

SESSION OF 2015

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2087

As Amended by House Committee on Federal
and State Affairs

Brief*

HB 2087, as amended, would add language to current law limiting local regulation of firearms and ammunition. The bill would add ordinances, resolutions, regulations, and administrative actions governing the requirement of fees, licenses, or permits for, commerce in or the sale of firearms or ammunition to the list of actions prohibited by local government entities. Current law prohibits local government entities from enacting ordinances, resolutions, regulations, or administrative actions governing the purchase, transfer, ownership, storage, carrying, or transportation of firearms and ammunition. The bill would specify that nothing would prevent cities or counties from levying and collecting any retailers' sales tax on the sale of firearms, ammunition, or both as authorized by existing statute.

The bill also deletes language limiting local regulation of federal firearms dealers to reflect the new language proposed by the bill, which more broadly addresses issues related to regulation of federal firearms dealers.

Background

At the hearing in the House Committee on Federal and State Affairs, testimony in favor of the bill was provided by representatives of the Kansas State Rifle Association, the National Rifle Association of America, and one citizen. The conferees testified the changes proposed by the bill were

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

intended to make the exemptions from local control for federal firearms dealers the same as the more general exemptions from local control contained elsewhere in the law.

A representative of the Kansas Association of Counties provided written neutral testimony on the bill, expressing concern about how the bill would affect cities' and counties' abilities to collect sales taxes on firearms and ammunition.

No testimony in opposition was presented.

The House Committee amended the bill by adding ordinances, resolutions, regulations, and administrative actions to the list of actions prohibited by local government entities relating to commerce in or the sale, permitting, licensing, or taxation of firearms or ammunition. The Committee also added language specifying that nothing prohibited cities and counties from levying and collecting retailers' sales tax on the sale of firearms and ammunition.

The fiscal note prepared by the Division of the Budget on the bill, as introduced, states the League of Kansas Municipalities indicates the bill would remove a source of revenue from fees. The League also indicates some cities would be required to adopt new ordinances, creating costs of publication fees and additional staff time.

The Office of the Attorney General indicates if requests for formal interpretations of the effects of amendments to concealed carry law continue to grow, the Office may need an additional attorney to handle the increased work load. Any fiscal effect associated with the bill is not reflected in *The FY 2016 Governor's Budget Report*.