

SB 534
03/08/22
Nick Reinecker
Opponent

Senate Judiciary
Sen. Kellie Warren Chair.

Madame Chair and Committee

It's 2012, imagine you were in your garden near your 5 plants of cannabis, weeding, pruning, watering, and the like; and as usual, you have your .38 sidearm attached to your belt in open carry position that you use to eliminate threats to your garden, livestock, domesticated animals, family and yourself. You didn't notice the appraiser or KDWP government representative mulling around with binoculars and around 15 minutes later you are confronted with armed law enforcement officers. Although no violence occurred and because of a terrible attorney and a bit of ignorance, you are now a felon. Fast forward 10 years and you are driving a vehicle, concealed carry position and you are taking your mom some cannabis oil and some flower when you are pulled over for a brake light out.

This scenario and others like it, present confounding questions about current law and this proposed bill.

I am concerned about the codification of the definition of "violent felony" in subsection (z) (3), page 10, starting at line 22 and am providing narrowly scoped opponent testimony based on subsection (z) (3) (U) and (AA) as it pertains to (U), regarding cannabis, the natural plant.

(U) any felony offense described in K.S.A. 2021 Supp. 21-5703, 21-5705 or 21-5706, and amendments thereto;

21-5705. Unlawful cultivation or distribution of controlled substances. (a) It shall be unlawful for any person to distribute or possess with the intent to distribute any of the following controlled substances or controlled substance analogs thereof:

21-5706. Unlawful possession of controlled substances.

I would be happy to change from opponent to proponent if Cannabis, the natural plant and regardless of THC content, was de-scheduled from the state Controlled Substances Act.

Thank You.

Nick Reinecker