



# September 2020

## Legislative Officer Report

**Guest speaker: A guest speaker invitation was sent out to the Honorable Judge Richard Guertin who is running for NYS Supreme Court in the 9<sup>th</sup> Judicial District (Dutchess, Rockland, Westchester, Putnam & Orange Counties). Awaiting a response.**

Once again, with less than 2 months until Election Day, here's my monthly reminder: Now, more than ever before in most of our lifetimes, every single vote matters. You make a difference!!! Modern elections on all levels are being decided by very small margins, so please remember and encourage everyone you know to get out and vote on Tuesday, November 3<sup>rd</sup>.

Stay informed, stay involved and get in touch with your representatives. Let them know where you stand on the issues. Remember, they represent you, so it's important they know where you stand on any legislative matters, especially those that are relevant to Second Amendment issues, including those mentioned below.

Firearm sales continue to soar across the U.S. for yet another month. According to the FBI-NICS reporting information available from the Bureau, NICS checks for August 2020 totaled 3,115,063 and for the eight-(8) month period January 1, 2020 through end of August 2020 25,934,334. We are still quickly approaching the whole year of 2019 total NICS checks (28,369,750). At this rate, with four-(4) months of reporting left, 2020 is sure to surpass 2019. NOTE: For many reasons, the number of NICS records checks do not necessarily mirror the number of actual firearm sales. 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](https://www.fbi.gov/file-repository/nics_firearm_checks_-_month_year.pdf/view)

The National Rifle Association Institute for Legislative Action (NRA-ILA) is proud to announce a new partnership with eight companies that have pledged to match \$1 million in donations made to NRA-ILA through Nov. 15, Partners for Patriotism.

"These patriotic businesses are pledging vital resources to support and defend the Second Amendment because they understand that our right to own a gun in defense of ourselves and our families is on the ballot in November. By working together with such partners, our membership intends to defeat those who are trying to strip our rights away from us," said Jason Ouimet, executive director, NRA-ILA.

The eight participating companies are: SIG SAUER, Kel-Tec, Credova, Rock Island Auction Company, Taurus, Davidson's Gallery of Guns, Kimber and Lipsey's.

The campaign, Partners for Patriotism, is simple. Anyone who makes a donation to NRA-ILA between now and Nov. 15 will have their donation matched. Folks can make donations of any size - whatever they can spare is helpful. And because of this campaign, whatever is donated will automatically be doubled by participating companies. Read more about this on the NRA \_ ILA website at:

<https://www.nraila.org/articles/20200908/nra-ila-announces-partnership-with-8-companies-for-1-million-match-campaign>

Earlier this year, Democrat Governor Phil Murphy of New Jersey actually did try to exploit panic over the COVID-19 outbreak [to ban firearm sales](#). [Failing at that](#), however, he is now proposing exponential tax increases on constitutionally protected arms.

This should surprise no one, being that Joe Biden – the Democrat candidate for the White House – is proposing similar measures.

Ironically, both Murphy and Biden insist that they are champions of the poor, the disenfranchised, and the oppressed. Needless to say, however, these are the very groups whose Second Amendment rights will suffer the most if these taxation schemes are enacted.

New Jersey residents seeking to buy firearms are already subject to a slew of onerous prior restraints, including fees for permits, along with the associated costs of fingerprinting and lengthy waiting periods for “processing.”

An [article in Guns.com](#) now reports that Murphy’s budget plan would raise the price of a pistol purchase permit by a factor of 24, while the firearms identification card needed for the purchase of a long gun would increase by a factor of nearly 20. Read the full article on the NRA – ILA website at:

<https://www.nraila.org/articles/20200908/anti-gun-politicians-seek-to-tax-your-second-amendment-rights-into-oblivion>

If you possess a NYS Pistol License issued by the County of Dutchess and wish to request to “opt out” and protect your privacy, the [NYS Firearms License Request for Public Records Exemption Form \(.pdf\)](#) is used to exercise the "opt out" (FOIL exemption) provision for pistol licensees.

**Mail or return (in person) the completed form to:**

Bradford Kendall  
Dutchess County Clerk  
22 Market Street  
Poughkeepsie, New York 12601

There has been no noteworthy activity on previously reported on proposed legislation listed below.

A.2847 if passed would require owners of firearms in NYS to purchase and maintain a minimum of \$250k in liability insurance. It is not known if such a liability policy type currently exists, or what the cost of such a policy would be. Failure to maintain insurance in the minimum required amount would cause immediate revocation of the owner’s registration, license and privilege to own or possess such firearm. Of note, similar legislation has been introduced several times over the years, dating back to the 2013-2014 legislative session and has never gained traction. The current bill was introduced in 2019, and was again referred to the Insurance Committee on January 8, 2020, which is where it currently sits. You can view the text of the proposed legislation at: <https://www.nysenate.gov/legislation/bills/2019/a2847>

S.7065/A.1589, would require a purchaser of any firearm, rifle or shotgun to submit to a mental health evaluation and provide the seller with his or her approval to purchase such firearm based on that mental health evaluation. The bill was introduced to the Senate earlier this year and there is a NYS Assembly version of this bill (A1589). The bill has been sent to the Senate's Consumer Protection Committee for further action. At this time, the bill hasn't been scheduled on the Senate's "On Floor Calendar" and remains with the Senate Consumer Protection Committee. This is a piece of legislation we saw introduced in the 2017-2018 legislative session as A. 10259 and an amended version was introduced earlier this year. This is legislation we need to monitor closely. You can read the full text of this proposed bill at: <https://www.nysenate.gov/legislation/bills/2019/s7065>

The "stand your ground" bill (S. 7915/A-10114) which specifically relates to justified use of physical force, remains in the NYS Senate Codes Committee being reviewed. This bill will amend the NYS Penal Law, NYS Criminal Procedure Law as well as the NYS Civil Practice Laws & Rules. Passage would remove the duty to retreat and provides civil and criminal protections for justified use of force in places the defender is lawfully permitted to be. This bill was introduced earlier this year and was sent to the Senate's Codes Committee, where it presently sits awaiting further action. You can review the complete text of the legislation at <https://www.nysenate.gov/legislation/bills/2019/s7915>

**[Please consider contacting your state Senator and your state Assembly representative and urge them to support S. 7915/A-10114.](#)**

On the federal level, H.R. 5717/S. 3254 "The Gun Violence Prevention and Community Safety Act of 2020" was introduced on January 30, 2020 and on March 10, 2020, it was sent to the Senate Finance Committee, subcommittee on Crime, Terrorism & Homeland Security. There has been no documented action in either the House or the Senate on this proposed legislation, yet it remains "Active." You can review the complete text of the legislation at <https://www.congress.gov/bill/116th-congress/house-bill/5717/text> or all actions regarding this proposed legislation at: <https://www.congress.gov/bill/116th-congress/house-bill/5717/all-actions>

Respectfully submitted,



Gregg Buddenhagen

Legislative Officer – Dutchess County Pistol Association  
[LegislativeOfficer@dcpistol.org](mailto:LegislativeOfficer@dcpistol.org)