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Opposition LD 1126

I oppose this bill, which establishes unlawful conduct related to unserialized firearms and components, mandates serial number imprinting, and prohibits undetectable firearms, for the following reasons:

1. Constitutional Overreach:

- The Second Amendment, as affirmed in *District of Columbia v. Heller* (2008) and *New York State Rifle & Pistol Association v. Bruen* (2022), protects the right to keep and bear arms for self-defense, including commonly used firearms. Requiring serial numbers on all firearms and components—many of which are homemade or hobbyist-built (e.g., 80% lowers)—burdens this right without historical precedent. *Bruen* demands restrictions align with the nation’s tradition of firearm regulation; no such tradition exists for mandating serialization of privately made firearms (PMFs) until recent decades.
- Banning “undetectable firearms” sounds reasonable but oversteps when applied broadly. The federal Undetectable Firearms Act (1988, renewed 2013) already prohibits firearms that evade metal detectors, a standard met by nearly all modern guns. This bill’s vague scope could ensnare lawful owners of plastic or prototype components, chilling innovation and personal rights.

2. Ineffectiveness in Addressing Crime:

- The ATF traced 25,135 unserialized firearms (ghost guns) in 2021 (latest full data), up from 1,758 in 2016, but these represent a tiny fraction of the 400 million+ firearms in circulation. A 2023 DOJ report found most gun crimes involve serialized, stolen, or trafficked weapons—not PMFs. Criminals bypass laws via black markets (e.g., 3D-printed frames), as seen in Europe despite strict bans, rendering this bill’s focus on law-abiding hobbyists misplaced.
- Serialization doesn’t deter crime—traced guns often lead to dead ends (e.g., 54% of traces in 2021 yielded no suspect, per ATF). Adding serial numbers to every component (e.g., barrels, slides) won’t solve this; it just piles paperwork on legal owners.

3. Practical Burdens on Law-Abiding Citizens:

- Mandating FFLs to serialize PMFs or components (e.g., 80% receivers) forces hobbyists—who’ve legally built firearms since the Gun Control Act of 1968 allowed non-commercial production—into costly compliance. FFL fees, wait times, and travel (rural areas often lack nearby licensees) disproportionately hit low-income or remote gun owners. A typical serialization might cost \$50-\$100 per item, plus labor, for a rifle with multiple parts.

- The bill's ban on possession or transfer of unserialized items lacks a grandfather clause or amnesty, instantly criminalizing thousands of existing PMFs—many owned by hunters, sport shooters, or collectors unaware of retroactive rules. This risks Fifth Amendment takings claim without compensation.

4. Enforcement and Overreach Issues:

- With ~18,000 police agencies and no national registry (prohibited by the Firearm Owners' Protection Act, 1986), enforcing serialization on millions of untracked components is a logistical nightmare. Officers would divert focus from violent crime to inspecting garages, as X posts from gun owners lament (e.g., March 2025 debates on similar state laws).
- "Undetectable firearms" is undefined here—does it include 3D-printed frames with metal inserts (detectable) or just hypothetical all-plastic guns? Vague terms invite inconsistent prosecution, targeting lawful experimentation (e.g., prototyping under ATF's 2022 PMF rule) rather than actual threats.

5. Better Alternatives Exist:

- Instead of blanket bans, enhance ATF tracing of stolen serialized guns (e.g., 121,000 recovered in 2021) and crack down on illegal trafficking networks—proven crime drivers. Fund mental health screening and safe storage education, which address root causes without infringing rights.
- For "undetectable" concerns, enforce the existing federal law and target 3D printer misuse (e.g., via cybercrime units), not broad possession bans that punish compliant owners.

This bill undermines Second Amendment rights, fails to curb gun violence effectively, and imposes impractical burdens on law-abiding citizens while straining enforcement resources. Its vague scope risks overreach, and its serialization mandate ignores historical freedoms for minimal gain. I urge lawmakers to reject it in favor of targeted, evidence-based measures that tackle crime's sources—trafficking, theft, and mental health—without turning hobbyists into felons or chasing phantom plastic guns. Rights and safety deserve smarter solutions.

I urge the committee to vote "ought not pass" on LD 1126

Thank you for your time

Sincerely,

Simon Cavilla

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