

March 7, 2024

Testimony to the House Committee on Federal and State Affairs

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BILL NUMBER: HB 2803 Gun Rights Preservation Act

PROPONENT, OPPONENT, or NEUTRAL: Opponent

ORAL or WRITTEN ONLY TESTIMONY: Written

Dear Chair & Members of the Committee,

I am writing to voice my opposition to HB 2803.

My opposition first rests in the foundation that it is unconstitutional. The Supremacy Clause of the United States Constitution makes clear federal law preempts any conflicting state law. As such, HB 2803, which would direct Kansas Law Enforcement Officers to disregard federal law is in direct conflict with the Supremacy Clause. In 2021 a similar bill in the state of Missouri passed the legislature but was ultimately struck down and confirmed as unconstitutional by the United State Supreme Court. Certain litigation following passage would not only unnecessarily waste taxpayer dollars and state resources, but is also a waste of time for this legislative body that has significant and important work to undertake.

Further, 72.3% of Kansans, myself included support universal background check, 77.9% support 21-year-old age requirements, 73.3% support red flag laws, and 72.3% support a 3-day waiting period. I want law enforcement officers, like one of my best friends, to be able to do their jobs and keep our communities safe. Creating confusion and mandating disregard for federal law, is unlikely to result in any positive outcome and almost certainly would only endanger the lives of officers and Kansans. I hope that these resounding statistics and for the desires of your constituents are considered and upheld.

Finally, as a mother to two small children, the most important job I have is to keep them safe. I am shocked and appalled that this legislation would surface so soon after the recent tragedy in Kansas City. Moreover, as Kansas schools have seen more school shootings in the last five years than in the last 40 years, I cannot fathom any rationale for legislation that would subject our children to more danger. I come from a family of hunters. I grew up in a home with guns and believe in a person's right to bear arms. But that accessibility and right is earned and should be regulated. Law enforcement should absolutely be responsible for, and empowered to, enforce federal and state law on the matter.

I am urging you to vote no on HB 2803. We have a responsibility as a state to protect our communities, to support law enforcement in ethically and constitutionally carrying out their duties, and to make a Kansas a great state to raise our families.

Kendra Ansley
Topeka, KS