

Summary of 2022 “Gun Safety Laws”

Northern New Castle County Region Republican Committee

Legislative Awareness Working Group

June 6, 2022

For your information and awareness, Gov. Carney has proposed a package of "Gun Safety Laws" and they are under active consideration by the Legislature, this week. There are several protests planned over the Legislative Week - Tuesday, Wednesday and Thursday. Here is a brief summary and suggested objections to share with your legislators and friends:

HB450 - "Cut & Paste" law from Maryland's law, passed nearly 10 years ago that **would outlaw purchase, possession and sale of AR-15 and similar weapons.** Weapons already owned would be grandfathered. This has been proposed and rejected by several legislative sessions, yet the current rash of events reported around the country appears likely to sweep it into law. The Delaware State Sportsmen's Association (DSSA) is already preparing to take this to court as an unconstitutional abridgement of Article 1, Section 20 of the Delaware Constitution which provides that "A person has the right to keep and bear arms for the defense of self, family, home and State, and for hunting and recreational use." The AR-15 and similar rifles are not "weapons of war", as no military in the world uses them. They are a semi-automatic version that is cosmetically similar to the M-16/M-4 "Automatic/Select-Fire" weapons used by many military units.

HB451 - **Increases the age of purchase,** possession and ownership of any firearm from 18 to 21, excepting military service or under the supervision of someone over 21.

SB6 - **Outlaws firearm magazines with capacities in excess of 17 rounds.** It requires those currently possessed **to be turned in to law enforcement** within a matter of weeks. Amendments that modified this law to penalize persons who commit felonies with high-capacity magazines (over 20 for pistols and 30 for rifles) is scheduled to be stripped from the bill.

HB423 - Would shift the responsibility for background checks on firearm purchases from the Federal NICS system to the Delaware State Bureau of Investigation. This would appear to provide for approvals based on more accurate and timely data. Delaware DOES NOT report all felony violations to the Federal NICS process - only mental health issues! **Delaware condones potential sale of firearms to convicted felons!** Many of the gun rights/activist organizations SUPPORT this bill as an improvement on the current process and it is co-sponsored by several Republican legislators. It would also negate the value and avoid the issues associated with SB3, which requires a "License to Purchase" a firearm. SB3 is redundant and adds bureaucracy and expense to the purchase process, as these checks would be performed at the point of sale - again.

There will be rallies and protests at Leg Hall on both Tuesday and Wednesday, starting at 9am.