

Please find **UNFAVORABLE** SB 577

Public Safety – Distribution of Literature to Purchasers of Firearms and Ammunition

The U.S. Supreme Court's decision in *National Institute of Family and Life Advocates (NIFLA) v. Becerra* (2018) [1] directly addresses the issue of compelled speech. In NIFLA, the Court struck down a California law requiring pro-life pregnancy centers to provide information about abortion services, holding that the government cannot force private entities to disseminate messages with which they disagree. The Court emphasized that the First Amendment protects individuals and businesses from being compelled to promote government-mandated messages.

This bill implies that firearms are socially harmful, which conflicts with the views of many gun owners and sellers. By forcing private businesses to distribute this literature, the government compels them to act as messengers for a narrative they do not support, thus violating their First Amendment rights. If (i.e. WHEN) challenged, this bill will probably face the same fate as the California law in NIFLA, with courts finding that it improperly compels speech by private entities.

The mandated literature will frame firearm ownership as a public health problem, unfairly stigmatizing law-abiding gun owners. This approach fails to recognize that the overwhelming majority of firearm owners use their guns responsibly.

This bill imposes additional administrative requirements on firearm sellers, particularly small businesses, who must ensure the literature is displayed, stocked, and provided to purchasers. It appears that its sole true purpose is to entrap vendors so that they are fined. Its yet another legal landmine meant to target a State disfavored industry. Also, giving printed literature to EVERY customer is certainly not very "green!"



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[1] https://en.wikipedia.org/wiki/National_Institute_of_Family_and_Life_Advocates_v._Becerra