



HB 52 by Reynolds – Gun Show Ban

OPPOSE

Homeland Security & Public Safety Hearing, 3/18/21

Rachel Malone, Texas Director, Gun Owners of America | rachel.malone@gunowners.org | 512-937-3006

Explanation of the bill:

- Defines "gun show" as any place besides a retail store where 3 or more people assemble to show or sell guns or gun parts to the public.
- Requires 30-day notice to be given to authorities before such an event can occur. (Mandatory jail time -- Class A Misdemeanor -- for failure to do so.)
- Requires background checks through the National Instant Criminal Background Check System (NICS) for private gun sales that happen in this narrowly-defined "gun show" setting (exceptions for law enforcement and LTC holders).
- A private individual who sells his personally-owned firearm at this type of narrowly-defined gathering of people, and who does not require a background check of the buyer, could face a Class A misdemeanor.

Notes:

- This egregious bill criminalizes Texans from being able to freely assemble for the purpose of displaying or buying guns or gun parts, and criminalizes private sales of guns at any gathering meeting its ridiculously narrow definition of a "gun show."
- Current Federal law requires gun dealers (those with a Federal Firearms License, or FFL) to use the NICS system on all of their gun sales – including at gun shows – but has no bearing on private sales.
- Current Texas law gives private parties freedom to conduct transactions of property (including firearms) as they see fit, as long as they're not knowingly selling guns to someone who is prohibited from owning guns.
- The NICS system has a 95% false-positive rate, consistently infringing on people's ability to legally purchase firearms. It has an especially high false-positive rate with minorities, including Hispanics and African-Americans.
- Requiring background checks and criminalizing gun shows that don't comply with this insane notice requirement is a ludicrous infringement that could severely hamper Texans' ability to buy a tool they need to defend themselves.
- This law won't stop criminals who wouldn't pass a background check, because criminals don't purchase their guns legally anyway.