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LD 1696

I'm writing to you in opposition to LD 1696, An Act to Create a Civil Cause of Action for Persons Suffering Damages Arising from the Sale of Abnormally Dangerous Firearms.

We already have laws prohibiting firearm sales to firearm traffickers, straw purchases and prohibited persons. So, we don't need this one.

This bill has one intent, to create a legal loophole or gray area. The use of terms such as abnormally dangerous, reasonable controls, reasonable precautions and knowingly are subject to interpretation, thus, creating a legal gray area.

This bill states the following:

(A) There is a rebuttable presumption that a firearm-related product is abnormally dangerous and likely to create an unreasonable risk of harm to public health and safety if:

(1) The firearm-related product's features render the product most suitable for assaultive purposes instead of lawful self-defense, hunting or other legitimate sport and recreational activities;

(2) The firearm-related product is designed, sold or marketed in a manner that foreseeably promotes conversion of legal firearm-related products into illegal firearm-related products; or

(3) The firearm-related product is designed, sold or marketed in a manner that is targeted at minors or other individuals who are legally prohibited from accessing firearms; and

(B) A firearm-related product may not be considered abnormally dangerous and likely to create an unreasonable risk of harm to public health and safety based on a firearm's inherent capacity to cause injury or lethal harm.

Paragraph (B) is counterintuitive to the intent of paragraph (A), creating a very large legal gray area subject to interpretation.

The sole intent of this bill is to create a legal avenue for a firearm industry member to be held accountable for crimes committed by another person. I wholeheartedly disagree with this bill and I urge the committee to vote "Out Not to Pass" on LD 1696.