

## **OPPOSE HB910**

Criminal Law - Untraceable firearms

Art Novotny

2/26/2020

This bill covers multiple complex issues, and probably should be broken up into several different bills to be thoroughly evaluated individually.

Honestly, I do not know much about the 3-D printed portion, but it seems to involve a variety of issues beyond firearms. I'll leave that one up to the experts.

I personally do not have any interest in the covert or undetectable firearms, although I have heard of people collecting such things as relics of the Cold War. It would be a shame for a collector to have his life ruined over such a trinket. Undetectable firearms are already federally prohibited (see the ATF attachment below). I have to wonder if covert and undetectable firearms are really a problem, this side of the TV or movie screen.

Section 4-604 does affect me, in two ways. First, I am the custodian of several family heirloom firearms that do not have serial numbers. Back in the "old days," when rifles and shotguns could be bought in department stores or mail order, they were not required to be serialized. They were bought, legally, before 1968. I am sure of that, based on family anecdotal evidence, and the apparent age and styling of the firearms, but I have no way of actually proving it in court. I do want to be able to keep and eventually pass along my great grandfather's shot gun. I certainly do not want to go to jail for possessing it.

Secondly, a few years ago I partook in the longstanding American tradition of home firearms building. I do not yet have the specialized skills or tools to build a firearm completely from scratch, so I used a variety of off the shelf parts and an 80% "finish it yourself" kit to create something very unique. I just used it in a competition this past weekend. With a few more tweaks, I look forward to competing with it again...and with it hopefully working a little better. I would like to build some more, but...again, I do not want to go to jail for my collection.

I have already gone through the extensive vetting (finger printing, training, background checks... more background checks, and fees) process to earn my Handgun Qualification License (HQL), and have a fairly healthy collection of firearms. I've proven that I'm a "good guy," and having this homebuilt unserialized firearm is not going to lure me down a dark path and entice me to do anything nefarious that, frankly, I could not have done with any of my other firearms.

No one wants prohibited people from accessing firearms. It is already illegal for them to possess or me to transfer to them any firearms, serialized or not. We are not building these to send out onto "the street." That is already quite illegal federally (firearms may *only* be built by non-FFL's for personal use). It would also not be a very lucrative business. By the time all of the parts had been gathered, the system I used to create copy of a Glock represented an investment of well over \$700 (for a gun that does not yet always work reliably), and several hours worth of work. A new Glock would cost about \$500 (used, even less), and work perfectly every time right out of the box.

**Consider including an exemption to allow HQL holders such as myself, who have proven themselves safe, sane "good people" to possess their homebuilt unserialized firearms.**

Leaving them unserialized will stand as a red flag to others to stay away! It will signify that that firearm is not for sale, trade, or borrowing.

Give us some way to keep the property we already own, legally per ATF guidelines, without going to jail.

<https://www.atf.gov/firearms/qa/does-individual-need-license-make-firearm-personal-use>

The screenshot shows the ATF website's navigation bar with the logo and text 'Bureau of Alcohol, Tobacco, Firearms and Explosives'. The main navigation menu includes 'WHO WE ARE', 'WHAT WE DO', and 'RESOURCES'. A search bar is located on the right. Below the navigation bar, a breadcrumb trail reads 'Home » What We Do » Mission Areas » Firearms'. On the right side of the page, there is a language selector for 'Español'. The left sidebar contains a list of links: 'Firearms Home', 'Tools & Services for Law Enforcement', 'Tools & Services for Firearms Industry', 'Rules and Regulations', 'Firearms Forms', 'Firearms Publications', and 'Firearms Q&As'. The main content area features the title 'Does an individual need a license to make a firearm for personal use?' in a large, bold font. Below the title, the text states: 'No, a license is not required to make a firearm solely for personal use. However, a license is required to manufacture firearms for sale or distribution. The law prohibits a person from assembling a non-sporting semiautomatic rifle or shotgun from 10 or more imported parts, as well as firearms that cannot be detected by metal detectors or x-ray machines. In addition, the making of an NFA firearm requires a tax payment and advance approval by ATF.' Below this text, the legal references are listed: '[18 U.S.C. 922(o), (p) and (r); 26 U.S.C. 5822; 27 CFR 478.39, 479.62 and 479.105]'. At the bottom right of the content area, it says 'Last Reviewed November 6, 2017'.