

OPPOSE SB958

Criminal Law - Untraceable firearms

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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.

Additionally, please look at this:




It is the grip module for my wife's Sig P320 that she uses in competition. They come in various sizes for different purposes and to fit different hands. This is an extra one, as she has purchased a smaller one to better fit her hands. The firearm it works with came with a serial number and required an HQL, background check, and waiting period. The trigger group is the serialized portion, that easily interchanges between different grip modules (you can see the empty "window" at the top of the grip where, when assembled, the serial number is visible).

It is a legitimate firearm part and most certainly *not* something marketed to be manufactured into the receiver of a firearm not imprinted with a serial number...but it sure looks like one. A clever machinist could probably replicate the internal, regulated parts to make it into something unserialized, even though it was never intended to be. How do we prove that it is not? The customizable modularity of the Sig P320 is a popular selling feature. Surely there are hundreds of these grip modules in the state, legally owned by people who never intended to do anything other than use them on their already serialized and regulated purchase.

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

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Does an individual need a license to make a firearm for personal use?

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.

[18 U.S.C. 922(o), (p) and (r); 26 U.S.C. 5822; 27 CFR 478.39, 479.62 and 479.105]

Last Reviewed November 6, 2017