

HB2543 Testimony

03/01/2021

The present instant background check system for firearms purchases allows the delivery of a firearm to the buyer if the investigating agency cannot complete a background check on the buyer within 3 days. The 3 day limit exists for a reason. Transfers could be denied indefinitely, for no stated reason without it.

The fact is that almost all federally licensed firearms dealers will not complete the transfer without an approval code for liability and ethical reasons. Delays, until recently have not been more than a week or two, so the dealers are cooperating with the system. However, the background check backlog has recently grown and the waiting period has stretched into months now. The ability of the dealers to legally complete the transfer provides state and federal authorities with an incentive to clean up this situation, and to complete background checks in a timely manner. Without the ability for dealers to complete the transfer without a completed background check after a time limit has been reached, there is no incentive for those authorities to resolve the situation. Indeed, a government wanting to discourage legal firearms sales would be provided by HB2543 with the perfect tool with which to accomplish their goal.

The fact that HB2543 proposes to remove the 3 day limit altogether, rather than extend it to 5 days, or 10 days, or even 30 days, indicates that the ability to delay a legal firearm sale indefinitely is the underlying goal.

HB2543 is a bill to solve a problem that doesn't exist. There is no "Charleston Loophole". Dylan Roof did not purchase a gun, take delivery 3 days later, and then immediately commit his crimes. He had the firearm for 2 weeks before the crimes were committed. The investigating agency would never have found Roof's drug conviction no matter how many days were allowed because the conviction was entered in the wrong county. The investigating agency never would have found it no matter how much time they had to do a background check. Proponents of the bill are well aware of this, but they don't want the truth to get in the way of a good story that will support their anti-gun agenda.

Vote no on HB2543.

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