

PO Box 219, Bonner Springs, KS 66012

March 13, 2015

RE: House Committee on Federal and State Affairs, Senate Bill No. 45 Hearing

Dear Chairman Brunk and Honorable Members of the Committee:

My name is Patricia Stoneking and I represent thousands of KSRA members and Kansas gun owners. Thank you for the opportunity to share our position with you. We are a proponent of Senate Bill No. 45.

This bill can be referred to as Permitless Carry, Constitutional Carry or Freedom to Carry. Freedom being the key word. In essence this bill simply allows for law abiding citizens aged 21 and over to carry a concealed handgun without having to pay the government for permission. It repeals the requirement to obtain a permit to carry concealed but leaves all other regulations and the permitting process intact. There are many reasons to reestablish this liberty for our citizens.

The Second Amendment of the U.S. Constitution and Article IV of the Kansas Constitution never imply in any way that citizens should have to comply with government applications, mandatory classes, testing or paying fees to exercise that right. It is unmistakably an unalienable and natural right for citizens to exercise self-defense.

Beyond the Constitutional issues there are practical reasons why this legislation should be enacted. There are many citizens who don't have the money to pay those permit fees. Money should never be a reason to prevent someone from exercising their right to self-defense. Many Senior Citizens live on fixed incomes and simply cannot afford the costs to obtain a permit yet they are undoubtedly one of the segments of the population that are at the most risk and need to be able to carry a handgun. Some people simply do not have an income that will provide expendable cash for licensing and those folks probably live in lower income neighborhoods where crime is more prevalent. They too are at higher risk and should be able to protect themselves. I think we have to ask ourselves why we deprive them of that right.

Additionally, Kansas has always been an Open Carry state and with the enactment of last year's local preemption bill citizens 18 and over are allowed to Open Carry and are doing so without incident. No licensing or training is required and no fees must be paid in order to do so. However, should someone's coat or shirt accidentally cover their firearm they are guilty of a criminal use of weapons offense. This is not a fair or reasonable situation to be faced with. There are some who are uncomfortable with the notion of open carry, particularly women, who should be able to put their gun in their purse. This is about both principle and practical application.

The State of Kansas recognizes all valid concealed carry licenses (or permits, cards, etc.) that are issued by another State or the District of Columbia. Anyone from any state that has a concealed carry permit can come to Kansas and carry while visiting. Not all of those states require training to obtain a concealed carry permit. People from other states with permits and no government mandated training have been carrying in Kansas and you didn't even know it. That's because there have been no incidents of any concern. How can anyone reconcile that with not wanting Kansans to do what people from other states can already do right here in

Kansas? How can anyone possibly believe that citizens of Kansas should be afforded a lesser right than those who don't even live here? It certainly is unjust to trust citizens of other states yet not trust our own residents.

Several other states have repealed permit requirements for carrying concealed. Vermont has never required a permit to carry. Arizona passed their repeal in 2010 and there have been no problems. Other states with Constitutional or Permitless Carry are Alaska, Arkansas, Oklahoma and Wyoming. Currently there are at least a dozen other states that have Constitutional Carry legislation making its way through their statehouses. Constitutional Carry is the coming wave. Kansas was behind the curve as the 47th state to pass concealed carry in 2006. Kansas should be ahead of the curve this time and be one of the first ten to pass Constitutional Carry.

Carrying a gun is a lifestyle and government should trust its citizens to exercise personal responsibility but personal responsibility should never be a government mandate. I trust Kansans to act responsibly and the evidence is clear that they do. Our government should trust them too.

The predictions are always the same and they have always been proven wrong. When we were passing concealed carry and local preemption for open carry in Kansas people said there would be bloodshed in the streets. There was none. People said there would be shootouts in parking lots over parking spaces. There were none. People said we were returning to the days of the Wild West. It didn't happen. We should be guided by fact and not emotions and fact shows that law abiding citizens act responsibly.

Many Kansans were raised with firearms and taught gun safety when very young. Others act responsibly and will seek out any training they may need. I do not know of anyone who wants to be unsafe or mishandle a firearm. This is a great time for instructors to make use of the free market and capitalize on offering a variety of training classes and market their services to potential students. Those who feel they need training will seek it.

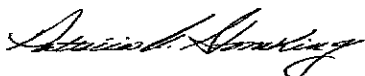
When people are purchasing guns they undergo a background check. Obviously those who will carry have made a gun purchase. To require any additional background check is redundant and unnecessary. It will still be unlawful for those with convictions for felonies, domestic abuse, those adjudicated mentally ill or who abuse alcohol and drugs or subject to a protective order to possess or carry a firearm. And as always, criminals don't care what the law says, they have always carried concealed firearms, and will continue their criminal behavior. Those criminals should be the concern of this body. Not law abiding citizens who just want to make sure that they and their family can defend themselves against those criminals.

We live in some dangerous times. We have MS-13 flooding over our open border and setting up shop in cities all over the country including in Kansas. We have serious threats from terrorists who the FBI has notably said are operating all over the United States. All citizens should be afforded the right to attempt to defend themselves regardless of financial standing and without getting a permission slip from the government.

As for insurance premiums being raised on business owners - another unfounded prediction which we have heard before when passing the original concealed carry law and preemption on open carry. Our Kansas Insurance Department has thoroughly researched it and there is no evidence that it has happened in any other state or any reason to believe it will happen here now just as it didn't happen before.

Mr. Chairman and members of the Committee, thank you for your time in considering our position and we respectfully urge that you pass SB45 and send it to the floor of the House for a vote.

Respectfully Submitted,



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