

**Testimony of Colleen Cunningham**  
**Volunteer with Moms Demand Action for Gun Sense in America**  
**Kansas State House – House Federal and State Affairs Committee Hearing**  
**March 7, 2023, 9:00 AM**

Chairman Carpenter, Committee members, and staff,

Thank you for hearing my testimony today. My name is Colleen Cunningham. I am a Kansas voter living in Johnson County with my husband and 3 kids. I have also been volunteering with Moms Demand Action for Gun Sense in America for the past 7 years, and in that time I have gotten to know many Kansans who have been impacted by gun violence.

I am testifying today because HB2803 is a dangerous gun bill that seeks to prohibit Kansas law enforcement officers and agencies from assisting in the enforcement of certain federal gun laws. I have several concerns about this bill:

- HB 2803 would attempt to nullify certain federal gun laws by preventing Kansas state and local law enforcement from assisting in the enforcement of these laws, and penalizing police, prosecutors, and other Kansas government employees who participate in the enforcement of federal public safety laws.
- Similar laws have already been declared unconstitutional. On March 3, 2023, a federal judge in Kansas City struck down the Second Amendment Preservation Act, Missouri's nullification statute, ruling that it is unconstitutional. Even portions of HB 2803 that might survive a constitutional challenge would make Kansas law enforcement agencies subject to costly lawsuits. This is not a wise use of Kansans' taxpayer dollars.
- While that statute was in effect in Missouri, law enforcement expressed that the policy made it much more difficult for state and local law enforcement to do their jobs, filing letters and even a lawsuit supported by 60 police chiefs in Missouri in opposition to the law. We want Kansas law enforcement officers to have clear guidance on what they can and cannot do; this bill makes guidance complicated and confusing.
- This bill would allow arrested individuals to sue Kansas law enforcement agencies who refer them to the United States Attorney's for federal prosecution. For example, if a highway patrol officer who recovers a fully automatic machine gun from a drug dealer or gang member during a traffic stop refers the case for federal prosecution, their agency could be forced to pay a hefty fine. Again, this is not a wise use of taxpayer dollars.

In Kansas, between 2012 and 2021, the rate of gun suicide has increased by 14% and gun homicide increased 102%. Rather than prioritize legislation that will make it tougher for law enforcement to do their jobs, and actually make Kansans less safe, our lawmakers should focus their time and energy on reducing gun violence. Our leaders should be prioritizing common sense gun safety measures that actually protect communities from gun violence, not policies that would make it difficult for law enforcement officials to keep us safe.

I encourage members of the committee to vote NO on HB2803.

Thank you,

Colleen Cunningham