

**March 7, 2024**

**Testimony to the House Committee on Federal and State Affairs**

**Name:** Kellie Bubeck

**Email:** [kellie.bubeck@gmail.com](mailto:kellie.bubeck@gmail.com)

**Bill No:** HB 2803 Gun Rights Preservation Act

**Opponent**

**Written testimony only**

Dear Chair and Committee Members:

I strongly oppose HB 2803, entitled the “Gun Rights Preservation Act”, a misnomer which prohibits local and state law enforcement officers from enforcing federal firearm laws. Not only is the bill bad policy, but it is also unconstitutional and any attempt to defend the law will be a colossal waste of taxpayer money.

Indeed, the Eighth Circuit held that the Missouri version of this law, the “Second Amendment Preservation Act”, which banned local police from enforcing federal gun laws was unconstitutional in its entirety and violated the Supremacy Clause under the U.S. Constitution. *See United States v. Missouri*, 660 F. Supp. 3d 791 (W.D. Mo. 2023)

The Court noted, “[a]t best, this statute causes confusion among state law enforcement officials who are deputized for federal task force operations, and at worst, is unconstitutional on its face.” *Id.* at 808. The same fate will occur here if this bill is enacted.

Beyond the fact that the law is unconstitutional, it endangers the safety and well-being of all Kansans. The vast majority of Kansans want more common sense gun safety laws. Our state has seen a 32 percent increase in gun-related deaths since 2015, including more school shootings in the past five years than in the prior 40 years combined. This is because of the constant attempt to chip away at any sensible gun law.

In short, this bill will only make the gun violence epidemic worse. Kansans are paying attention to legislators’ votes and records on gun safety laws, and we will make sure to vote accordingly in every election.

Please vote no on HB 2803.

Sincerely,  
Kellie Bubeck  
[kellie.bubeck@gmail.com](mailto:kellie.bubeck@gmail.com)

Cc: Rui Xu [rui.xu@house.ks.gov](mailto:rui.xu@house.ks.gov)