

Submitter: Joshua Lang
On Behalf Of:
Committee: House Committee On Judiciary
Measure, Appointment or Topic: HB3075

I submit this testimony in strong opposition to HB 3075, which proposes restrictions on magazine capacity and mandates obtaining permits for firearm purchases. These measures present clear constitutional conflicts with the Second Amendment of the United States Constitution and established Supreme Court precedents. Furthermore, these proposed restrictions fail in their intended purpose of enhancing public safety, given that criminal actors inherently disregard legal prohibitions.

Second Amendment Context

The Second Amendment clearly states:

"A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

The Supreme Court of the United States, in *District of Columbia v. Heller* (2008), affirmed the right of individuals to own firearms independent of militia service, for lawful purposes such as self-defense. Further cemented by *McDonald v. City of Chicago* (2010), the Court applied these protections against state and local infringement.

Effectiveness and Public Safety Concerns:

HB 3075 ostensibly seeks to improve public safety by limiting magazine capacities and imposing purchase permit requirements. However, these restrictions do not meaningfully protect the public. Criminals, by their very definition, have a complete disregard for laws. Those who intend to harm others will readily circumvent or simply ignore restrictive firearm legislation. Conversely, law-abiding citizens, who follow laws precisely, will bear the brunt of these measures, significantly diminishing their capacity for effective self-defense.

Historically, restrictive firearm regulations have not deterred violent crime. Criminal activity consistently thrives independently of such legislative measures. Limiting lawful firearm owners serves no practical safety benefit and may paradoxically embolden those intending harm, by reducing the deterrence provided by armed, responsible citizens.

Analysis of HB 3075 Measures

Magazine Capacity Restrictions: Such restrictions negatively impact lawful self-defense scenarios. There is no historical or constitutional justification for limiting

magazine capacities, particularly when such limits place law-abiding individuals at a defensive disadvantage against well-armed criminals who ignore these laws.

Permit-to-Purchase Requirements: The requirement of a government-issued permit to exercise a constitutionally guaranteed right is inherently problematic and unconstitutional. Conditioning a fundamental right on government permission contradicts both historical precedent and the explicit protections of the Second Amendment.

HB 3075 violates fundamental constitutional protections provided under the Second Amendment and established legal precedents. Furthermore, it offers no tangible public safety improvements and disproportionately burdens responsible, law-abiding firearm owners. Laws of this nature fail to address criminal intent and actions, inherently disregarded by those determined to cause harm.

I respectfully urge the legislature to reject HB 3075, upholding constitutional integrity and recognizing that the path to increased public safety lies not in infringing upon lawful firearm ownership, but rather through targeted and effective enforcement of existing laws against criminal actors.