

**NATIONAL RIFLE ASSOCIATION OF AMERICA
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MEMORANDUM OF SUPORRT

DATE: February 12, 2015
TO: Senate Federal and State Affairs Committee
FROM: John Commerford, State Liaison
RE: Senate Bill 45

Mr. Chairman, members of the committee, I appreciate the opportunity to address you this morning on an issue important to NRA members and gun owners throughout Kansas. My name is John Commerford and I am here today on behalf of the National Rifle Association Institute for Legislative Action to express our support for SB 45. Authored by Senator Terry Bruce, SB 45 would repeal the existing provision of law that requires a person to have a concealed handgun license (CCHL) in order to carry a concealed firearm.

In Kansas, it is already legal to carry a firearm openly, as long as the individual is not prohibited by law from possessing a firearm. However, under current law, if a firearm becomes covered by a coat or if an individual prefers to carry a firearm for self-protection in a purse or handbag, one would need to obtain a concealed pistol permit.

The current licensing system in Kansas requires a law-abiding citizen to pay a fee, endure a bureaucratic process, be subjected to fingerprinting, obtain the government's permission and be added to a government maintained list of license holders just because their choice of clothing does not lend itself to practical open carry.

With the passage of this legislation, only law abiding citizens who are eligible to possess a firearm under State or Federal law would be able to exercise their right to carry a concealed firearm without a license.

Federal disqualifiers for firearm possession include:

- Felony Conviction
- Conviction of a misdemeanor crime of domestic abuse
- Having been adjudicated mentally incompetent
- Dishonorable discharge from the U.S. Military
- Unlawful user of alcohol, controlled substances or other drugs
- Currently subject to a protective order

Law abiding citizens are the only individuals currently obtaining licenses to carry a concealed firearm. Allowing these individuals to carry concealed, without a license, will not change the fact that they are law abiding. Criminals, on the other hand, are already carrying concealed firearms without licenses. Those with existing records or federal disqualifiers, as noted above, may be prosecuted for additional offenses for mere possession of a firearm.

SB 45 would not change the current licensing system. Individuals will still be able to apply through their local Sheriff and obtain a CCHL. They will also be able to enjoy the benefits that come from being a CCHL holder. These benefits include reciprocal agreements with other states, NICS Background Check exemption and compliance within 1,000 feet of a school zone.

Some will argue that individuals carrying concealed firearms should undergo training. Again, it makes no sense to allow individuals to carry “openly” anywhere in the state, then subject them to bureaucratic requirements in order to wear outer clothing or carry their firearm in a handbag. Training requirements for issuance of a concealed carry license across the country range from nothing to the extreme. The empirical evidence from every such state, regardless of the level of qualification or training standards, is the same: Law abiding citizens who carry firearms are exercising their constitutional right to bear arms and their natural right to defend themselves with utmost responsibility, training-related or otherwise. Training programs will still be as readily available as they are today for those who feel that they need to obtain instruction.

Numerous states have begun to work on this very issue in their respective legislatures this session. The passage of this legislation would make Kansas the fifth state to repeal the requirement of having to obtain a license before being able to carry a concealed firearm.

On behalf of the National Rifle Association and gun owners throughout Kansas, I respectfully request your support of Senate Bill 45.