



**Navigating Concealed Carry Laws**



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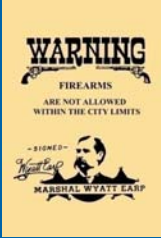
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History of Concealed Carry Laws

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Intersection Between Right to Carry and the Business Owner

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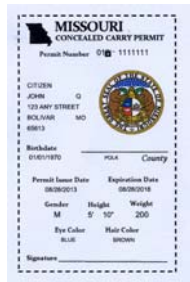
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## Background

- What is a Concealed Carry Permit
  - Firearm versus weapon



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## Background

- Types of Carry
  - Concealed



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## Background

- Types of Carry
  - Open



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**Background**

- Types of Carry
  - Automobile



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**Background**

- Types of Carry
  - Constitutional Carry



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**Background**

State Data Concerning Concealed Carry Permits

- Permit Holders in the United States
  - As of 2017, there are over 16 million active permit holders.
    - Does not include people who carry handguns in 14 states that allow carry without permit.
    - New York and Alabama do not collect data at the state level; reporting varies by county or city.
    - Safe to assume this figure underestimates the total number.

Source: Crime Prevention Research Center, Report July 20, 2017

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## Background

### State Data Concerning Concealed Carry Permits

- Permit Holders in the United States
  - Kansas 93,092 (March 2017)\*
  - Missouri 160,184 (December 2012) \*
  - Nebraska 55,710 (March 2017)
- Florida has the most – 1,784,395.
- Alabama has the highest percentage – 20.07%.
- Hawaii has the fewest and lowest percentage.

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## Background

### Crime Statistics

- Few permits revoked as a result of committing a crime
  - Crime rate among police officers is 103 crimes per 100,000 officers.
    - Conviction Rate is 16.5 per 100,000.
  - Florida revoked an average of 10.4 permits per 100,000 from 1987 to 2017.
  - Combined Florida/Texas Conviction Rate among CCW Permit Holders is 2.4 per 100,000.

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## Rights of Concealed Carry Permit Holders

### General

- State Statute/Local Ordinance
- States Issue Permits or Licenses
  - Not rights; subject to limitations.
- Constitutional Carry States
  - Generally provide that carrying a firearm is not prohibited.
  - Can provide restrictions on when and where a firearm may not be carried.

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## Rights of Concealed Carry Permit Holders

### Kansas

- Kansas Statutes Annotated 21-6302
- K.S.A. 2014 Supp. 75-7c01 et seq.
- Senate Bill 45, amends 21-6302
- Agency 16 Regs

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## Rights of Concealed Carry Permit Holders

### Missouri

- Missouri Revised Statutes 571.101.1
- V.A.M.S. 571.030.1

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## Rights of Concealed Carry Permit Holders

### Nebraska

- Nebraska Revised Statutes 69-2428
- NRS 28-1202

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## Rights of Property Owners, Establishments and Employers

### General

- Second Amendment
- State Constitutions
- Heller and McDonald
- State Statutes
- State Statutes and regulations can and do limit rights of individuals
- General Property right considerations that restrict carrying firearms
- Private enforcement vs. Police enforcement

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## Rights of Property Owners, Establishments and Employers

### Kansas

- KSA 75-7c10
- Signage
  - Posted at all exterior entrances
  - Eye level of adults, not more than 12 inches to the right or left
  - Not obstructed or altered
  - Replaced immediately if illegible

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## Rights of Property Owners, Establishments and Employers

### Missouri

- Missouri Revised Statutes 571.107

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## Rights of Property Owners, Establishments and Employers

Nebraska

- NRS 69-2441

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## Practical Application

Kansas

- No permit/license required as of July 2015
- Prohibitions in certain places
- Restrict concealed carry by posting a sign (not a criminal infraction)
- Employer may restrict concealed carry on premises or while engaged in employer's business
- Does not extend to vehicles/parking lots

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## Practical Application

Missouri

- Permit available
- Carrying prohibited in certain places
- Can be prohibited by posting a sign
- Violation is a criminal offense
- Automobile carry allowed even on prohibited premises

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## Practical Application

### Nebraska

- Permit required
- Restrictions on locations
- Criminal act
- Automobile carry if locked

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## Summary

- Private Employers can restrict Employee rights
- Property Owners may restrict carry
  - Criminal violation of laws
  - Trespass laws
- Parking facilities may not generally be restricted except through personnel policies
- Avoid private enforcement
- Avoid employee enforcement
- Specific, written policies
- Clear and obvious signage

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