



Kansas State Rifle Association
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March 21, 2013

RE: House Committee on Federal and State Affairs
House Bill No. 2111 Hearing

Dear Chairman Siegfried and Honorable Members of the Committee:

I write to you today as a proponent of House Bill Number 2111 and urge you to vote YES on this bill. This is one of the most important pieces of legislation we could possibly do to protect the law abiding gun owners of Kansas.

HB 2111 provides for statewide preemption regarding firearms laws. Firearms are a constitutional matter protected by the Second Amendment. Constitutional matters should not be left up to individual municipalities such as the city or county to regulate. The Second Amendment is on the same playing field as the First Amendment right to freedom of speech or freedom of religion. We do not allow those things to be regulated by local jurisdictions and our position is that Second Amendment issues should not be regulated at the local level either. It is time to fix this problem.

What we have at this time is a patchwork quilt of laws across the state making it impossible for law abiding gun owners to know what they can and cannot do in regard to transporting and carrying firearms with the exception of concealed carry. In regards to transportation of firearms, we passed a pre-emptive law in 2005 but many jurisdictions have failed to abide by that law. Open carry has been left to home rule and has created a patchwork quilt of laws that have easily ensnared law abiding citizens.

Just recently lawsuits were filed against Kansas City, Leawood and Prairie Village as a result of the fact that they have disregarded State law and two Attorney General's opinions regarding Open Carry. Those AG Opinions are clear that open carry cannot be prohibited yet there are jurisdictions with ordinances knowingly prohibiting it regardless. This must be stopped! We believe that NO firearms law should be within the control of local jurisdictions.

It is critical that we bring uniformity to our Firearms laws. While certainly home rule applies to many areas it surely does not apply to an inalienable, natural, God given right protected by the Second Amendment.

In the case of the lawsuits that have been brought against Kansas City, Leawood and Prairie Village, those cities are spending taxpayer money to fight for their position and I respectfully submit that is an atrocious and wasteful expenditure of the people's money. We must put a stop to this. It is perplexing at best that such disrespect is being shown for the rights of our citizens by these cities.

The citizens of Kansas have a right to travel across the state secure in their person without concern for unknowingly or unwittingly violating ordinances of individual municipalities. We have made great strides in Kansas in protecting our citizen's rights and it is time to seal the deal regarding firearms laws.

There are many jurisdictions which have passed ordinances in compliance with state law and they have done so because they have no history of issues or problems that make them feel it is necessary to further restrict our rights. They understand that all prohibitive laws do is restrict law abiding citizens. Criminals never have, nor will they, care what the law is. These restrictive ordinances do not affect the behavior of criminals whatsoever.

I have received so many complaints from citizens it boggles the mind. Law Enforcement would appear to either be unclear about the current law or are not receiving training updates. Citizens have been arrested for lawful transportation under state law but held in violation of city ordinances. While they may have been vindicated in the end, they were forced to spend money on bail, court costs and attorney fees to prove that they were acting lawfully. It's a trap that any citizen could fall in to. It is time to rectify this issue.

In anticipation of any opposition to this bill I would also like to make sure it is understood that criminals are criminals because they do not care what the law says nor do they abide by it.

I would also suggest and support putting some teeth in the preemption law to deter these individual municipalities in making a decision to ignore the preemption. Penalties should be provided for as a deterrent if individual jurisdictions make a choice to ignore state law.

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 2111, recommend it for passage, and send it to the floor of the House for a vote.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Dennis L. Downing".

President

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