



To: Rep. Tom Kessler, Chair
Members of the House Federal & State Affairs Committee

From: David Morantz, Shamberg, Johnson & Bergman, Chtd.
On Behalf of the Kansas Trial Lawyers Association

Date: January 29, 2026

Re: HB 2501 Concerning firearm hold agreements (Neutral, with suggested changes to improve the bill)

Thank you, on behalf of the Kansas Trial Lawyers Association, for the opportunity to testify regarding HB 2501.

KTLA supports policies that incentivize Kansas gun owners to entrust their firearms for safekeeping through a firearm hold agreement, and Federal firearms licensees (FFL) to enter into such agreements.

KTLA members recommend that the immunity provision in Section (b)(1) be tailored more carefully. As currently written, it conflicts with well-established laws regarding the doctrine of negligent entrustment of a dangerous instrumentality. Under this doctrine, a person is liable for providing a dangerous object to someone who cannot use it safely. Liability applies when the person knows or has a reason to know the individual is unfit and would be dangerous to others, if in possession of the object; the object is inherently dangerous or poses a significant risk if used negligently, and it is foreseeable that if the object is in the individual's possession, injuries could result.

HB 2501 would provide immunity for the FFL even if a gun owner told the FFL they intended to harm themselves or others, once they possessed the firearm. We believe it is not the intent of the proponents to extend immunity in this situation or others where an FFL knows the owner is not safe.

KTLA is drafting an amendment that will alleviate our concerns with Section (b)(1) without eroding the underlying and meritorious purpose of HB 2501 and without eliminating immunity entirely. We intend to provide it for the consideration of the committee before the bill is worked. We are happy to work with proponents and other stakeholders as requested by the Chair.

Thank you for the opportunity to offer the concerns of Kansas trial lawyers.