

## *Written Testimony of Katie Novotny in opposition of HB1291*

25 February 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 HB1291.

It has been legal to manufacture firearms for personal use for the entire history of this country. There are already numerous federal laws regarding these firearms. It is already illegal, federally, for a prohibited person to possess or manufacture a firearm. It is also already illegal to manufacture a firearm that is undetectable by a metal detector. ( <https://www.atf.gov/firearms/qa/firearm-illegal-if-it-made-plastic> ) What is the purpose of making these doubly illegal? Criminals have already proven they are able to obtain firearms in spite of the Firearms Safety Act of 2013 and every law passed before and since that bill went into effect. This bill will only affect hobbyists who manufacture firearms for their own enjoyment.

This bill also redefines firearms in such a way as to include black powder firearms which are not considered firearms for legal purposes under federal and state law. People have been building kits of black powder firearms for decades and they continue to do so. These are often replicas of iconic firearms like the Hawken or Kentucky Rifles. Firearms like these have been excluded from regulations because they are never used in crime and they offer a means for an otherwise prohibited person to hunt, putting meat on their tables. A past time that is necessary for some people. Attempts to regulate these firearms have failed even in Maryland because it is recognized that there is no benefit, only harm in regulating them.

Getting into the meat of the bill, there are requirements that simply make this bill difficult to comply with. Regarding the engraving required, to follow federal laws, the letters must be 1/16 of an inch tall and engraved to a depth of .003 inches. This bill limits the number of places that this information may be placed. Furthermore, requiring this information to be placed on an unfinished frame or receiver is pointless. Depending on the completeness of this component, so much material may need to be removed that the entire outside surface area would be removed, removing this information. It is a felony to remove a serial number, so how does a person handle that scenario? The bill sponsor would like to put the responsibility of engraving 53 years' worth of firearms on a very small number of manufacturers or importers. Is it known if any such places exist in the state that would be willing to engrave firearms that they did not manufacture? Could this be done prior to the date this bill would go into effect? These are all questions that need to be considered before we make criminals out of hobbyists. This is not a service that dealers are able to provide.

In 2019, the ATF reports that 9,465 firearms were recovered and traced in Maryland. This does not include any firearms that were not traced. <https://www.atf.gov/file/147101/download> That same year,

117 “ghost guns” were recovered. <https://www.baltimoremagazine.com/section/community/iron-pipeline-gun-violence-out-of-state-traffickers/> This is a very small percentage. This also does not differentiate between homemade firearms or those which have had their serial number removed. So yes, criminals are getting their hands on these items, just as they do any other item they wish to possess. Gun tracing also only gives limited information. A firearm may be linked to the state it was sold in when new, but how it ended up in a seizure many years later is often a mystery. The ATF was even unable to trace their own guns from Operation Fast and Furious, and all of those firearms had serial numbers that the ATF knew.

This is yet another bill introduced under the flag of reducing crime. Ultimately it will be incredibly burdensome to hobbyists and law-abiding citizens participating in innocent behavior, while doing nothing to curb the violence that has been plaguing our communities. If passed into law, it will never be revisited to measure its effectiveness. It will never be amended or repealed when it is found to be completely ineffective. Instead, the law-abiding firearms community will take the punishment for crimes they have not committed. The violence we all wish to stop needs reform that goes much deeper than this. Hard choices need to be made to fix the generations of mistrust. Laws like this are what gave us Baltimore’s Gun Trace Task Force, and it is clear how poorly that worked out.

Finally, this is a bill that criminals simply will ignore. How will this be enforced? How will you force criminals to engrave a receiver? Bottom line is they will continue to ignore yet another law.

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

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