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**Testimony to the House Corrections and Juvenile Justice Committee  
In Support of SB41  
March 12, 2013**

Chairman Rubin and Committee Members,

The Kansas Association of Chiefs of Police, Kansas Sheriffs Association, and Kansas Peace Officers Association urges your support of SB41. This bill will amend a sentencing provision put in place at our request several years ago. The purpose of this sentencing provision is to reduce the presence of firearms during illegal drug activity. Its effectiveness relies on the provision applying to the presence of firearms possessed by the participants of the criminal conduct regardless of whether the firearm is *used* during the commission of the criminal activity.

As amended in the Senate, the bill proposes simply changing the term from “carried a firearm to commit a drug felony” to “possessed a firearm and the firearm was readily accessible during the commission of, or in furtherance of a drug felony or any attempt or conspiracy to commit such offense.” The courts appear to be struggling with the existing terminology and the change will better codify the original intent of the provision. The proposed change will also include attempts and conspiracies to commit drug felonies.

This bill is the proposal of the prosecutors and our associations strongly support their recommendations. We urge you to recommend this bill favorably for passage.

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