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**Testimony of Attorney General Kris Kobach
Proponent for HCR 5006
House Committee on Federal and State Affairs
February 4, 2025**

Rep. Kessler and Members of the Committee:

House Concurrent Resolution 5006, if adopted and ratified by the citizens of Kansas, states that individuals have a natural and fundamental right to bear arms, which includes the use and possession of ammunition, firearm accessories, and firearm components.

These changes are necessary to protect Kansas gun owners and potentially Kansas businesses.

While the current administration in Washington, D.C., supports the rights of gun owners, that may not always be the case with a future administration. The ATF has a long history of taking steps that restrict the constitutional and statutory rights of gun owners. By placing these provisions in the Kansas Constitution, we will provide additional protection to Kansas citizens and Kansas businesses.

As Kansas Attorney General, I have already defended the rights of Kansans to keep and bear arms by suing the Biden Administration to stop its unlawful regulation that redefines “engaged in the business” of dealing in firearms to encompass occasional selling or swapping of firearms between friends. That case remains pending. It is possible that I may again need to defend Kansans’ firearms rights. The proposed state constitutional amendment would make it easier for me to do so.

The proposed constitutional amendment would make restrictions on gun rights including ammunition, firearm accessories and gun components subject to strict scrutiny. Strict scrutiny is a stringent standard of judicial review, so the courts must assume that any law that seeks to impose restrictions on gun rights including ammunition and firearm accessories and components is unconstitutional. It would force the government to prove that any proposed restrictions are necessary to achieve a compelling state interest, and any proposed law or regulation to restrict gun rights must be the least restrictive means to achieve the government's goal.

I urge your support of this amendment.