
Written Testimony of Katie Novotny in Opposition of HB175

February 25, 2021

I am a member of Multiple Gun Rights organizations. Maryland Shall Issue, Associated Gun Clubs, Maryland State Rifle and Pistol Association, and the National Rifle Association. I am a certified Range Safety Officer with the NRA. I compete in multiple shooting events such as Steel Challenge, 3-gun, small bore, and vintage military rifle matches. I am an avid firearms collector. I oppose HB175.

This bill has absurd requirements that are not only unconstitutional, but also illegal. It is against federal law to use the NICS system for anything other than the sale or transfer of firearms by a FFL or an approved agency. That's it, can't be done for ammunition. No dealer would comply with this law because they would lose their FFL and therefore their livelihood. This would cause a de facto ban on ammunition purchases in this state, making it a very simple matter to be struck down.

Additionally, ammunition sellers are not required to be licensed under federal law. This allows for private dealers, hardware stores, bait and tackle stores, and a whole slew of other locations to sell ammunition where it is convenient for people to purchase it. These places are generally not firearms dealers so they do not have an FFL and therefore no access to the NICS system at all.

Excluding HQL holders from this requirement is a cheap attempt to garner support while pretending to be reasonable. The HQL is a HANDGUN Qualification License. Created for the purpose of licensing people to purchase HANDGUNS and other regulated firearms in the state of Maryland. It has no provisions to license people for the sale of ammunition. This would be a gross misuse of this system. There is a large portion of firearms owners in this state who do not have and will never obtain a HQL. This isn't because they are prohibited or have nefarious purposes. It is because they already own as many pistols as they will ever desire, or because they have no interest in owning pistols. There's also a segment who refuses to participate in an absurd and expensive regulatory process that has zero impact on crime while burdening law abiding citizens. These people may be hunters, sport shooters, or any other number of law abiding gun owners. These people should not be required to go through the expensive process to get an HQL simply to buy ammunition.

There are already federal laws in place prohibiting minors from purchasing ammunition and those under 21 purchasing handgun ammunition. It is already illegal for a prohibited person to possess ammunition.

Ammunition without a firearm is worthless. Other states have not pursued bills like this, or have abandoned them because they are ineffective and costly. California's bill (which rightfully does not attempt to use the NICS system) is being challenged in court. If we are being honest, the actual intent of this bill is to have a chilling effect on firearm owners.

As of the writing of this testimony, the fiscal note for this bill is not available. I am sure the requirements for the MSP to track and store this information comes with an incredibly high price tag.

This would be similar to the now defunct spent shell casing requirement that was rightfully repealed in 2015. That program cost \$5M and solved zero crimes. This would impose costly storage requirements on both ammunition sellers and the State Police. The sheer volume of space required to store all of the required information for every box of .22 rimfire ammunition to every box of shotgun shells is incredible. Space and people to manage that information are not free. This bill specifies electronic storage, which likewise is not free and is susceptible to hacking.

This bill specifies that the information received and stored about purchases “May only be used for law enforcement purposes”. What purposes? Lawful purposes? Or will anyone who purchases a “large” (according to who?) volume of ammunition be flagged as suspicious and subject to investigation? This is wide open for abuse targeted at gun owners, particularly ones who may use a “large” volume of ammunition annually. The OPM records have been breached, how does a gun owner trust that this information will actually be secure? How carefully will this be guarded? This contains a large amount of PII combined with the purchase information, potentially telling a criminal what type of firearms a person owns and where they live, making it easier to target certain houses for firearm theft.

Finally, it is very easy to circumvent this law by simply going out of state to purchase ammunition. A short drive to Pennsylvania, Delaware, Virginia, or West Virginia will allow a person to purchase as much ammunition as they wish, again, following the federal laws about age. Criminals, who we would hope this bill is targeted at, have other means of obtaining whatever items they desire, whether that is ammunition, firearms, or drugs. This would simply be another unnecessary and expensive burden on law abiding firearms owners who wish to exercise their right to own and use their firearms.

Because of these reasons above, I request an unfavorable report.

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