

House Concurrent Resolution No. 5020

By Representatives B. Carpenter, Schmoe, Anderson, Awerkamp, Barth, Bergkamp, Bergquist, Blew, Blex, Bloom, Bryce, Buehler, Butler, W. Carpenter, Clifford, Collins, Corbet, Delperdang, Donohoe, Droge, Ellis, Eplee, Estes, Fairchild, Garber, Goddard, Goetz, Hawkins, Hill, Hoffman, Hoheisel, Howe, Howell, Howerton, Humphries, Jacobs, Johnson, Kessler, Landwehr, Mason, Maughan, McNorton, Minnix, Moser, Murphy, Neely, Owens, Penn, Pickert, Poetter Parshall, Proctor, Rahjes, Rhiley, Robinson, Roth, Sanders, Seiwert, A. Smith, C. Smith, E. Smith, Sutton, Tarwater, Thomas, Thompson, Titus, Turk, Underhill, Waggoner, Wasinger, Waymaster, White and K. Williams

1-16

1 A PROPOSITION to amend section 4 of the bill of rights of the
2 constitution of the state of Kansas to recognize the right to bear arms
3 as a fundamental right; clarifying that such right includes the
4 possession and use of ammunition, firearm accessories and firearm
5 components.

6
7 *Be it resolved by the Legislature of the State of Kansas, two-thirds of the*
8 *members elected (or appointed) and qualified to the House of*
9 *Representatives and two-thirds of the members elected (or appointed)*
10 *and qualified to the Senate concurring therein:*

11 Section 1. The following proposition to amend the constitution of
12 the state of Kansas shall be submitted to the qualified electors of the state
13 for their approval or rejection: Section 4 of the bill of rights of the
14 constitution of the state of Kansas is hereby amended to read as follows:

15 "§ 4. **Individual right to bear arms; armies.** (a) A person
16 has the right to keep and bear arms for the defense of self, family,
17 home and state, for lawful hunting and recreational use, and for
18 any other lawful purpose, *and such right includes the possession*
19 *and use of ammunition, firearm accessories and firearm*
20 *components*; but standing armies, in time of peace, are dangerous
21 to liberty, and shall not be tolerated, and the military shall be in
22 strict subordination to the civil power.

23 (b) *The right to keep and bear arms is a natural and*
24 *fundamental right. This right shall not be infringed. Any restriction*
25 *of such right shall be subject to the strict scrutiny standard."*

26 Sec. 2. The following statement shall be printed on the ballot with
27 the amendment as a whole:

28 "*Explanatory statement.* This amendment recognizes that the
29 right of the people of Kansas to keep and bear arms shall not

1 be infringed and clarifies that the right includes the
2 possession and use of ammunition, firearm accessories and
3 firearm components. This amendment further recognizes that
4 the right to keep and bear arms is a natural and fundamental
5 right deserving the highest protection. Any restriction of the
6 right to keep and bear arms shall be subject to the strict
7 scrutiny standard.

8 "A vote for this proposition would recognize that the right of the
9 people of Kansas to keep and bear arms shall not be
10 infringed and clarify that the right includes the possession
11 and use of ammunition, firearm accessories and firearm
12 components. Such vote would also recognize the right to
13 keep and bear arms as a natural and fundamental right. Any
14 restrictions of such right would be subject to the strict
15 scrutiny standard.

16 "A vote against this proposition would make no changes to the
17 constitution of the state of Kansas with respect to the right to
18 keep and bear arms."

19 Sec. 3. This resolution, if approved by two-thirds of the members
20 elected (or appointed) and qualified to the House of Representatives and
21 two-thirds of the members elected (or appointed) and qualified to the
22 Senate, shall be entered on the journals, together with the yeas and nays.
23 The secretary of state shall cause this resolution to be published as
24 provided by law and shall cause the proposed amendment to be submitted
25 to the electors of the state at the general election in November in the year
26 2024, unless a special election is called at a sooner date by concurrent
27 resolution of the legislature, in which case such proposed amendment
28 shall be submitted to the electors of the state at the special election.