



February 2021

Legislative Officer Report

GUEST SPEAKER(S) – I have confirmed the Shooter’s Committee on Political Education (S.C.O.P.E.) President Tom Reynolds and Membership Chairman, Don Smith, will appear as guest speakers via Zoom conference. Likely topics of discussion are their desire to increase membership numbers in the southern tier counties. Another topic they may be touching on during the Zoom conference is their desire to expand their presence in NYS via committees and then chapters on the county level throughout NYS in areas where they are underrepresented. While they have individual members in Dutchess, Orange and Putnam counties, they do not have committees or chapters in this area. Simply put, a local committee/chapter gives them greater access to more legislators on the federal, state, county and local levels to foster their mission of protecting our Second Amendment rights through political education. Learn more about S.C.O.P.E by visiting their website <https://scopeny2a.org>

The D.C.P.A. maintains membership in many affiliate organizations such as the Dutchess County Fish & Game Clubs, NRA, NYS Rifle & Pistol Association, etc. Work on maintenance of these memberships continues. Last month, Treasurer Rose Kline paid our renewal Dutchess County Fish & Game Clubs and just this week President Covelli updated our contact information for their Directory. As mentioned previously, the plan with consolidating the list maintenance was to ensure the memberships are up to date and maintained as such. Additionally, the Executive Committee (E.C.) goal is that these memberships are maintained in one concise list and managed by one E.C. member, so can be easily maintained from year to year for uninterrupted membership and passed along during the transitional period from E.C. to E.C. to ensure there are no lapses in membership. If any member The list and membership statuses should be complete shortly.

According to the FBI-NICS reporting information available from the Bureau, NICS checks for the month of January 2021 totaled 4,317,804. This number of records checks is the most ever in one month, and is up over 1.6m from January 2020. Clearly, the trend of continues in a record setting upward manner.

View the NICS records checks totals from November 30, 1998 - present at: https://www.fbi.gov/file-repository/nics_firearm_checks_-_month_year.pdf/view

NOTE: For many reasons, the number of NICS checks do not necessarily mirror the number of actual firearm sales.

In the courts, the State of Washington Appeals Court has unanimously ruled in *Bass v. City of Edmonds* that a “Safe Storage” law passed by the City of Edmonds, WA, violates Washington State law preempting such. The decision on the suit filed by the Second Amendment Foundation, the National Rifle Association and three private individuals challenging the ordinance can be viewed here. [807552-DI-Court-Secured-Opinion-Published-2-22-2021-Andrus-Beth-Majority.pdf \(saf.org\)](#)

A U.S. District Court Judge in North Carolina has ruled in *Stafford v. Baker*, that plaintiffs in a case challenging last year’s “temporary suspension” of accepting and processing pistol purchase permits allegedly due to the COVID-19 outbreak and state of emergency declared by Gov. Roy Cooper, may pursue damage claims and associated claims for declaratory relief and attorney’s fees. You can read the entire ruling here. https://www.saf.org/wp-content/uploads/2021/02/gov.uscourts.nced_178291.26.01.pdf

The start of the New Year, brings the start of the new legislative sessions on the NYS and federal levels. Gun grabber politicians have been hard at work from before the current session began. Many pre-filed anti-gun legislation, and many others have filed in suit and also joined on as co-sponsors and supporters of these filings.

Remember, the absolute most important thing you can do as a Second Amendment advocate and constituent is to become familiar with proposed legislation that impacts the Second Amendment, and be sure your elected representatives know where you stand on these matters.

Several people have recommended a pre-formatted template that can be sent by constituents (via email or mail) to their representatives. This idea is being considered, but in an effort to not re-invent the wheel as the saying goes, there other Second Amendment organizations in place that already do this. I am examining the options, for future efforts and will keep you posted.

NYS A412/S476 if enacted would amend the NYS Penal Law to include an violation category offense for unlawful possession of a firearm by persons under 21 years of age. Offenders would be adjudicated as Juvenile Offenders. On 01/06/2021, this bill was sent to the Assembly Codes Committee where it currently sits awaiting action. There is an exemption included for those in possession of a hunting license and using said firearm in accordance with the rules established by the hunting license. FYI – This bill has been introduced in previous legislative sessions, 2017-2018: [A10426](#), [S7890](#) and 2019-2020: [A7460](#), [S2280](#) and died in each previous session in committee without further action. A412/S476 can be viewed here, including full text of the bill. [NY State Assembly Bill A412 \(nysenate.gov\)](#)

H.R. 933 – Titled the Second Amendment Preservation Act, introduced on 02/08/2021 by Congressman Griffith H. Morgan (R-VA-9) and co-sponsored by Rep. Markwayne Mullin (R-OK-2) and Rep. Jeff Duncan (R-SC-3). **I encourage you to**

contact your US representatives and urge them to support this legislation. It has also been reported in just the first week after this bill was introduced, some of the best pro-gun fighters in Congress have added their name to the bill as co-sponsors, including: Congressman Paul Gosar (R-AZ), Randy Weber (R-TX), Scott Petty (R-PA), Madison Cawthorn (R-NC), Thomas Massie (R-KY), Chip Roy (R-TX), Ted Budd (R-NC), Jody Hice (R-GA), Andy Biggs (R-AZ), Warren Davidson (R-OH), Yvette Herrell (R-NM), Alexander Mooney (R-WV) and Freshman Congresswoman Marjorie Greene (R-GA), who is on track to become a gun rights champion in Congress. On 02/08/2021, H.R.933 was simultaneously referred to the House Ways and Means and Judiciary Committees.

This legislation states that no federal money (tax money) can be spent to implement Joe Biden's war on gun owners. As of 02/23/2021 text has not been received for H.R.933. Bills are generally sent to the Library of Congress from GPO, the Government Publishing Office, a day or two after they are introduced on the floor of the House or Senate. Delays can occur when there are a large number of bills to prepare or when a very large bill has to be printed. Once available, the text of H.R.933 will be available at [Text - H.R.933 - 117th Congress \(2021-2022\): To amend the Internal Revenue Code of 1986 to remove short-barreled rifles from the definition of firearms for purposes of the National Firearms Act, and for other purposes. | Congress.gov | Library of Congress](#)

H.R. 38 - Newly reintroduced legislation on 01/04/2021, by Rep. Richard Hudson (R-NC), and a long list - 171 co-sponsors [Cosponsors - H.R.38 - 117th Congress \(2021-2022\): Concealed Carry Reciprocity Act | Congress.gov | Library of Congress](#), the Concealed Carry Reciprocity Act, which would give more meaningful effect to those rights by ensuring they stay intact as travelers crossed state lines. **I encourage you to contact your US representatives and urge them to support this legislation.** This bill was referred to the House Judiciary Committee on 01.04.2021, where it sits awaiting further action. FYI - This same bill was originally introduced in the 115th Congress in 2017, by Rep. Hudson and died at the end of that Congress.

In short, H.R. 38 if passed would correct these injustices. It would recognize the right of travelers to carry who:

- May lawfully possess and receive a firearm under federal law.
- Are carrying photographic identification issued by the U.S. or a state government.
- Have a concealed carry permit or reside in a state that otherwise provides for lawful concealed carry.

to carry in other states that provide a means of lawful concealed carry for the state's own residents. Read the full 7 page text of the proposed legislation at [BILLS-117hr38ih.pdf \(congress.gov\)](#).

H.R. 127 - Introduced on 01/04/2021, by Rep. Sheila Jackson-Lee (D-TX). **I encourage you to contact your US representatives and urge them to **NOT support** this legislation.** H.R. 127 was referred to the House Judiciary Committee on 01/04/2021, where it sits awaiting action. This legislation includes three different types of federal firearms licenses and various criteria to be met to obtain said licensing. Some of which include:

- the owner to be 21 years old, even though you can vote, drink and join the military at 18. The Attorney General will probably need a picture ID although that isn't in the bill.
- the owner to also have an insurance policy issued by the government with an \$800 annual premium. (That's right, \$800 per year.) It is not clear if this is \$800 per firearm or not.
- the owner will also undergo a psychological exam by a licensed psychologist.

Additionally, it calls for a national database of all firearm ownership with access by all members of the public. It calls for renewals of the license and conditions must be met for renewal. Additional training approved by the U.S. Attorney General, with a minimum of 8 hours of training specific to the "weapon" subject to the license. Plus so much more... Read the full text of this 19 page bill at [BILLS-117hr127ih.pdf \(congress.gov\)](#).

Please consider helping the American Firearms Association in their fight against this legislation by signing their petition against H.R. 127 [Help us defeat H.R. 127 -- sign your petition against it NOW](#)

From the NRA – Institute for Legislative Action (ILA)

On February 18, 2021, Constitutional carry signed into law by Montana Governor Greg Gianforte. The National Rifle Association's Institute for Legislative Action (NRA-ILA) applauds Montana Gov. Greg Gianforte for signing House Bill 102 into law. HB 102 is NRA-backed legislation that recognizes law-abiding gun owners' right to carry a firearm without first obtaining a permit. Read the full story at [NRA-ILA | Constitutional Carry Passes in Montana](#)

On January 15, 2021, the National Rifle Association of America ("NRA") announced it will file for bankruptcy protection in New York and restructure the Association as a Texas nonprofit to exit what it believes is a corrupt political and regulatory environment in New York. The move will enable long-term, sustainable growth and ensure the NRA's

continued success as the nation's leading advocate for constitutional freedom – free from the toxic political environment of New York.

[Press Release — NRA Dumps New York to Reincorporate in Texas \(nraforward.org\)](#)

On January 13, 2021, the NRA-ILA wrote a piece about President Biden's campaign promise repeal the Protection of Lawful Commerce in Arms Act (PLCAA), enacted in Congress in 2005, to provide a floor of protection nationwide.

[NRA-ILA | Biden Plots Sneak Attack Against U.S. Firearms Industry](#)

From your Legislative Officer

There are several 2A friendly organizations with an abundance of information and petitions against the anti-2A legislation. I encourage you to check out their websites for additional information and resources.

NRA – Institute for Legislative Action [NRA-ILA | Home](#)

Shooters Committee on Political Education - [S.C.O.P.E. - Shooters Committee On Political Education - Dedicated to preserving the 2nd amendment rights for the residents of New York State \(scopeny2a.org\)](#)

NYS Rifle & Pistol Association - [NYSRPA | New York State Rifle and Pistol Association | NYS Firearms Advocacy](#)

NYS Firearms Association - [Home - New York State Firearms Association](#)

Respectfully submitted,



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