training course (attach a photocopy of a certificate or affidavit signed by an AG-approved instructor showing the applicant's completion of the course);
- "retired law enforcement officer" letter; (see description on pg. 4);
- Kansas corrections or parole officer; or federal bureau of prisons corrections officer (attach proof of active employment with the agency and proof of handgun qualification with the agency in the 12 months immediately preceding application); or
- other sufficient handgun training from another jurisdiction, e.g., a handgun course used to obtain a non-Kansas CCHL (see the "New Resident & Prior Handgun Training" information on pg. 4).
3. A 2" x 2" frontal view (head & shoulders, no sunglasses or hats), passport-type color photograph of the applicant taken within the preceding 30 days. Attach your photo to pg. 2 of the application.
4. A clear photocopy of: (A) your Kansas driver's license or nondriver's identification card; as well as (B) any documentation necessary showing lawful presence in the United States if the applicant was born outside of the United States or one of its territories (U.S. citizen born abroad, certificate of naturalization, permanent resident alien card).
5. For an active duty military member (ADM) or a "dependent" of an ADM, see the "ADM considerations" on pg. 4. DO NOT attach a photocopy of a MILITARY ID or CAC card to this application.

Section I: Sworn Statement

WARNING: This application is executed under oath. A false statement or answer in sections I, II, or III of this application, or submission of a false document, may subject the applicant to prosecution for the crime of perjury, K.S.A. 21-5903, and amendments thereto, a severity level nine (9) non-person felony, or other applicable criminal charges.

I hereby declare under penalty of perjury that all of the statements made in this application are true and correct and that:

- 1. I have received a copy of the Kansas Personal and Family Protection Act (KPFPA) and I am familiar with its provisions;
2. I have complied with the criteria in K.S.A. 75-7c04 (as listed in Section III of this application), including completion an approved training course or meeting an exception to the training requirement; and
3. I desire a Kansas CCHL as a means of self-defense.
4. I understand that a state and national criminal history records check will be conducted and may include access to expunged records, and that other investigations may be conducted to determine my eligibility for a Kansas CCHL.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Print Name: \_\_\_\_\_

**Sheriff's Verification**

Date Received \_\_\_\_/\_\_\_\_/\_\_\_\_

Received by \_\_\_\_\_

County: \_\_\_\_\_

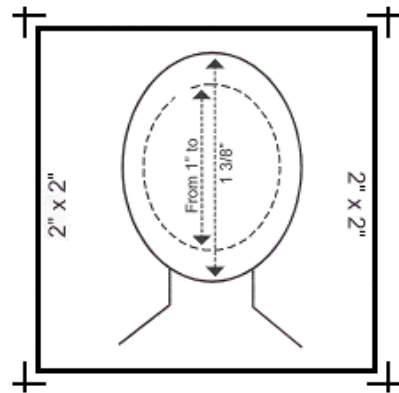
Fingerprints Transmitted Electronically to KBI: YES \_\_\_\_ NO \_\_\_\_

**Verify:** (1) Applicant has a Kansas DL or ID \_\_\_\_\_  
(Copy of DL or ID is attached )

(2) Active Duty Military (verify military ID) \_\_\_\_\_  
(Copy of state DL or ID is attached)

(3) Signed Training Certificate Attached \_\_\_\_\_

Application/Reapplication Fee: \$79.50+\$32.50=\$112.00 \_\_\_\_\_



**Attach Photo With Clear Tape Across The Top and Bottom**

**Section II: Applicant Information**

Date Stamp – Attorney General

Name: Last	First	Middle	Jr., Sr., etc.
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Aliases/Maiden Name/Other Names Used:	Citizenship – Enter Name of Country: (If born outside of U.S., you must attach a copy of your foreign-born U.S. citizen birth certificate, U.S. passport or certificate of naturalization)		
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Current Residence Address:	City:	State:	County:	Zip Code:
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Mailing Address: (If different from residence)	City:	State:	County:	Zip Code:
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Previous Addresses Within Last 5 Years: From: _____, 20__ to _____, 20__ (Add additional page if more than one address)	City:	State:	County:	Zip Code:
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Date of Birth: (Month/Day/Year)	Place of Birth: (City, State, Country)
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KS Driver's License or Identification Card #:	*Social Security Number:
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**Telephone:	**Email:
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**Non-Kansas CCHL Number & State of Issuance:** (Provide this information only if you were previously issued a CCHL from another state and would like to use handgun training there to bypass the Kansas CCHL training course. So long as your prior handgun training is equal to or greater than that required by Kansas law, then you will not need to complete the Kansas CCHL training course.) Per the "New Resident & Prior Handgun Training" description on pg. 4, **attach to this application a copy of any non-Kansas CCHL and proof of training for that CCHL.**

Non-Kansas CCHL Number:	State of Issuance:
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**Alien Status:** (If you are a permanent resident alien or nonimmigrant alien you must **provide your U.S.-issued alien registration number here** and complete applicable questions 14 through 16a)

Active Duty Military or Dependent: Non-Resident DL or ID#: (Include State)	Active Duty Military or Dependent Identification #
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\*Providing your SSN is voluntary in order to verify your identity and confirm your eligibility for a CCHL (75-7c05). Pursuant to K.S.A. 39-758 and 74-139, and amendments thereto, your SSN may be disclosed to the Director of Taxation and/or Department of Children and Families (DCF) for child support enforcement purposes. \*\*Providing your telephone and/or email address is optional as well.

**Applicant Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

<b>Section III: Qualifications (K.S.A. 75-7c04(a):</b> Place a check mark under the appropriate 'yes' or 'no' answer to the following questions. Answer all questions numbered 1 through 16a.	<b>Yes</b>	<b>No</b>
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Answering 'no' to questions 1 through 3 **could** result in denial of your application.

1. Are you twenty-one (21) years of age or older at the time of application?		
2. Are you a resident of Kansas? (Or residing in Kansas while serving on active duty in the military?)		
3. Are you a resident of the county where you are applying?		

Answering 'yes' to questions numbered 4 through 16 **could** result in denial of your application.

4. Have you fled from a jurisdiction to avoid prosecution for a crime or to avoid giving testimony?		
5. Are you under <b>charges, indictment or information</b> (including a diversion agreement) in any court for a <b>felony, misdemeanor or any other crime</b> ?		
6. <b>Even if expunged from your criminal history</b> , have you ever been <b>convicted</b> as an adult or <b>adjudicated</b> as a juvenile in any court of any <b>felony crime</b> ? <b>See pg. 4 for information relating to felony disqualifiers.</b>		
7. <b>Even if expunged from your criminal history</b> , have you ever been convicted in any court of any misdemeanor crime involving domestic violence? <i>This includes convictions for domestic battery, battery, disorderly conduct or others.</i> <b>See pg. 4 for definition of "misdemeanor crime involving domestic violence."</b>		
8. Are you subject to a court ordered restraining order involving an "intimate partner" or child of such a partner? <b>See pg. 4 for a definition of "restraining order."</b>		
9. Are you an unlawful user of, or addicted to, marijuana or any depressant, stimulant, narcotic drug, or any other controlled substance? <i>(Among other instances, this includes: being convicted in the last year or being currently under a diversion for a controlled substance offense; positive drug test in the last year; paraphernalia that tests positive for a controlled substance; admissions of controlled substance use within the past year.)</i> <b>See pg. 4 for the definition of "unlawful user or addicted."</b>		
10. Have you ever been adjudicated mentally defective? <b>See pg. 4 for definition of "mental defective."</b> <b>If answer is "yes," attach a written explanation to this application.</b>		
11. Have you ever been involuntarily committed to a mental institution? <b>If answer is "yes," attach a written explanation to this application.</b>		
12. Are you or have you ever been a "mentally ill person subject to involuntary commitment" or "person with an alcohol or substance abuse problem subject to involuntary commitment"		
13. Have you been discharged from the Armed Forces under dishonorable conditions? <i>(This includes being dismissed by general court martial if served as Commissioned Officer).</i>		
14. Are you an alien <b>illegally</b> or <b>unlawfully</b> in the United States?		
15. Are you a permanent resident alien residing in Kansas? <b>If so, attach a copy of your U.S.-issued permanent resident alien registration card. Permanent resident aliens with valid documentation are eligible to apply for a Kansas CCHL.</b>		
16. Are you a nonimmigrant alien residing in Kansas? <i>(Nonimmigrant aliens are <u>ineligible</u> for this license <b>unless</b> they can answer "yes" to question 16a and provide the required documentation.)</i>		
16a. If you are a nonimmigrant alien, do you reside in Kansas and do you fall within any of the exceptions set forth in 18 U.S.C. § 922(y)(2)? <b>If so, you must attach a copy of your nonimmigrant alien registration card, documentation for the applicable exception(s) claimed under 922(y)(2), and documentation showing that you are a resident of Kansas. See pg. 4 for a list of exceptions under 18 U.S.C. § 922(y)(2).</b>		

Applicant Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## Section IV: Definitions

**Felony disqualifications:** Any prior felony conviction as an adult (even if expunged), as well as any non-expunged felony juvenile adjudication, must be disclosed on the application. What constitutes a “felony” offense is judged in accordance with the law where the offense occurred. What constitutes a “conviction” for that felony will generally be judged by Kansas law. An active felony prohibition from another jurisdiction will likely preclude eligibility for a Kansas CCHL in accordance with Federal law.

**NOTES:** Anyone with any prior felony history at all should consult with private legal counsel to determine their CCHL eligibility. The AG cannot offer legal advice or interpretation to individual citizens about their CCHL eligibility or their ability to lawfully possess firearms in general. Again, pending felony charges, to include a pending diversion agreement for a felony violation, likely prohibit an applicant from obtaining a CCHL.

**“Misdemeanor crime involving domestic violence” means:** (1) A misdemeanor under, Federal, State or Tribal law; (2) that has as an element the use of force, attempted use of force or threatened use of a deadly weapon; (3) that was committed by: a current or former spouse, parent or guardian of the victim; a person who shares a child with the victim; a person who is living with or has lived with the victim as a spouse, parent or guardian; or a person who is similarly situated to a spouse, parent or guardian to the victim.

**NOTES:** The misdemeanor being violated DOES NOT have to have the term “domestic” in it at all (this means a simple assault, battery or disorderly conduct can be sufficient even if pled down from a “domestic” assault, battery, or disorderly conduct charge). Also, under binding federal interpretation, because Kansas law does not completely remove an expunged conviction from a person’s record, an expungement (or setting-aside) of the conviction will not suffice to allow CCHL licensure because the federal prohibition under 18 USC 922(g)(9) still applies. Further, not all core civil rights (vote, hold public office and sit on a jury) are lost following a misdemeanor conviction so a person’s civil rights cannot be “restored” when they are not lost to begin with. Effectively then, only a pardon may restore an individual’s ability to possess firearms if they have a qualifying 922(g)(9) conviction. Again, please seek private legal counsel with any questions about a firearms prohibition due to domestic violence conviction.

**“Adjudicated as a mental defective” means:** a finding by a court, board, commission or other lawful authority that a person, as a result of marked subnormal intelligence, or mental illness, incompetency, condition or disease: (a) Is a danger to himself or to others; or (b) Lacks the mental capacity to contract or manage his own affairs. The term shall include: a finding of insanity by a court in a criminal case; and those persons found incompetent to stand trial or found not guilty by reason of lack of mental responsibility pursuant to articles 50a and 72b of the Uniform Code of Military Justice, 10 U.S.C. 850a, 872b.

**“Restraining order” means:** a court order that restrains the person from: (a) harassing, stalking or threatening (i) an intimate partner or (ii) child of the intimate partner or the restrained person; or (b) engaging in conduct that places the intimate partner or child in reasonable fear of bodily injury. The order must be one issued after the restrained person received notice and had an opportunity to be heard and must include a finding that the restrained person poses a credible threat to the physical safety of the intimate partner or child; or the order must include a specific prohibition on the use, attempted use or threatened use of physical force against the intimate partner or child.

**“Retired law enforcement officer” means:** a “law enforcement officer,” as defined by K.S.A. 21-5111. A “retired law enforcement officer” must include a letter from the head, or designee, of the retiring agency attesting that the individual retired in good standing, retired for reasons other than mental instability, and that the individual has a non-forfeitable right to benefits under the retirement plan of the agency. This exemption only applies to retired law enforcement officers that were last certified by the Kansas Commission on Peace Officer Standards and Training (or similar body from another jurisdiction) less than 8 years prior to applying for the Kansas CCHL. Other training exemptions, however, may still apply.

**New Resident & Prior Handgun Training:** A new resident to Kansas may lawfully continue to carry concealed handguns with or without a valid CCHL so long as they are at least 21 years of age and otherwise lawful to possess firearms. Additionally, persons applying for a Kansas CCHL, whether previously licensed in another jurisdiction or not, may qualify for an exemption from the Kansas CCHL training course if they can provide documentary proof (i.e., training certificate with a course outline) of prior handgun training from another jurisdiction which was “equal to or greater than” the Kansas CCHL training course. At a minimum, documentation must show that the prior, non-Kansas handgun training included (1) instruction on the laws of self-defense; and (2) training and proficiency in the safe handling, storage and actual firing of handguns. If prior training is deemed insufficient, applicants will receive a letter alerting them that they will be required to submit further information OR complete the Kansas CCHL training class.

**ADM considerations:** A “dependent” of an ADM is a resident of the household of an ADM who financially depends on the ADM in whole or substantial part. An ADM or dependent stationed in Kansas may still apply for a Kansas CCHL even if their permanent State of residence (PSR) is other than Kansas; they must simply submit a photocopy of their non-Kansas DL or ID card as well as the orders currently stationing them in Kansas. To aid law enforcement, such an ADM or dependent fitting this residency exception should carry their military ID, non-resident DL/ID and their Kansas CCHL. Also, effective July 1, 2016, an ADM who is a Kansas resident/PSR but stationed in a State other than Kansas may still apply for a Kansas CCHL. Kansas law requires such an ADM to have their fingerprints taken by the military police (MP) where they are stationed and then have the MP office forward the complete application to the Sheriff of the ADM’s Kansas county of residence. See, K.S.A. 75-7c05(j). **NOTE:** Kansas law requires all persons carrying concealed in Kansas to be at least 21 years of age even if the carrier is in possession of an otherwise valid non-Kansas CCHL. See, AG *Opinion*, 2017-018. Therefore, all ADM and their dependents seeking a Kansas CCHL must also be at least 21 years of age to qualify.

**Exceptions to Nonimmigrant Alien Prohibition:** An “alien” is anyone not a citizen or “national of the U.S.” A “national of the U.S.” is someone who owes permanent allegiance to the U.S. A “nonimmigrant visa” is a visa properly issued to an alien as an eligible nonimmigrant by a competent officer. Nonimmigrant aliens residing in Kansas may apply for a Kansas CCHL if the alien: (1) is admitted to the U.S. for lawful hunting or sporting purposes and in possession of a hunting license/permit issued in the U.S.; (2) is an official representative of a foreign government who is accredited to the U.S. Government or their Government’s mission to an international organization having its headquarters in the U.S.; (3) is an official of a foreign government or a U.S. Dept. of State designated “distinguished foreign visitor”; (4) is foreign law enforcement of a friendly foreign government and here on official law enforcement duties; or (5) has received a firearms waiver from the Attorney General of the United States. (See 18 U.S.C § 922(y)(2) for additional exceptions)

**“Unlawful user of or addicted to any controlled substance” means:** A person who uses a controlled substance and has lost the power of self-control with reference to the use of controlled substance; and any person who is a current user of a controlled substance in a manner other than as prescribed by a licensed physician. Convictions in the last year, admissions of use, multiple arrests in the past 5 years (including one in the most recent year) can all be used (in addition to other scenarios) as evidence that one is an unlawful user of or addicted to a controlled substance.

**Permanently Expired Licenses:** A Kansas CCHL is permanently expired if not renewed within six (6) months following the expiration date. A person with a permanently expired Kansas CCHL must submit a new application through the Sheriff in the county where they reside.