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January 28, 2015

RE: House Committee on Federal and State Affairs
House Bill No. 2074 Hearing

Dear Chairman Brunk and Honorable Members of the Committee:

I am here today representing thousands of KSRA members and Kansas gun owners to testify as a proponent of House Bill Number 2074. Thank you for allowing me to speak to you about the issues before you in this bill.

This is a cleanup bill needed to reconcile some issues created in legislation from 2013 and 2014. In 2013 we decriminalized accidentally going into a building that is posted with the no concealed carry sign. The clear intent was for that decriminalization to apply to both public and private buildings. Unfortunately an important provision that should have been placed in the 2013 bill was missed and K.S.A. 21-6309 was not repealed as it should have been. Therefore the act of accidentally carrying into a public building was not decriminalized. We are asking that the legislature repeal K.S.A. 21-6309 with this bill so that the clear original intent is enacted.

The other measure in this bill has to do with the qualifications for obtaining a concealed carry permit. In 2009 the wisdom of the legislature determined that if someone met the federal and state guidelines for purchasing and owning a firearm they should be afforded the right to carry the firearm. To our knowledge there have been no incidents nor any evidence that would suggest these were unwise or not restrictive enough qualifications.

In 2014 an ill-advised measure was placed in HB 2578 and enacted making those qualifications stricter than existing federal or state law. The result was that some citizens who had committed minor crimes as juveniles but had clean records since reaching adulthood had their concealed carry permit revoked. Many of those citizens were outraged that they had taken the time, and sustained the expense, of obtaining a permit to carry, had possessed it for several years, had a clean record since achieving adulthood, yet had their permits revoked.

Some of you may recall the discussion from 2009, which was supported by the KSRA and the NRA, that punishing people who made bad decisions as children was not fair or logical. It seems only right to rectify this issue and set the rules back to their pre-July 1, 2014 condition. The qualifiers had been working with no problem for 5 years and we see no reason for that to change. As with any legislation, we supported HB 2578 last year, even with those extra restrictions included, because the other measures in the bill were extremely important and we made a decision to remain silent on this provision with which we disagreed.

We are asking the legislature to please reset these qualifications back to where they belong and restore the right to carry a firearm to those individuals. It is notable that these same individuals have a right to open carry and it seems like an oxymoron to say they can open carry but cannot obtain a permit to carry concealed.

Mr. Chairman and members of the Committee, thank you for considering our position in this most important matter. We respectfully urge that you vote in support of HB 2074 and send it to the floor of the House.

Respectfully Submitted,

President and Registered Lobbyist

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