

SESSION OF 2017

SUPPLEMENTAL NOTE ON SENATE BILL NO. 121

As Recommended by Senate Committee on
Federal and State Affairs

Brief*

SB 121 would enact the Kansas Protection of Firearms Rights Act by amending current law regarding criminal possession of a weapon by a convicted felon.

The bill would remove the lifetime prohibition of carrying a firearm for persons who have been convicted of a crime and have had the conviction of the crime expunged or have been pardoned. The bill would also remove the lifetime prohibition if a person was in possession of a firearm, but did not use a firearm in the commission of a crime. (The lifetime ban would still apply if a firearm was used in the commission of a crime.)

The bill would also remove the lifetime prohibition of carrying a firearm for certain crimes if a felony occurred within the preceding five or ten years and the person who committed the felony has been released from imprisonment, or was adjudicated as a juvenile offender, and was not found to have been in possession of a firearm at the time of the commission of the crime.

In addition, the bill would remove the restriction on firearm possession for an individual that has had a felony conviction expunged and would reconcile a conflict between existing statutes regarding an individual's eligibility for a license to act as a bail enforcement agent.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Background

The bill was introduced by the Senate Committee on Judiciary. In the Senate Committee on Federal and State Affairs hearing, the Secretary of State and a representative of the Kansas State Rifle Association testified in favor of the bill. No neutral or opponent testimony was provided.

According to the fiscal note prepared by the Division of the Budget, the Office of Judicial Administration indicates any fiscal effect that would result with enactment of the bill would be negligible. The Kansas Sentencing Commission indicates the bill could have a fiscal effect on prison admissions and beds and the journal entry workload of the Commission, but an amount cannot be determined.