



TO: House Federal and State Affairs Committee

FROM: Eric B. Smith, Legal Counsel

Date: March 21, 2013

RE: Opposition to HB 2111

I want to thank the Committee for allowing the League of Kansas Municipalities to testify in opposition to HB 2111. We believe that cities should continue to have the right to control the open carry of firearms in our communities. Since before statehood cities have been regulating the use of firearms within their borders, and have done so with success. Every city is unique and the local governing body is in the best position to make the decision as to how firearms are regulated in each city.

Local governments lost some control over the regulation of firearms when the Personal and Family Protection Act was enacted. As you know, this act created the concealed carry licensing process which preempted local regulations concerning the carrying of concealed firearms. Part of the arguments used to justify the removal of local control was that the State was providing regulation and control by requiring background checks and training. HB 2111 does not provide any such State oversight or regulation. It is simply the preemption of all local control. HB 2111 would allow the open carry of any firearm by a person over eighteen (18) years of age with no background check, no training and no limits to where they can carry the weapon.

Local governing bodies have always had the authority to regulate the use of firearms within city limits. HB 2111 would remove this long standing right of municipalities and allow open carry with no real restrictions, controls or regulations. LKM continues to oppose the erosion of local government control, and respectfully asks the Committee to **not** pass HB 2111 favorably for passage.