



H4102 v. H.2259 Talking Points

<p style="text-align: center;">H.4102 More “Gun Control”</p>	<p style="text-align: center;">H.2259 Civil Rights and Public Safety Solutions</p>
<ul style="list-style-type: none"> • There is nothing in the bill that will save the lives of criminal victims or reduce crime in general. IF the legislature is looking for such solutions they should be addressing H.2259, The Civil Rights and Public Safety Bill. • None of the provisions of H.4102 should be supported. • H.4102 seeks to put lawfully licensed citizens in prison for harming nobody. • H.4102 attempts to blame and imprison lawful citizens for actions of hardcore criminals • H.4102 would outlaw private transfers between lawfully licensed citizens. Current law restricts such transfers between lawfully licensed citizens to four in a calendar year. All such transfers must include the state transfer form FA-10. • Licensed gun owners have been reduced by 85% since the Gun Control Act of 1998 and this bill (H.4102) tells us that the Governor doesn't trust the remaining 15% of lawfully licensed gun owners. • The state already has laws in place that severely punish criminals who unlawfully transfer/sell multiple firearms. Chapter 269, Section 10E provides up to a life sentence for anyone who illegally transfers 20 or more guns in a 12 month period. • The Bureau of Alcohol Tobacco Firearm and Explosives (BATFE) mandates that if more than one handgun is being purchased from a licensed dealer within a five day period the dealer is required to fill out <u>BATFE Form 3310</u> and submit a copy to the BATFE and the state agency in charge of licensing before the close of business on the day of the second sale. 	<ul style="list-style-type: none"> • Clearly separates the lawful possession issues and the criminal enforcement needs. • It creates a special unit of the State Police, known as the Criminal Firearms and Trafficking Division that will be attached to the Department of the Attorney General and will assist that office with the investigation and prosecution of all crimes of violence involving the criminal use of a firearm and intrastate firearms trafficking. • Creates a "State Firearm Crime." • Creates a new definition of a "Prohibited Person" and using that term throughout the laws as the means of legitimately denying a citizen a firearm license. • It will create tough laws to punish “prohibited persons” who are in possession of firearms. • Creates laws punishing those who break and enter to steal a firearm. • Creates clear and easy to understand unlawful transfer laws. • Creates laws to punish those engaged in unlawful intrastate commerce of firearms. • Creates laws preventing the unlawful confiscation of firearms. • Creates laws regarding the use of a "Deceptive Weapon." • Creates a separate definition section for the criminal enforcement chapter. • Makes it very clear that there is an individual civil right to keep and bear arms and that the government must operate under that presumption. • Reduce the number and types of firearm licenses (currently four) to one.

- Amends the dangerousness statute, a subject the House of Representatives already took up.
- Changes the definition of a firearm to include parts that *“which will or is designed to or may readily be converted”*.
- Creates a 10 year prison sentence for possession of a firearm while attempting to commit a misdemeanor and threatening force against another. This is very loose language that could be troublesome to lawful gun owners.
- Would allow the State Police to destroy surrendered guns.
- Changes the public record laws providing licensed dealers with information regarding lawful gun owners. This is part of the “Lawful Citizens Imprisonment Act.”
- Places further restrictions on the licensing and handling of machine guns. A matter already heavily regulated on the federal and state level.
- Adds more language to background check laws.

- Creates understandable and commonsense terminology that is currently used and understood by the firearms owning community.
- Make the rights inherent for the license based on the age of the holder rather than having to acquire a new license at a particular age.
- Removes the authority of local licensing agents to deny a person’s civil rights without due process.
- Removes the laws regarding the state licensing of retailers already licensed by the federal government.
- Creates clearer language for the judicial review process of a denied license.
- Removes jail sentences for lawful possession infractions and removes any jailable offenses to the criminal enforcement chapter.
- Removes restrictive storage laws that have been found to be unconstitutional by the U.S. Supreme Court.
- Making laws easier to understand and find by separating them into concise short sections those that are unnecessarily long and complicated.