

## Gun Control Measure Pre-Filed for 2014 Session of the New Mexico Legislature

Anti-gun state Representative Miguel Garcia (D- Bernalillo) has introduced House Bill 44, legislation which criminalizes non-dealer firearm transfers at gun shows and takes the first step towards a universal ban on private gun sales, for the upcoming 30-day legislative session that begins on January 21st. The bill mirrors the version of House Bill 77 that was being debated on the floor of the state Senate when the 2013 session was gavelled to a close before a final vote on the measure. To view a copy of HB 44, click here <http://www.nmlegis.gov/Sessions/14%20Regular/bills/house/HB0044.pdf>

Although HB 44 contains language that would require improved reporting of persons prohibited from purchasing firearms to the FBI and protect against the development of any registry of lawful gun buyers by state or local agencies, make no mistake: gun control remains the centerpiece of this very flawed bill. This will be just the first step towards banning ALL private gun sales and transfers - in fact, that's exactly what the original language of HB 77 did when it was introduced last year! And once the gun control advocates check this scheme off their list, they will move toward gun bans and magazine limits, just like in Colorado.

For additional reasons why you should be concerned about House Bill 44, please scroll down below.

We expect anti-gun activists and lawmakers to press for consideration of HB 44 during the 30-day session, even though the Legislature is limited to dealing with budget-related items or measures that receive an executive message. That's why it's critical that you contact your state Senator and Representative and urge them to oppose HB 44 and to focus instead on the state's important fiscal matters.

Information on how to reach your lawmakers can be found here [http://www.nmlegis.gov/lcs/legislator\\_search.aspx](http://www.nmlegis.gov/lcs/legislator_search.aspx).

If you are unsure who represents you, you may enter your address here to find out [http://www.nmlegis.gov/lcs/legislator\\_lookup.aspx](http://www.nmlegis.gov/lcs/legislator_lookup.aspx)

Please remember to be polite in all your communications with elected officials!

### Why You Should Be Concerned About HB 44

- This is just the first step towards criminalizing ALL private transfers of firearms; in fact, as mentioned above, the introduced-version of HB 77 in the 2013 session did just that. No background check legislation will ever be "universal," since criminals simply ignore the law.

- It's an ineffective crime control proposal. In April of 2013, PoliceOne conducted a national survey of 15,000 active and retired law enforcement officers of all ranks and

department sizes on the topics of gun & crime control. Nearly 80 percent said that a prohibition on private non-dealer transfers of firearms between individuals would not reduce violent crime.

- Current laws are not being enforced. According to a 2012 report to the U.S. Department of Justice, more than 72,000 people were turned down on a gun purchase in 2010 because they didn't clear a background check. Only 44 of those cases – or just .06 percent – were prosecuted. Existing laws are not even being enforced and proponents are calling for expanding background checks to cover private firearms transactions.

- Gun shows aren't a source of crime guns. A U.S. Bureau of Justice Statistics survey of state prison inmates who had used or possessed firearms in the course of committing their crimes found that 79 percent acquired their firearms from “street/illegal sources” or “friends and family.” This includes theft of firearms, black market purchases of stolen firearms and straw purchases. Only 1.7 percent obtained a firearm at a gun show.

- Most importantly, because a January 2013 internal U.S. Department of Justice memorandum summarizing so-called “gun violence” prevention strategies stated that the effectiveness of universal background checks depends on “requiring gun registration.” Even though HB 44 currently contains prohibitions on the development of a state or local registry of gun buyers, supporters of the bill are likely to eventually claim the need to repeal these important protections in order to enforce its provisions.