



March 26, 2021

Mr. Chairman and Members of the Committee,

On behalf of the Kansas State Rifle Association, thank you for the opportunity to provide written testimony in opposition to H.B. 2251; AN ACT concerning firearms; relinquishment thereof pursuant to certain court orders; criminal penalties; amending K.S.A. 2020 Supp. 22-3426, 60-3107 and 60-31a06 and repealing the existing sections.

Under the provisions of HB 2251, the court must issue an order requiring the defendant to relinquish all firearms in the defendant's custody, control, or possession, and any conceal carry license issued to the defendant upon: 1. The court's issuance of a qualifying protective order against the defendant; or 2. The conviction of the defendant for domestic battery or any misdemeanor for a domestic violence offense. A defendant subject to a relinquishment order issued would be required to relinquish all firearms in the defendant's custody, control, or possession to the sheriff of the county in which the court issuing the relinquishment order is located or to a licensed federal firearms dealer. The defendant would also be required to relinquish any concealed carry license issued to the sheriff of the county in which the court issuing the relinquishment order is located.

The Kansas State Rifle Association supports the right of law-abiding citizens to own and carry firearms. We also support laws that keep firearms out of the hands bad actors violent criminals. We abhor domestic abuse and stand in support of victims of domestic abuse. Current Kanas law prohibits convicted domestic abusers from possessing firearms.

However, we cannot support H.B. 2251 as written based on concerns that it is unconstitutional. We would point the Committee to the 2014 Supreme Court decision in *Henderson v. United States*.

Therefore, we urge the Committee to reject H.B. 2251.