

KANSAS OFFICE *of*  
**REVISOR *of* STATUTES**

LEGISLATURE *of* THE STATE *of* KANSAS  
*Legislative Attorneys transforming ideas into legislation.*

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**MEMORANDUM**

To: Chairman Estes and Members of the Committee on Federal and State Affairs  
From: Matt Sterling, Assistant Revisor of Statutes  
Date: 06/02/2017  
RE: Senate Bill 254

SB 254 would amend K.S.A. 21-6301 concerning the criminal use of a weapon. Under current law, it is a severity level 9 nonperson felony to knowingly possess any device or attachment of any kind designed, used or intended for use in suppressing the report of any firearm. SB 254 would make this criminal penalty inapplicable to the possession of a silencer that met the requirements of the Second Amendment Protection Act and would apply retroactively to April 25, 2013, for any violation of this provision.

The Second Amendment Protection Act states that any “firearm, a firearm accessory or ammunition that is manufactured commercially or privately and owned in Kansas and that remains within the borders of Kansas is not subject to any federal law, treaty, federal regulation, or federal executive action, including any federal firearm or ammunition registration program.”

If someone possessed a silencer that was manufactured and owned in Kansas and that remained within Kansas, the bill would remove state criminal penalties for that possession.