



# Office of Attorney General Derek Schmidt

## Kansas Application for Concealed Carry Handgun License and Qualifying Information (Updated 7-2015)



### Instructions for Application

Please complete this application fully by typing or printing in ink all requested information. Attach items 1 thru 4 listed below and submit your completed application to the Sheriff's Office in your county of residence. The Sheriff will take your fingerprints and forward your concealed carry handgun license (CCHL) application to the Attorney General (AG).

1. For **new** applications or those which have permanently expired, you must attach two money orders, cashier's checks or personal checks: One for \$100 payable to "Office of the Attorney General;" and one for \$32.50 payable to "Sheriff of \_\_\_\_\_ County." **ALL FEES SUBMITTED ARE NONREFUNDABLE**
2. A photocopy of a certificate signed by an AG approved instructor showing the applicant's completion of an approved training course. A certificate of completion **may** not be required if: (a) you are a retired law enforcement officer and apply within 8 years of retiring; (b) you are a state corrections or parole officer, or federal corrections officer who qualified with a handgun within the 12 months preceding application; or (c) you are a resident of Kansas in possession of a valid concealed handgun license issued by a jurisdiction whose training is equal to or greater than the Kansas training requirement. **(see "new resident" information on page 4)**  
**For new residents to Kansas who have a valid non-Kansas CCL, visit the Attorney General's website at [www.ag.ks.gov](http://www.ag.ks.gov) to view current concealed carry statutes and non-Kansas license information.**

- My prior training is equal to or greater than the Kansas training requirement. Attach a copy of your valid non-Kansas license, training certificate and proof of the training requirements.
- My prior training isn't equal to or greater than the Kansas training requirement. Attend a Kansas concealed carry class and attach a copy of the completion certificate to this application.

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 page 2 of the application.
4. A photocopy of your Kansas driver's license or Kansas identification card. Eligible active duty military personnel and their dependents living in Kansas and possessing a non-Kansas driver's license or state issued ID card must attach hereto a copy of: (a) their driver's license or state issued ID card; and (b) the orders which currently station the member (or dependent) in Kansas. **DO NOT PHOTOCOPY OR ATTACH A PHOTOCOPY OF A MILITARY ID or CAC CARD to this application. (see "dependent" definition and other active duty information on page 4)**

*By statutory mandate, the AG has 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 your license. You must pay any additional fees the Department of Revenue requires to issue the CCHL card.*

### 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 concealed carry license 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 concealed carry handgun license.

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

**Sheriff's Verification**

Date Received \_\_\_\_/\_\_\_\_/\_\_\_\_  
 Received by \_\_\_\_\_  
 County: \_\_\_\_\_

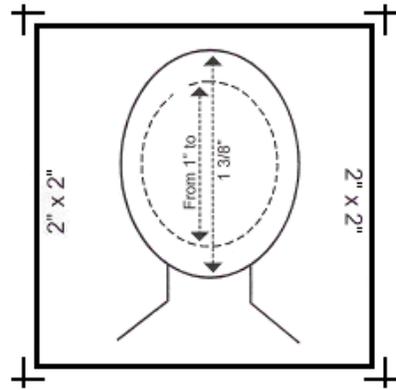
Fingerprints Transmitted Electronically to KBI: YES \_\_\_ NO \_\_\_

**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)

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

New Application Fee: \$100.00+\$32.50=\$132.50 \_\_\_\_\_



**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.
Aliases/Maiden Name/Other Names Used:	Citizenship – Enter Name of Country: (If born outside of U.S. attach a copy of your foreign-born U.S. citizen birth certificate, U.S. passport or certificate of naturalization)		
Current Residence Address:	City:	State:	County: Zip Code:
Mailing Address: (If different from residence)	City:	State:	County: Zip Code:
Previous Addresses Within Last 5 Years: From:_____, 20__ to _____, 20__ (Add additional page if more than one address)	City:	State:	County: Zip Code:
Date of Birth: (Month/Day/Year)	Place of Birth: (City, State, Country)		
KS Driver's License or Identification Card #:	*Social Security Number:		
**Telephone:	**Email:		

**Non-Kansas Concealed Carry License Number & State of Issuance:** (Provide this information only if you have a valid concealed carry license from another state. Providing proof of the training you completed to obtain that non-Kansas CCH could assist you in bypassing the Kansas training requirement. 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 course as well.) **Attach a copy of your valid non-Kansas license and proof of training to this application.**

Non-Kansas CCL Number: \_\_\_\_\_ State of Issuance: \_\_\_\_\_

**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 # \_\_\_\_\_

\*Providing your SSN is voluntary in order to verify your identity and confirm your eligibility for a CCH license (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 16. Answer 16a if applicable.	<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 14 **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, 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 a <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 can include convictions for domestic battery, battery, disorderly conduct or others.</i> <b>See page 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 page 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 page 4 for a definition of "unlawful user or addicted."</b>		
10. Have you ever been adjudicated mentally defective? <b>See page 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 concealed carry handgun license.</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 have been a resident of Kansas for at least 90 days prior to application (utility bills, lease agreements, etc.). See page 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 (even if expunged) must be disclosed.**

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 CCH license in accordance with Federal law.

Anyone with a prior felony history – whether an adult conviction or juvenile adjudication, no matter where it occurred, and even if that history has been expunged or pardoned – should consult with *private* legal counsel to determine their concealed carry eligibility. The Concealed Carry Licensing Unit **cannot** offer legal advice to individual citizens about their CCH eligibility or their ability to lawfully possess firearms in general.

**NOTE:** Any person *still subject to* the terms of a diversion agreement for a felony violation is prohibited from licensure.

**“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.

**NOTE:** 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).

**NOTE:** Under Kansas law, an expungement does not completely remove the conviction from the person’s record therefore an expungement or setting-aside of the conviction **will not** suffice to remove the federal prohibition under 18 USC 922(g)(9). Also, in Kansas, a person never loses their civil rights for such a misdemeanor conviction, therefore they cannot have those rights “restored.” Therefore, only a pardon may restore an individual’s ability to possess firearms if they have a qualifying 922(g)(9) 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. Only 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 here are exempt from the required training class.

**New resident to Kansas with a valid non-Kansas concealed carry license:** a new resident to Kansas may lawfully continue to carry concealed handguns so long as they are 21 years of age or older and lawful to possess firearms. A new resident to Kansas with a valid non-Kansas concealed carry handgun license and proof of prior training that is equal to or greater than Kansas’ training requirement may seek an exemption from the Kansas training class required for the Kansas concealed carry license. Along with their application, Applicants seeking this training exemption must attach a copy of their valid (unexpired and unrevoked) non-Kansas CCHL and proof of training (copies of the training certificate and course outline/materials). At a minimum, the non-resident training course must include instruction on the laws of self-defense; and demonstrate training and proficiency in the safe handling, storage and actual firing of handguns. New resident applicants will receive a letter confirming that the applicant is exempt from the Kansas CCHL training class; OR alert them that they are required to complete the Kansas CCHL training class.

**“Dependent” of active duty military member (ADM) means:** a resident of the household of an ADM who financially depends on the ADM in whole or substantial part. ADM and their eligible dependents residing in Kansas are not required to surrender their non-resident driver’s license or state issued ID in order to acquire a Kansas concealed carry license. **Note:** Effective July 1, 2013, active duty military and their dependents stationed in Kansas may continue to carry concealed in Kansas if they have: (1) a non-resident driver’s license, and (2) a valid non-Kansas concealed carry license issued by another state or the District of Columbia. Active duty military are advised to carry their military ID along with their non-resident DL and CCHL.

**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 may apply for a Kansas concealed carry handgun license 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.