

KMS Amendments
House Federal and State Affairs Committee
February 20, 2013

1 state and that are subject to federal regulation as being in interstate
 2 commerce do not subject a firearm to federal regulation under interstate
 3 commerce because they are attached to or used in conjunction with a
 4 firearm in Kansas.
 5 Sec. 5. A firearm manufactured in Kansas within the meaning of
 6 sections 1 through 11, and amendments thereto, must have the words
 7 "Made in Kansas" clearly stamped on a central metallic part, such as the
 8 receiver or frame.
 9 Sec. 6. (a) Any act, law, treaty, order, rule or regulation of the
 10 government of the United States which violates the second amendment to
 11 the constitution of the United States is null, void and unenforceable in the
 12 state of Kansas.
 13 (b) No official, agent or employee of the state of Kansas, nor any
 14 dealer selling any firearm in the state of Kansas, shall enforce or attempt to
 15 enforce any act, law, treaty, order, rule or regulation of the government of
 16 the United States regarding any personal firearm, firearm accessory or
 17 ammunition that is owned or manufactured commercially or privately in
 18 the state of Kansas and that remains within the borders of Kansas.
 19 Sec. 7. It is unlawful for any official, agent or employee of the
 20 government of the United States, or employee of a corporation providing
 21 services to the government of the United States to enforce or attempt to
 22 enforce any act, law, treaty, order, rule or regulation of the government of
 23 the United States upon a firearm, a firearm accessory, or ammunition that
 24 is owned or manufactured commercially or privately in the state of Kansas
 25 and that remains within the borders of Kansas. Violation of this section is a
 26 severity level 10 nonperson felony.
 27 Sec. 8. Sections 1 through 11, and amendments thereto, do not apply
 28 to: (a) A firearm that cannot be carried and used by one person;
 29 (b) ammunition with a projectile that explodes using an explosion of
 30 chemical energy after the projectile leaves the firearm; or
 31 (c) other than shotguns, a firearm that discharges two or more
 32 projectiles with one activation of the trigger or other firing device.
 33 Sec. 9. ~~No physician, other than a psychiatrist, shall inquire of any~~
 34 ~~patient in conjunction with obtaining the patient's personal information and~~
 35 ~~medical history, whether the patient has any firearms in such patient's~~
 36 ~~home or on such patient's property and shall not require such information~~
 37 ~~before providing treatment.~~
 38 Sec. 10. Sections 1 through 11, and amendments thereto, apply to
 39 firearms, firearm accessories and ammunition that are owned or
 40 manufactured, as defined in section 3, and amendments thereto, and
 41 remain within the borders of Kansas on and after October 1, 2009.
 42 Sec. 11. If any provision of sections 1 through 10, and amendments
 43 thereto, or the application to any persons or circumstances is held to be

(a) Any act, law, treaty, order, rule or regulation of the government of the United States which violates the first amendment to the constitution of the United States by attempting to regulate communication between physician and patient is null, void and unenforceable in the state of Kansas.
 (b) A patient may decline to provide information to a health care provider regarding whether the patient has any firearms in such patient's home or on such patient's property. In the event a patient provides information to a health care provider relating to the presence of firearms in such patient's home or on such patient's property, such information is privileged and protected from unauthorized access as set forth in the federal privacy rule (45 C.F.R. part 160 and 45 C.F.R. part 164, subparts A and E, as amended)