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January 30, 2012

RE: House Committee on Federal and State Affairs  
House Bill No. 2491 Hearing

Dear Chairman Brunk and Honorable Members of the Committee:

Thank you for allowing me to submit testimony to you as a proponent of HB 2491, An Act amending KSA 32-1002 concerning the ability for people who lawfully possess handguns to exercise their right to carry a handgun for self defense while in the act of hunting, fishing and fur harvesting, without restriction as to caliber or type of firearm or particular hunting season.

I am the President and Registered Lobbyist for the Kansas State Rifle Association, the NRA State Affiliate. I speak for over 6000 KSRA members and over 48,000 Kansas NRA members. Many of our members are avid hunters, fishermen and sportsmen.

The issue before you has been of strong concern to our membership and we ask that you vote in support of HB 2491 which will amend an area of Kansas Statute that already allows those with concealed carry permits to carry handguns for self defense purposes. Additionally, Section 21-4201 of the Kansas Statutes already has an exemption for those in the act of hunting and fishing found in Subsection (c)(2), therefore this is merely a clarification and extension of that exemption.

Kansas law currently restricts the ability for hunters and fishermen to carry their firearm by placing unreasonable restrictions on them. Currently they are prohibited from having any firearm on their person while hunting during archery or non-firearms related hunting seasons. They are also restricted to certain cartridge types and sizes during certain firearms seasons such as deer hunting. This is a clear violation of a person's right to carry a firearm for their personal protection while engaged in hunting or fishing. Also, by amending KSA 32-1002 it will bring Kansas State law into line with the intent of the existing Statute but which is regulated with restrictive rules by the Kansas Department of Wildlife, Parks and Tourism.

There are many reasons why this prohibition should be repealed in addition to it being a clear violation of rights to continue the restrictions. We have received many reports of hunters running into situations that made them feel that their personal safety was in peril.

There have been incidents where unlawfully armed trespassers on private land have confronted hunters in an aggressive manner. In one particular case, a female huntress was in a ground blind on her privately owned property deer hunting during archery season and a gang of older teenage boys came up on her. They were smoking marijuana and talking and behaving in a manner that made her fear for her personal safety. In another reported incident, two hunters were on their privately owned land deer hunting during archery season when a group of poachers approached them and began a confrontation that was only ended by the landowners vacating their own land. Additionally, hunters have reported finding marijuana crops on hunting land and have become fearful that the illegal farmer of this illegal drug would confront them as these drug dealers would no doubt use deadly force to protect their crops as it may appear to them the hunter is there to "steal" their crops or they fear it being exposed to law enforcement. We have received many reports regarding this type of behavior. I have to ask, why would we prohibit hunters to exercise their right to protect themselves? It does not make sense.

Mr. Chairman and members of the Committee, thank you for considering our position in this most important matter. We respectfully urge that you vote in support of HB 2491, recommend it for passage, and send it to the floor of the House for a vote.

Respectfully Submitted,

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