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MEMORANDUM

To: Chairperson Thompson
Members of the House Committee on Federal and State Affairs

From: The Office of Revisor of Statutes

Date: February 11, 2025

Subject: SB 137 – Authorizing the sale or transfer of forfeited firearms under the Kansas standard asset seizure and forfeiture act to a licensed firearm dealer.

Senate Bill No. 137 (SB 137) amends K.S.A. 60-4117 regarding the disposition of property that is forfeited under the Kansas Standard Asset Seizure and Forfeiture Act (Act). Under the Act, assets seized as part of an investigation and prosecution for certain crimes and unlawful conduct may be forfeited to the seizing agency because the assets are either unlawful or were proceeds from unlawful conduct. Under current law, firearms that are forfeited shall be destroyed, used by the agency for official purposes, traded to another law enforcement agency for use by that agency, or given to the Kansas Bureau of Investigation for use, testing, comparison, or destruction by the Bureau.

SB 137 would authorize the seizing agency to sell or transfer forfeited firearms to a properly licensed federal firearms dealer as a fifth option. This authorization already exists under K.S.A. 22-2512 for weapons that are seized by law enforcement under the code of criminal procedure and that are subsequently forfeited by court order.

If enacted, SB 137 would become effective on July 1, 2025.