

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Steven Brunk at 1:30 p.m. on January 25, 2011, in Room 346-S of the Capitol.

All members were present except:

Representative Mitch Holmes-excused  
Representative Steve Huebert-excused  
Representative Mike Peterson-excused

Committee staff present:

Mike Heim, Office of the Revisor of Statutes  
Doug Taylor, Office of the Revisor of Statutes  
Julian Efird, Kansas Legislative Research Department  
Stephen Bainum, Committee Assistant

Conferees appearing before the Committee:

Representative Richard Carlson

Others attending:

See attached list.

The Chairman called for bill introductions. Representative Powell introduced a bill concerning municipalities; authorization to demand coordination of federal and state governments with local laws and regulations. Representative Patton introduced a bill regulating sexually oriented businesses. Representative Knox introduced a bill concerning publicly owned buildings security. They were received without objection.

The Chairman opened the hearing on **HB 2013 Concerning the purchase and sale of certain firearms.**

Mike Heim, Office of Revisor of Statutes explained the effect that **HB 2013** would have.

Representative Carlson presented testimony in support of **HB 2013** (Attachment 1). Federal law allows the sale of long guns to a qualified resident of any state. This bill repeals a requirement for a Kansas dealer to sell a long gun only to a qualified resident of Kansas or a qualified resident of a neighboring state.

Representative Goico mentioned that many people had purchased long guns on the internet in violation of this law. Representative Carlson said that many dealers were not aware of this regulation because they were going by the Federal law.

Representative Gatewood asked if this change to Kansas law would allow a long gun to be shipped directly to my home without a background legal check. Representative Carlson said that the long gun would have to be shipped to a local dealer who would have to do the background legal check.

Written only testimony in support of **HB 2013** was supplied by Jordan Austin, State Lobbyist, NRA-ILA (Attachment 2).

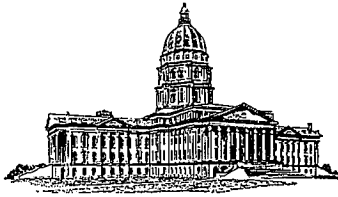
The hearing on **HB 2013** was carried over to the next meeting.

The next meeting is scheduled for January 26, 2011.

The meeting was adjourned at 1:53 p.m.



STATE OF KANSAS



TOPEKA

HOUSE OF  
REPRESENTATIVES

COMMITTEE ASSIGNMENTS

CHAIRMAN: TAXATION

MEMBER: FEDERAL AND STATE AFFAIRS

MEMBER: EDUCATION BUDGET

RICHARD CARLSON

REPRESENTATIVE, 61ST DISTRICT

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Rep. Steve Brunk  
January 25, 2011  
Chairman,  
Federal & State Affairs Committee  
Room 346 S  
Statehouse

Mr. Chairman and members, thank you for the opportunity to present testimony on behalf of HB 2013. I requested the bill to be drafted as it was apparent the Kansas statutes needed to be revised to reflect current federal BATF regulations.

First, all firearms dealers are required to have a federal firearms license which is issued by the BATF (Bureau of Alcohol, Tobacco & Firearms). They are required to follow federal regulations even if State statutes should conflict.

The statutes this bill is repealing, require a Kansas licensed dealer to sell a long gun (rifle or shotgun) only to a qualified resident of Kansas or a qualified resident of a neighboring state. Federal law allows the licensed firearms dealer to sell a long gun to a qualified resident of any state.

I asked Legislative research to see if they could find any reason this statute is on our books and also if there are any changes in federal law since the Federal Gun Control of 1968, was enacted. While I do not presume to speak for Legislative research I don't believe they found any conflicts with this bill.

HB 2013 only deals with licensed Kansas firearm dealers' ability to sell long guns to qualified residents of states that do not border Kansas.

Federal regulations of licensed dealers do not prohibit licensed dealers, in any one state, to sell to any qualified individual in any other state. This applies to long guns, only. There are federal restrictions on licensed dealers selling HAND GUNS to qualified individuals in other states.

Thank you for your favorable consideration of HB 2013.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Carlson". The signature is fluid and cursive, with a large, sweeping "R" and "C".

Richard Carlson  
State Representative 61st dist.

House Fed & State Affairs

Date: 1/25/11

Attachment

1



## National Rifle Association of America

Institute for Legislative Action

11250 Waples Mill Road

Fairfax, Virginia 22030-7400

Chairman Steve Brunk  
Federal and State Affairs Committee  
Kansas State Capitol  
Topeka, KS 66612

Chairman Brunk,

January 25, 2011

On behalf of the National Rifle Association of America, I would like to express my support for HB 2013. This bill is a necessary fix to an outdated statute that has somehow slipped by and been ignored for far too long. I appreciate Rep. Richard Carlson's willingness to address this issue. While we have known about it for quite a while, there were other pressing issues that needed to be addressed. Now is our time to fix this problem.

A federal law, known as the National Firearms Act, was passed in 1934 that established a limitation on the sale and purchase of long guns such as rifles and shotguns to states sharing contiguous borders. The federal law was amended in 1986 to repeal the requirement of express state authorization for out-of-state purchases and the limitation to contiguous states. For whatever reason, this change in federal law was not addressed or amended into State code.

To summarize what this bill will do is quite simple. The current state statute requires that Kansas citizens can only purchase long guns in states that share a border with Kansas. Kansas firearms dealers (FFL's) can only sell long guns to either Kansas citizens, or citizens of states that share a border with Kansas.

This bill would repeal those sections of code which require such actions and allow Kansas citizen's the freedoms that exist under Federal law with regard to the sale and purchase of long guns.

This committee has a long history of supporting the 2<sup>nd</sup> Amendment rights of all Kansas citizens and I urge you to again do the same. Please support HB 2013 and repeal these outdated sections of code.

Thank you for your consideration.

Jordan Austin  
State Lobbyist  
NRA-ILA

House Fed & State Affairs

Date: 1/25/11

Attachment 2