

## Retired Officer Application Checklist

- Print Application Form (KLETC Form 401) from the KLETC Website ([www.kletc.org](http://www.kletc.org));
- Complete Form 401 and mail to KLETC no later than 15 days prior to the attempted qualification date;
- Submit a fee, with completed application form, of 1 weapon \$45.59 and 2 weapons \$55.59.
- Arrive at the KLETC range on the date and time designated with no more than 2 weapons with which you wish to attempt qualification, 100 rounds of factory- load ammunition for each weapon, eye protection, governmentally issued picture identification and duty style or plain clothes style holster in good repair; holsters must be worn on the shooter's strong side hip.
- Present weapons to KLETC armorer for safety check;
- Attend range safety briefing;
- Successfully complete a short, multiple-choice range safety quiz;
- Sign a release of liability waiver.

**The University of Kansas  
Kansas Law Enforcement Training Center  
Hutchinson, Kansas**

**Qualified Law Enforcement Retiree/Separatee  
Annual Firearms Qualification Application**

This form shall be completed and submitted to the Kansas Law Enforcement Training Center by all applicants applying for participation in law enforcement retired/separated officer firearms qualification no later than 15 days prior to the scheduled date of the qualification attempt.

<b>Applicant Information</b>	Date of Upcoming Qualification Attempt: _____	<b>Box 1</b>
Last Name: _____ First Name: _____ MI: _____		
Home Address: Street: _____		
County: _____ City: _____ State: _____ Zip Code: _____		
Home/Cell Phone: _____ Email Address: _____		
Date of Birth: _____ (For identification purposes only)		

<b>Credentialing Agency for Retired/Separated Officer</b>	<b>Box 2</b>
Agency Name: _____	
Agency Address Street: _____ City: _____	
State: _____ Zip Code: _____	
Agency Phone Number: _____ <i>Agency Issued Retired/Separated ID Card is REQUIRED</i>	
Agency Contact Person Name: _____	
Phone: _____	

<b>Weapon(s) Information</b>	List the required information for each weapon with which you intend to qualify. <b><u>You may only attempt qualification with two weapons on each qualification date.</u></b>	<b>Box 3</b>
Weapon #1 Make: _____ Model: _____		
Caliber: _____		
Weapon #2 Make: _____ Model: _____		
Caliber: _____		

<b>Certification</b>	<b>Box 4</b>
<p>By signing below, I certify, under penalty of perjury, that I have retired or separated in good standing from a public agency as a law enforcement officer. I further certify that before retirement or separation, I was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest for an aggregate period of 10 years or more and meet all other requirements of the Law Enforcement Officers Safety Act (LEOSA) of 2010, 18 USC 926C, and have an identification card issued by an agency from which I retired or separated as required by the act.</p>	
<p><b>YOU MUST ATTACH A COPY OF YOUR AGENCY ISSUED RETIRED/SEPARATED ID CARD</b></p>	
Applicant Signature _____	Date _____

Return Completed form to: KLETC P.O. Box 647 Hutchinson, KS 67504-0647 or fax to (620) 694-1420; Contact us: 620-694-1410

# KS – CPOST 50 Round Annual Handgun Qualification Course of Fire



<div style="border: 1px solid black; padding: 5px; background-color: #e0ffff;"> <b>Stage 1</b> 3 yd line                 </div>	<p>Beginning on the 1 ½ yard line, shooter will draw and fire 3 rounds as they are stepping backward and moving laterally one step. Shooter will re-holster and repeat this procedure again on command. (2 strings of 3 - <u>6 rounds total</u>)</p>	<div style="border: 1px solid black; padding: 5px; background-color: #e0ffff;">                     3 seconds per string                 </div>
<div style="border: 1px solid black; padding: 5px; background-color: #00ffff;"> <b>Stage 2</b> 5 yd line                 </div>	<p>Shooter will draw and fire 3 rounds from a two-hand, supported grip. Shooter will re-holster and repeat this procedure on command. (2 strings of 3 each - <u>6 rounds total</u>)</p>	<div style="border: 1px solid black; padding: 5px; background-color: #00ffff;">                     5 seconds per string                 </div>
<div style="border: 1px solid black; padding: 5px; background-color: #add8e6;"> <b>Stage 3</b> 7 yd line                 </div>	<p>Shooter will fire 2 rounds from the threat ready position with weapon in strong hand, supported by the weak hand. The weapon is then transitioned to the weak hand and supported by the strong hand for the final two rounds. (1 string of 4 - <u>4 rounds total</u>)</p>	<div style="border: 1px solid black; padding: 5px; background-color: #add8e6;">                     10 seconds                 </div>
<div style="border: 1px solid black; padding: 5px; background-color: #add8e6;">                     7 yd line                 </div>	<p>Shooter will fire 3 rounds from threat ready, strong hand only, one-hand shooting grip. (1 string of 3 - <u>3 rounds total</u>)</p>	<div style="border: 1px solid black; padding: 5px; background-color: #add8e6;">                     4 seconds                 </div>
<div style="border: 1px solid black; padding: 5px; background-color: #add8e6;">                     7 yd line                 </div>	<p>Shooter will fire 3 rounds from threat ready while moving laterally one step, using the two-hand, supported grip. Re-holster and repeat on command. (2 strings of 3 each - <u>6 rounds total</u>)</p>	<div style="border: 1px solid black; padding: 5px; background-color: #add8e6;">                     4 sec. per string                 </div>
<div style="border: 1px solid black; padding: 5px; background-color: #00bfff;"> <b>Stage 4</b> 10 yd line                 </div>	<p>Shooter will draw and fire 4 rounds using the two-hand, supported grip. Re-holster and repeat on command. (2 strings of 4 each - <u>8 rounds total</u>)</p>	<div style="border: 1px solid black; padding: 5px; background-color: #00bfff;">                     5 seconds per string                 </div>
<div style="border: 1px solid black; padding: 5px; background-color: #ffb6c1;"> <b>Stage 5</b> 15 yd line                 </div>	<p>Shooter will draw and fire 4 rounds using a two-hand, supported grip. (1 string of 4 - <u>4 rounds total</u>)</p>	<div style="border: 1px solid black; padding: 5px; background-color: #ffb6c1;">                     6 seconds                 </div>
<div style="border: 1px solid black; padding: 5px; background-color: #ffb6c1;">                     15 yd line                 </div>	<p>Shooter will draw and fire 3 rounds using a two-hand, supported grip. (1 string of 3 - <u>3 rounds total</u>)</p>	<div style="border: 1px solid black; padding: 5px; background-color: #ffb6c1;">                     5 seconds                 </div>
<div style="border: 1px solid black; padding: 5px; background-color: #ffcc99;"> <b>Stage 6</b> 25 yd line                 </div>	<p>Shooter will draw and fire 5 rounds from a two-hand, supported grip around a barricade in a standing position. (1 string of 5 - <u>5 rounds total</u>)</p>	<div style="border: 1px solid black; padding: 5px; background-color: #ffcc99;">                     15 seconds                 </div>
<div style="border: 1px solid black; padding: 5px; background-color: #ffff00;">                     25 yd line                 </div>	<p>Shooter will draw and fire 5 rounds from a two-hand, supported grip around a barricade in a kneeling position. (1 string of 5 - <u>5 rounds total</u>)</p>	<div style="border: 1px solid black; padding: 5px; background-color: #ffff00;">                     15 seconds                 </div>

## KS – CPOST 50 Round Annual Handgun Qualification Course of Fire

Stage 1	3 yd line	Beginning on the 1 ½ yard line, shooter will draw and fire 3 rounds as they are stepping backward and moving laterally one step. Shooter will re-holster and repeat this procedure again on command.	2 strings of 3 (6 rounds total)	3 sec. per string
Stage 2	5 yd line	Shooter will draw and fire 3 rounds from a two-hand, supported grip. Shooter will re-holster and repeat this procedure on command.	2 strings of 3 (6 rounds total)	5 sec. per string
Stage 3	7 yd line	Shooter will fire 2 rounds from the threat ready position with weapon in strong hand, supported by the weak hand. The weapon is then transitioned to the weak hand and supported by the strong hand for the final two rounds.	1 string of 4 (4 rounds total)	10 seconds
	7 yd line	Shooter will fire 3 rounds from threat ready, strong hand only, one-hand shooting grip.	1 string of 3 (3 rounds total)	4 seconds
	7 yd line	Shooter will fire 3 rounds from threat ready while moving laterally one step, using the two-hand, supported grip. Re-holster and repeat on command.	2 strings of 3 each (6 rounds total)	4 seconds per string
Stage 4	10 yd line	Shooter will draw and fire 4 rounds using the two-hand, supported grip. Re-holster and repeat on command.	2 strings of 4 each (8 rounds total)	5 seconds per string
Stage 5	15 yd line	Shooter will draw and fire 4 rounds using a two-hand, supported grip.	1 string of 4 (4 rounds total)	6 seconds per string
	15 yd line	Shooter will draw and fire 3 rounds using a two-hand, supported grip.	1 string of 3 (3 rounds total)	5 seconds
Stage 6	25 yd line	Shooter will draw and fire 5 rounds from a two-hand, supported grip around a barricade in a standing position.	1 string of 5 (5 rounds total)	15 seconds
	25 yd line	Shooter will draw and fire 5 rounds from a two-hand, supported grip around a barricade in a kneeling position.	1 string of 5 (5 rounds total)	15 seconds

# Kansas Commission on Peace Officers Standards and Training

## **Firearms Course Management Rules**

**KS-CPOST 50 Round Annual Handgun Qualification Course** (Adopted August 2, 2005)

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- Targets:** Agencies must use either the FBIQ or IALEFIQ target for the adopted qualification course of fire.
- Ammunition Management:** There are no required, timed reloads in this course of fire. Ammunition management is the responsibility of the shooter.
- Scoring:** Scoring will consist of counting any round that touches fully or partially, the shaded, silhouette portion of the target.
- A passing score will be 35 or more hits on the target equaling 70% or above.
- Deviations from Course:** No deviations from this course of fire are authorized or permitted during annual firearms qualification shoots.  
**NO EXCEPTIONS**
- Alibis:** Alibis will only be granted for weapon or ammo induced malfunctions. **No alibis will be granted for shooter induced malfunctions, time violations or ammunition management issues.**
- Definitions:** **Alibis** are defined as those shots allowed after time has lapsed and weapon induced malfunction has been corrected or the defective ammunition has been replaced.
- Threat Ready** is defined as the shooter having the weapon presented to the target in a two-handed grip. The weapon is lowered to allow complete visibility of threat over the top of the weapon.
- A String of Fire** is defined as a continuous series of shots fired between the commands to fire and cease fire.
- Agency Discretion:** The annual handgun qualification course of fire may be shot either cold or hot barrel at the discretion of the agency administrator.

The University of Kansas  
Kansas Law Enforcement Training Center  
Hutchinson, Kansas

RANGE RULES FOR BASIC FIREARMS TRAINING

1. Consider **ALL** weapons loaded. **NEVER** point a weapon at anyone while on the range.
2. Weapons are **ALWAYS** pointed downrange. Ensure that you do not endanger yourself or others while on the firing line by turning with a weapon in your hand.
3. Weapons will remain in the holster at all times when not on the firing line, except as directed by KLETC staff. Dry firing of any type is permitted only under supervision of KLETC range personnel. This rule includes all range grounds, including parking area and range house and at all properties identified and authorized by KLETC for training purposes
4. Every student on the firing line will wear eye and ear protection, and a ballistic vest.
5. Load your weapon only on command of the range officer. Student officers do not leave the range with loaded weapons.
6. **Fingers are to remain outside the trigger guard when drawing the weapon and anytime the weapon is out of the holster until the moment the shooter has decided to fire. Always keep fingers outside the trigger guard when holstering the weapon.**
7. If a student officer suspects that a light or "squib" round has been fired, because of an unusual report or lack of felt recoil, the student officer shall stop firing immediately and notify a range officer by raising their hand while keeping the weapon pointed downrange. All other malfunctions will be dealt with by the appropriate immediate action procedure.
8. **Student officers will remain on the firing line upon completion of firing until the designated KLETC staff member has visually and physically cleared each weapon on their relay.**
9. Never step off the firing line or forward of the firing line until commanded to do so by the range officer. Upon completion of a stage of fire the student officer will remain in place, on their firing position, until the instructor announces 'the line is secure'. Student officers will not bend over to police brass, retrieve magazines or other items until the line has been secured.
10. **Before cleaning their weapons each relay will have their weapons cleared and inspected, as a group, by the designated KLETC staff member.** Weapons cleaning will be done only in designated areas under the supervision of KLETC staff.
11. Weapons will be carried empty and with the action open (slide back or cylinder open) when not in the holster. Shotguns will be carried in the 'carry one' position with the action open and safety engaged. Weapons are not to be left unattended.
12. Never trust memory. Always assume that any weapon is loaded.
13. Any person observing an unsafe condition on the firing line shall immediately call for firing to cease. Report all safety violations to the nearest range officer.

**My signature below acknowledges that I have been given a copy of the above rules. I have read and understand the above rules and agree to adhere to them. I understand that any violation of the above rules will be cause for removal from the range.**

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

**Print Name:** \_\_\_\_\_

## LEAD SAFETY RULES

The following are some simple steps to follow to protect you and your family from lead poisoning.

- DON'T SMOKE ON THE RANGE: Smoking tobacco products on the range should be discouraged to prevent acceleration of inhaled lead into the blood stream.
- DON'T EAT ON THE RANGE: Lead dust on hands and face can be ingested through contact with food.
- DON'T COLLECT BRASS IN HATS: Many shooters use their hats to collect spent brass causing the hat to become covered in lead. When the hat is placed on the head, the lead is deposited onto the hair and absorbed into the skin.
- DO BE AWARE FACE, ARMS, HANDS & CLOTHING ARE COVERED WITH LEAD: Wash thoroughly with **COLD WATER** and soap, particularly those with facial hair.
- DO BE AWARE THAT HAIR AND CLOTHES ARE STILL CONTAMINATED: To prevent cross-contamination, range clothes should be washed separately from other family clothing, especially those of infants.
- DO CHANGE RANGE SHOES BEFORE ENTERING RESIDENCE: Clothes, shoes and shooting gear are transporters of lead home to the family. Shoes should be left at the door to prevent lead from being tracked onto floors and carpets.
- DO AVOID PHYSICAL CONTACT WITH FAMILY MEMBERS UNTIL A SHOWER, SHAMPOO & CHANGE OF CLOTHES: Lead can be transferred by casual contact; family and friends should not be hugged or kissed until a shower, shampoo and a change of clothes. Young children like to rush up to parents for a hug, this display of affection should be avoided if the shooter is still in range clothes.

## PURPOSE

To establish a procedure for providing qualified retired law enforcement officers the opportunity for annual firearms qualification on the State of Kansas standard firearms qualification course of fire pursuant to the provisions found in the Law Enforcement Officers Safety Act of 2004, 18 U.S.C. 926C. In accordance with Kansas law the standard firearms qualification course of fire will be conducted at the Kansas Law Enforcement Training Center at least twice annually.

## APPLICABLE LAW

K.S.A. 74-5607(e)

The commission shall adopt the rules and regulations that are necessary to ensure that law enforcement officers are adequately trained and to enforce the provisions of this act. Such rules and regulations shall include, but are not limited to, the establishment of a course of fire as a standard qualification for active law enforcement officers to carry firearms that may also be used for qualified retired officers to carry firearms pursuant to federal law. The director shall provide qualification opportunities for qualified retired officers at least twice a year at the times and places the director determines to be necessary. The training center shall charge and collect a fee from retired state, local and federal officers for the qualification opportunities, but these fees shall be limited to the actual costs of presenting the standard qualifications course.

**Definition:** For the purposes of this document, weapon is defined as a handgun. No rifles, shotguns, or other firearms will be allowed.

## PROCEDURE

### **Applicant Eligibility**

Each applicant through the law enforcement agency from which they retired must meet the requirements of the Law Enforcement Officers Safety Act of 2004, 18 U.S.C. 926C.

These requirements include:

- Applicant before retirement, was authorized to engage in or supervise the prevention, detection, investigation or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest and;
- Is retired in good standing from service with a public agency as a law enforcement officer, other than for reasons of mental instability and;
- Before retirement was regularly employed as a law enforcement officer for an aggregate of 15 years or more or retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency and;
- Has a non-forfeitable right to benefits under the retirement plan of the agency and;
- Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance and;



- Is not prohibited by Federal law from receiving a firearm.

**Applicant's eligibility is determined by the applicant's credentialing agency. KLETC cannot and will not issue any statement or opinion regarding applicant eligibility.**

### **Applicant Responsibilities Prior to Firearm Qualification Attempt**

Before KLETC will permit any qualified retired officer the opportunity to attempt the State of Kansas standard firearms qualification course of fire (adopted by the Kansas Commission on Peace Officers' Standards and Training, August 2005) all retired applicants must complete the following requirements:

- Submit a completed Kansas Law Enforcement Training Center (KLETC) Form 401 to KLETC no later than 15 days prior to the scheduled qualification date; (KLETC Form 401 may be obtained from the Kansas Law Enforcement Training Center website at [kletc.org](http://kletc.org) (click on category Retired HR 218) or by calling 620-694-1410. Completed forms received after the established submission deadline will be scheduled for the next regularly scheduled qualification date.
- Submit a fee (as authorized by K.S.A. 74-5607(e) with KLETC Form 401. No firearm qualification attempts will be allowed prior to payment of the fee. An additional fee will be charged for each additional weapon the applicant wishes to qualify upon. Applicants are allowed up to two weapons upon which to attempt qualification at each qualification time.
- Sign a release of liability waiver the day of the qualification attempt;
- Provide governmentally issued photo ID on the day of qualification attempt;
- Attend a range and firearms safety briefing the day of the qualification attempt. Applicant retirees must receive a score of 100% (provide all correct answers) on a short safety quiz on the day of the qualification attempt before being permitted on the firing line. In advance of the scheduled qualification date, range and firearms safety materials will be mailed to all registered applicants.

### **Required Equipment**

On the scheduled qualification attempt date the applicant will bring to the Kansas Law Enforcement Training Center the following equipment:

- Weapon(s) with which applicant wishes to qualify (maximum of two weapons);  
(All weapons must pass a safety inspection by KLETC range staff on day of attempted qualification.)  
All standard safety features of the weapon must operate properly.
- 100 rounds of new, factory load ammunition (reloaded ammunition will not be permitted-no exceptions) for each weapon upon which the applicant wishes to attempt qualification.
- A duty style holster or plain clothes style holster in good repair; holsters must be worn on the shooter's strong side hip.

- Eye protection appropriate for firearms range activities.

### **KLETC Responsibility**

Upon receipt of application from a qualified law enforcement retiree, KLETC will:

- Generate a computer record file;
- KLETC will send each applicant at his/her address indicated in the application:
  - o A letter acknowledging receipt of application
  - o Date, time, location and map of next scheduled qualification attempt
  - o Target used in qualification attempt (for practice use by applicant)
  - o State of Kansas standard firearms qualification course of fire
  - o Safety handouts (for study purposes for safety quiz)
  - o Equipment requirements for day of attempted qualification
- Provide hearing protection on day of attempted qualification;
- Provide safety briefing and administer safety quiz to retiree prior to qualification attempt;
- Administer the firearms course of fire;
- Provide a wallet size firearms certification card for each weapon upon which applicant has qualified to applicants who successfully achieve a passing score of 70% or greater on the State of Kansas standard firearms qualification course of fire.

### **Firearms Qualification Course Management**

- No practice rounds will be allowed at the KLETC range prior to qualification attempt.
- Each applicant will be allowed up to two qualification attempts per weapon; (if applicant fails to qualify after two attempts, applicant may reapply to the next qualification date. Payment of another fee will be required.)
- Course management rules for the State of Kansas standard firearms qualification course of fire are provided below the stages of fire listed;
- KLETC Range Staff decisions regarding target scoring and course management will be final.

Safety is of paramount importance to KLETC staff. Accordingly, KLETC reserves the right to refuse admission to or expel any applicant from KLETC firearms facilities for engaging in unsafe behavior including the use of unsafe equipment.

in civil actions in the district courts. In case of the failure of any person to comply with any subpoena issued on behalf of the commission, or on the refusal of any witness to testify to any matters regarding which the witness may be lawfully interrogated, the district court of any county, on application of a member of the commission, may require compliance by proceedings for contempt, as in the case of failure to comply with a subpoena issued from such court or a refusal to testify in such court. Each witness who appears before the commission by its order or subpoena, other than a state officer or employee, shall receive for such attendance the fees and mileage provided for witnesses in civil cases in courts of record which shall be audited and paid upon presentation of proper vouchers sworn to by such witnesses and approved by the chairperson of the commission or by a person or persons designated by the chairperson;

(3) enter into contracts necessary to administer the provisions of this act and the certification of law enforcement officers; *and*

(4) assess the costs of such matters pending before the commission under this section against the governmental entity employing the police officer or law enforcement officer.

(c) Members of the law enforcement training commission attending meetings of ~~such~~ *the* commission, or attending a subcommittee meeting ~~thereof~~ authorized by ~~such~~ *the* commission, shall be paid amounts provided for in subsection (e) of K.S.A. 75-3223, and amendments thereto. The director and the chairperson of the commission shall be responsible for approving all expense vouchers of members.

(d) The commission shall meet at least once each year at the training center and may hold special meetings whenever they are called by the chairperson.

*(e) The commission shall adopt the rules and regulations that are necessary to ensure that law enforcement officers are adequately trained and to enforce the provisions of this act. Such rules and regulations shall include, but are not limited to, the establishment of a course of fire as a standard qualification for active law enforcement officers to carry firearms that may also be used for qualified retired officers to carry firearms pursuant to federal law. The director shall provide qualification opportunities for qualified retired officers at least twice a year at the times and places the director determines to be necessary. The training center shall charge and collect a fee from retired state, local and federal officers for the qualification opportunities, but these fees shall be limited to the actual costs of presenting the standard qualifications course.*

Sec. 5. K.S.A. 2004 Supp. 79-3235 is hereby amended to read as follows: 79-3235. If any tax imposed by this act or any portion of such tax is not paid within 60 days after it becomes due, the secretary or the secretary's designee shall issue a warrant under the secretary's or the secretary's designee's hand and official seal, directed to the sheriff of any county of the state, commanding the sheriff to levy upon and sell the real and personal property of the taxpayer found within the sheriff's county for the payment of the amount thereof, with the added penalties, interest and the cost of executing the warrant and to return the warrant to the secretary or the secretary's designee and pay to the secretary or the secretary's designee the money collected by virtue of it not more than 60 days from the date of the warrant. *Firearms seized may be appraised and disposed of in the same manner prescribed in K.S.A. 79-5212, and amendments thereto.* The sheriff, within five days after the receipt of the warrant, shall file with the clerk of the district court of the county a copy thereof, and thereupon the clerk shall either enter in the appearance docket the name of the taxpayer mentioned in the warrant, the amount of the tax or portion of it, interest and penalties for which the warrant is issued and the date such copy is filed and note the taxpayer's name in the general index. No fee shall be charged for either entry. The amount of such warrant so docketed shall thereupon become a lien upon the title to and interest in the real property of the taxpayer against whom it is issued. The sheriff shall proceed in the same manner and with the same effect as prescribed by law with respect to executions issued against property upon judgments of a court of record and shall be entitled to the same fees for services to be collected in the same manner.

The court in which the warrant is docketed shall have jurisdiction over all subsequent proceedings as fully as though a judgment had been ren-

Public Law 108–277  
108th Congress

An Act

To amend title 18, United States Code, to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns.

July 22, 2004  
[H.R. 218]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Law Enforcement Officers Safety Act of 2004”.

Law Enforcement  
Officers Safety  
Act of 2004.  
18 USC 921 note.

**SEC. 2. EXEMPTION OF QUALIFIED LAW ENFORCEMENT OFFICERS FROM STATE LAWS PROHIBITING THE CARRYING OF CONCEALED FIREARMS.**

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by inserting after section 926A the following:

**“§ 926B. Carrying of concealed firearms by qualified law enforcement officers**

“(a) Notwithstanding any other provision of the law of any State or any political subdivision thereof, an individual who is a qualified law enforcement officer and who is carrying the identification required by subsection (d) may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce, subject to subsection (b).

“(b) This section shall not be construed to supersede or limit the laws of any State that—

“(1) permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property; or

“(2) prohibit or restrict the possession of firearms on any State or local government property, installation, building, base, or park.

“(c) As used in this section, the term ‘qualified law enforcement officer’ means an employee of a governmental agency who—

“(1) is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and has statutory powers of arrest;

“(2) is authorized by the agency to carry a firearm;

“(3) is not the subject of any disciplinary action by the agency;

“(4) meets standards, if any, established by the agency which require the employee to regularly qualify in the use of a firearm;

“(5) is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

“(6) is not prohibited by Federal law from receiving a firearm.

“(d) The identification required by this subsection is the photographic identification issued by the governmental agency for which the individual is employed as a law enforcement officer.

“(e) As used in this section, the term ‘firearm’ does not include—

“(1) any machinegun (as defined in section 5845 of the National Firearms Act);

“(2) any firearm silencer (as defined in section 921 of this title); and

“(3) any destructive device (as defined in section 921 of this title).”.

(b) CLERICAL AMENDMENT.—The table of sections for such chapter is amended by inserting after the item relating to section 926A the following:

“926B. Carrying of concealed firearms by qualified law enforcement officers.”.

**SEC. 3. EXEMPTION OF QUALIFIED RETIRED LAW ENFORCEMENT OFFICERS FROM STATE LAWS PROHIBITING THE CARRYING OF CONCEALED FIREARMS.**

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is further amended by inserting after section 926B the following:

**“§ 926C. Carrying of concealed firearms by qualified retired law enforcement officers**

“(a) Notwithstanding any other provision of the law of any State or any political subdivision thereof, an individual who is a qualified retired law enforcement officer and who is carrying the identification required by subsection (d) may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce, subject to subsection (b).

“(b) This section shall not be construed to supersede or limit the laws of any State that—

“(1) permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property; or

“(2) prohibit or restrict the possession of firearms on any State or local government property, installation, building, base, or park.

“(c) As used in this section, the term ‘qualified retired law enforcement officer’ means an individual who—

“(1) retired in good standing from service with a public agency as a law enforcement officer, other than for reasons of mental instability;

“(2) before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;

“(3)(A) before such retirement, was regularly employed as a law enforcement officer for an aggregate of 15 years or more; or

“(B) retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;

“(4) has a nonforfeitable right to benefits under the retirement plan of the agency;

“(5) during the most recent 12-month period, has met, at the expense of the individual, the State’s standards for training and qualification for active law enforcement officers to carry firearms;

“(6) is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

“(7) is not prohibited by Federal law from receiving a firearm.

“(d) The identification required by this subsection is—

“(1) a photographic identification issued by the agency from which the individual retired from service as a law enforcement officer that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active law enforcement officers to carry a firearm of the same type as the concealed firearm; or

“(2)(A) a photographic identification issued by the agency from which the individual retired from service as a law enforcement officer; and

“(B) a certification issued by the State in which the individual resides that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the State to meet the standards established by the State for training and qualification for active law enforcement officers to carry a firearm of the same type as the concealed firearm.

“(e) As used in this section, the term ‘firearm’ does not include—

“(1) any machinegun (as defined in section 5845 of the National Firearms Act);

“(2) any firearm silencer (as defined in section 921 of this title); and

“(3) a destructive device (as defined in section 921 of this title).”.

(b) CLERICAL AMENDMENT.—The table of sections for such chapter is further amended by inserting after the item relating to section 926B the following:

“926C. Carrying of concealed firearms by qualified retired law enforcement officers.”.

Approved July 22, 2004.

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LEGISLATIVE HISTORY—H.R. 218 (S. 253):

HOUSE REPORTS: No. 108-560 (Comm. on the Judiciary).

SENATE REPORTS: No. 108-29 accompanying S. 253 (Comm. on the Judiciary).

CONGRESSIONAL RECORD, Vol. 150 (2004):

June 23, considered and passed House.

July 7, considered and passed Senate.

