



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

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Washington, DC 20226

www.atf.gov

OPEN LETTER TO ALL KANSAS FEDERAL FIREARMS LICENSEES

The purpose of this letter is to provide guidance on your obligations as a Federal Firearms Licensee (FFL). The following guidance is intended to assist you in accomplishing this goal.

The passage of the Kansas Second Amendment Protection Act, Kansas Senate Bill No. 102 (Kan. Reg. Vol. 32, No. 17, 2013) ("Act"), effective April 25, 2013, has generated questions from industry members and firearm owners as to how this State law may affect them while engaged in a firearms business activity or seeking to acquire a firearm under the Act. The Act exempts personal firearms, firearms accessories, and ammunition manufactured in the State of Kansas, and that remain in the State of Kansas, from Federal firearms laws and regulations. However, Federal law supersedes the Act, including in any areas in which the Act conflicts with Federal firearms laws and regulations. Accordingly, all provisions of the Gun Control Act and the National Firearms Act, and their corresponding regulations, continue to apply.

In pertinent part, Federal law requires a license to engage in the business of manufacturing firearms or ammunition, or to deal in firearms, even if the firearms or ammunition remain within the same state. All firearms manufactured by a licensee must be properly marked so they can be traced by law enforcement officers if later used in a crime. Additionally, each licensee must record the type, model, caliber or gauge, and serial number of each firearm manufactured or otherwise acquired, and the date such manufacture or other acquisition was made, and subsequent transfers of these firearms must be recorded. Firearms Transaction Records (ATF Form 4473) and National Instant Criminal Background Check System (NICS) background checks must be completed prior to transferring firearms to unlicensed persons. These requirements, as well as other Federal requirements and prohibitions, continue to apply whether or not the firearms or ammunition have crossed state lines.

If you have any questions regarding the Federal firearms laws and regulations, please contact your local ATF office. ATF works closely with the firearms industry and appreciates the important role the industry plays in combating violent crime. A list of ATF office phone numbers can be found at <http://www.atf.gov/field/index.html>.

A handwritten signature in black ink that reads "Debra S. Satkowiak". The signature is written in a cursive style with a large initial 'D' and a flourish at the end.

Debra S. Satkowiak
Chief, Firearms and Explosives Industry Division