



NEVADA FIREARMS COALITION

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February 11, 2019

RE: SB 143 Background Check Act

Ms Nicole j. Cannizzaro Chair, Senate Judiciary Committee
Mr. Steve Yeager Chair, Assembly Committee on Judiciary

Dear Senator Cannizzaro and Assemblyman Yeager:

Please accept these comments for the record for the joint committee hearing on SB 143 that will be heard on February 12, 2019

The Nevada Firearms Coalitions **STRONGLY OPPOSES** the passage of this bill through your respective committees for the following reasons:

- This bill is ineffective in reducing homicides or keeping firearms out of the hands of criminals: The University of California at Davis examined the first ten years after California developed universal background checks. Their study found no net difference between firearm-related homicide rates before and during the 10 years after law implementation.
- This bill is not supported by law enforcement:
In 2013, the Nevada Sheriffs & Chief's Association asked that SB 221, the original source of this bill be vetoed. *On behalf of the Nevada Sheriffs' and Chiefs' Association I respectfully request you veto SB 221. The sections of SB 221 requiring mandatory background checks on private sales places an unreasonable burden on law abiding citizens, with the potential to make them criminals. It would also be unenforceable by law enforcement. It is our opinion this bill would do little to keep firearms out of the hands of criminals.*
- 170 firearms laws and codes in Nevada already address reducing firearms related homicides, **NRS 202.360** already establishes persons who are prohibited to have in possession any firearms (prohibited possessor) and establishes the offense as a category B felony with a minimum of one year imprisonment and a \$5,000 fine. **NRS 202.362** already makes it a category B felony for someone to provide firearms or ammunition to a prohibited possessor.
- Current laws are not being enforced in Nevada
As an example, a Freedom of Information Act filed with the Clark County District Attorney revealed that in 2013 and 2014 there were no prosecutions for violation of NRS 202.362 which is the focus of SB 143; to keep people from transferring or selling firearms to prohibited possessors. If there are no violations of private party transfers to prohibited possessors, why is SB 143 necessary?
- Unintended consequences of passage of this bill:

Burden on dealers for storage, if there is a problem or hold put on the transfer at the Central Repository or at NICS, the dealer is responsible to hold the firearm in their place of business until the issue is resolved. This will create storage and additional insurance requirements.

Burden on dealers for taxation. Currently Nevada taxes dealers for the sales tax of firearms that go through their background checks even if the firearms were brought from out of state retailers. SB 143 requires that the transferred firearms are part of their inventory, which may subject them to additional taxation.

Conflict with other state laws. SB 143 if passed may create conflict with domestic violence laws which require firearms to be transferred in a given time period, 24 hours.

Military deployments. US Military and Nevada National Guard service members who are deployed on short notice would not be able to comply with SB 143.

Suicide prevention. People contemplating suicide won't be able to have others hold their firearms for them as they seek treatment.

- This bill is not supported by the firearms industry:

Burdensome: Federal licensed firearms retailers (FFL) will be burdened with having to perform an additional state government governmental function. Their FFL status can be jeopardized by mandatory record keeping errors for a firearm they didn't actually sell or own.

Liability: FFL will have increased liability exposure claims potentially arising from an incident involving a firearm they didn't sell and for which they may no insurance coverage.

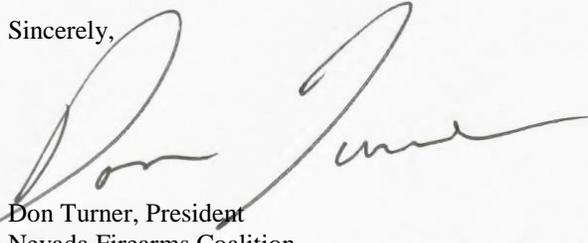
NICS: Private transfers will add additional burdens on the NICS system that is broken because both the federal government and the state have failed to put into the system all appropriate records pertaining to prohibited possessors

SB 143 and its consequences are focused only on the law abiding citizen, put a burden on the FFL, is unenforceable, will have no effect on reducing homicides, and adds additional complexities on top of 170 existing Nevada gun laws and codes, which are presently scattered throughout NRS.

SB 143 will not prevent another IHOP, Sandy Hook, Parkland, Las Vegas or Tucson tragedy. SB 143 just adds more unenforceable laws upon the backs of law-abiding citizens in order to provide the appearance of "doing something", but it achieves nothing.

Thank you for this opportunity to comment and your thoughtful consideration of these comments are appreciated.

Sincerely,



Don Turner, President
Nevada Firearms Coalition