

Submitter: Jeffrey Conant
On Behalf Of:
Committee: House Committee On Judiciary
Measure, Appointment or Topic: HB3075

I'd first like to open my testimony by stating my personal experience speaking with certain individuals who signed for or voted "yes" on BM114. These individuals didn't understand the implications due to their misunderstanding of current laws and the deceptive way in which the measure was pitched. Had they known how far-reaching the effects would be, they would have reconsidered a "no" vote. I stand in opposition to this bill on the following basis.

Permit System:

A right should not require a permit to exercise. For public safety reasons, permits are superfluous as we already have a background check system in place. Requiring extra permitting adds unreasonable extra hoops to jump through that make it difficult for all gun owners, in particular people who are economically disadvantaged. Permitting, if done by police, allows the possibility of police-based discrimination.

Magazine ban: Most modern firearms, including rifles and sidearms are designed to function with magazines that hold over 10 rounds, with very few exceptions. The design of this bill, effectively makes utilizing most firearms difficult or impossible. Even the "potential" to increase capacity, whether or not the components are present, makes a magazine eligible to be banned according to the verbiage. Many competitive shooters use magazines that hold more than 10 rounds. A person using a firearm in defense may need more than 10 rounds if they are attacked by multiple assailants, especially if said assailants are armed equally or in excess of the victim. Rather than grandfather people who legally purchased magazines that fit their firearm and are the standard capacity for that firearm, the bill chooses to threaten incrimination of otherwise legal owners.

Backdating of effects: Ex post facto law creates criminals out of people willfully following the law at the time of event of purchase, which is a blatant attack on law-abiding people. Most people who own at least one firearm are at odds with this law, perhaps without them being remotely aware of it. The burden of proof being on the firearm owner to demonstrate in court that he/she owned a magazine that is non-serialized is onerous, if not outright impossible. Example: firearm owner joins his friends for some target shooting on BLM forestry lands, where a police officer makes occasional patrols. Officer arrives and asks firearms owners to produce documentation of his purchase date of magazine. For one of many possible reasons, said firearm owner does not have documentation proving when he purchased the magazines making him subject to arrest. Potential reasons include the following: that he/she acquired the firearm the magazines were supplied with second hand through an FFL, and no supplementary documentation of accompanying magazines was

provided (or suspected to be needed) or he may have purchased or traded for the magazines with a member of the firearms community without any required receipt. And finally, he may have purchased them and discarded the receipt because receipts are generally only needed when one expects to need them for retail return or warranty purposes. These are all perfectly legal actions prior to this bill.

I'm all for safe ownership of firearms and re-invigorating the existing background check system to make it a more effective tool for law enforcement to use against real criminals. What I am against is the one-sided attack on gun owner rights and incrimination of gun owners who are already safely exercising their rights. This bill discourages and makes safe gun ownership difficult in practice. I'm very confused and shocked at why the State and certain residents are bent on making criminals out of people for exercising their rights SAFELY. More focus should be placed on existing criminals who are knowingly and actively committing violent or offensive crimes rather than making people who are seen as political "opponents" into criminals.

- Signed,
A Very Concerned Liberal