

Submitter:

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On Behalf Of:

Committee:

Senate Committee On Rules

Measure, Appointment or Topic:

SB243

As a federal law enforcement officer with over a decade of experience in firearms-related enforcement and public safety, I write to express my strong opposition to the proposed bill that would mandate a 72-hour delay in the transfer of firearms or unfinished frames/receivers, regardless of whether a background check is completed and approved within that time frame.

This legislation, while perhaps well-intentioned, poses significant operational and financial burdens that will impact both public safety efforts and lawful commerce, without delivering a measurable increase in crime prevention. Here's why:

1. Redundant Bureaucracy and Financial Strain:

The proposed mandatory waiting period creates unnecessary redundancy in a system that already includes rigorous background check procedures. Federal firearms dealers (FFLs) are already required by federal law to obtain National Instant Criminal Background Check System (NICS) approval before completing a sale. Extending a mandatory hold period even after receiving approval will lead to logistical bottlenecks, storage space issues, and increased security costs—costs that will ultimately be passed on to consumers and strain already-limited law enforcement budgets.

2. Burden on Small Businesses and Undermining Federal Framework:

The majority of firearms dealers are small businesses. Many do not have the physical space or resources to securely store large volumes of firearms for extended periods while awaiting the arbitrary 72-hour lapse. Additionally, this law contradicts the intent and efficiency of the federal NICS system, which was designed to provide near-instantaneous clearance. Forcing a delay where none is needed undermines the system's credibility and functionality.

3. No Proven Deterrent to Criminal Activity:

Criminals—by definition—do not obtain firearms through legal means. Those intending to commit crimes are not waiting in line at gun shops and undergoing background checks. Delaying lawful transfers does nothing to deter illegal activity but instead penalizes law-abiding citizens and dealers who follow the law. This misallocation of focus and resources detracts from efforts that could be used to address actual criminal networks and trafficking operations.

4. Increased Costs to Enforcement Agencies:

Law enforcement agencies may see a rise in disputes and calls related to delayed

transfers, strained relationships with federally licensed dealers, and confusion about overlapping federal and state requirements. These delays will also complicate efforts to track and trace firearms, potentially disrupting time-sensitive investigations and jeopardizing officer and public safety.

In conclusion, while I support strong background checks and responsible firearm ownership, this bill introduces unnecessary delays that do not enhance public safety and impose significant operational and financial costs. As a federal law enforcement officer, I urge lawmakers to focus on measures that target illegal firearms trafficking and violent crime rather than creating barriers for lawful transactions and overburdening responsible stakeholders.