



# Arizona Citizens Defense League

## Protecting Your Freedom

Volume 2013, Issue I

AzCDL's Membership Newsletter

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## Pro-rights bills at risk in 2013



With Republican majorities in both chambers of the Legislature, it is normally expected that pro-rights firearms bills stand a better chance of moving. However after the Obama Administration's exploitation of the Newtown tragedy, and the use of murdered children to launch an all out assault on the Second Amendment, it appears that many pro-rights legislators are hiding under their desks this year.

This session we are seeing more bills filed to strip you of your right to bear arms than bills than protect that right. While we don't expect the bad bills to progress very far, we are also seeing signs that the progress of good bills is being subtly impeded.

With the help of our members contacting legislators, we have successfully managed to overcome most of the initial roadblocks. However, if we are going to get good bills passed out of this Legislature we need everyone's involvement. When you receive our alerts asking you to contact key legislators, follow the links to our Legislative Action Center and send the prepared emails, or create one of your own. It only takes a few mouse clicks to make a difference. Doing nothing is the equivalent of surrendering. AzCDL members are automatically subscribed to alerts originating from our Legislative Action Center. If you are not receiving them, contact Fred ([treasurer@azcdl.org](mailto:treasurer@azcdl.org)) or call (623) 242-9086 and let us know. You can also subscribe directly by going to: <http://capwiz.com/azcdl/mlm/signup/>.

The following is a recap of the firearms related bills we are monitoring this session. You can view their status at AzCDL's Bill Tracking page: [http://www.azcdl.org/html/bill\\_tracking.html](http://www.azcdl.org/html/bill_tracking.html).

### Good Bills

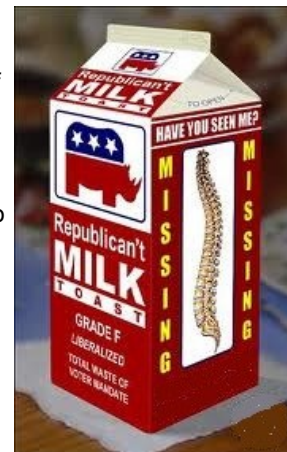
**HB 2234** is an AzCDL-requested bill that would standardize the definition of a firearm in ARS 13-105 and remove duplicate and/or conflicting definitions in other statutes.

**HB 2288** and **HB 2554** are two versions of AzCDL-requested legislation that would require operators of public (i.e., state and local government) property, wishing to ban weapons, to do more than slap up a cardboard sign. They would be required to provide real security for those entering (e.g., restricted access, armed guards and metal detectors) as well as storage lockers for weapons. In HB 2554, if an operator of a public building does not comply with the security requirements, the prohibition of firearms would not be enforceable. These bills also move the "public establishment" laws from the weapons misconduct statutes (ARS 13-3102) to the preemption statutes (ARS 13-3108).

**HB 2291** and **SB 1112** are AzCDL-requested bills that would prohibit enforcement, by state and federal officials, of federal laws relating to a "personal firearm, a firearm accessory or ammunition, that is owned or manufactured commercially or privately in this state and that remains exclusively within the borders of" Arizona. This bill also provides that the Arizona Attorney General may defend a citizen of Arizona who is prosecuted by the feds for violation of related federal firearms laws.

**HB 2326** would prohibit maintaining information on a person who possesses, purchases, transfers or sells a firearm except in the course of a law enforcement investigation.

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## 2013 Legislation

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**HB 2431** would clarify that members of the Arizona Guard (composed of the state militia—see HB 2433) may possess “particularly suited firearms or equipment” which include firearms with standard/full capacity magazines and semi-automatic pistols, rifles and shot-guns.

**HB 2432** would create a Citizens Marksmanship fund to provide firearms for the training of citizens who are eligible for service in the Arizona Guard.

**HB 2433** would eliminate the statutory age cap (currently 45 years old) on who is a member of the state militia (i.e., all able-bodied citizens capable of bearing arms).

**HB 2455** is an AzCDL-requested bill that would clarify that even firearms that are voluntarily surrendered to a state or local entity (e.g., via a “buy back” program) cannot be destroyed and must be sold.

**HB 2468** would allow for reduced hunting license fees for members of the military and veterans.

**HB 2582** would add “make and model” to the list of things about a firearm that cannot be recorded when it is left for temporary storage in a public (i.e., state or local government) building.

**HB 2589** would allow faculty members of a college or university, who have a valid CCW permit, to possess a “concealed” firearm on campus.

**HB 2656** would create an exemption to the ban on carrying a firearm on K-12 school property for anyone who is approved and designated by the school’s governing board, providing they successfully complete an annual “school safety designee” program administered by the Department of Public Safety.

**SB 1325** would allow the governing boards of educational institutions to authorize teachers or administrators to possess a “concealed” weapon under limited conditions (school has fewer than 600 students, more than 30 minutes and 20 miles from a police station, no school resource officer, etc.).

**SCR 1015** is a resolution that the members of the Legislature support the Second Amendment of the U.S. Constitution and reject the consideration of new legislation that would infringe on this constitutionally protected right.

**SCR 1016** would add to the 2014 general election ballot the question of whether to amend the state Constitution to allow the people of Arizona to reject a federal action that the people determine violates the U.S. Constitution by passing an initiative or referendum, passing a bill, or using any other available legal remedy, and to prohibit the state from using any personnel or resources to enforce or cooperate with a federal action that the people reject.

### Bad Bills



**HB 2376** would call for a court ordered mental evaluation for anyone possessing a firearm that a law enforcement officer believes is a “danger to self or others...” as a “result of mental illness.” Also allows for the “temporary” seizure of firearms. In other words, HB 2376 would allow law enforcement officers to psychoanalyze firearms owners, determine their mental “health,” seize their firearms and have them carted off for “evaluation” by medical professionals who specialize in defining behavior they dislike (like owning firearms) as a sickness.

**HB 2378** and **SB 1479** would eliminate state preemption over the disposition of surrendered or confiscated firearms.

**HB 2379** would classify anyone subject to a restraining order, regardless of the

reason or legitimacy, as a person prohibited to possess a firearm.

**HB 2380** and **SB 1476** call for the elimination of Constitutional Carry and the re-establishment of Department of Public Safety (DPS) control over the administration of CCW training requirements.

**HB 2381** would prohibit the sale or transfer of semi-automatic pistols or rifles with certain features (arbitrarily defined as “assault weapons”) that did not involve a licensed firearms dealer. Also adds a civil fine of up to \$10,000, heaps on extra requirements to make gun show sales more difficult, and adds a Class 1 Misdemeanor for private sales at gun shows that don’t go through a dealer.

**HB 2558** would weaken state preemption and allow local governments to prohibit the possession or use of firearms on “their” property.

**HB 2609** and **SB 1475** would ban the manufacture, sale, purchase or possession of “armor piercing” ammunition.

**HB 2631** would make it Class 6 Felony to “negligently” (as defined by the prosecutor) discharge a firearm, with a blood alcohol level of 0.08 or more. HB 2631 would specifically remove self-defense as a justification for any such offense, and anyone convicted may not file for restoration of their right to possess a firearm for 5 years from the date of the person’s discharge from probation.

**HB 2664** and **SB 1472** would make it a Class 1 Misdemeanor to store a firearm without using a “lock and key or combination on the trigger of the firearm or placing the firearm in a securely locked box or other container.” Seems the premise of these bills is that some inanimate objects are possessed by evil spirits and need to be locked away otherwise they might go out on their own and do bad things. At a minimum it would ensure that the risk to criminals is lessened during home invasions.

**SB 1049** would expand the definition of “school” in ARS 13-3102 (Weapons Misconduct) to include post-secondary educational institutions (i.e., colleges

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# 2013 Legislation

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and universities), and would make possessing a firearm on these campuses a Class 6 Felony. Under current law it is a misdemeanor to possess a firearm on K-12 school grounds. This legislation would empower criminals while disarming their victims.

**SB 1050** would make it illegal to possess a magazine or any other "feeding device" capable of holding more than 10 rounds. The penalty for the mere possession of your current standard capacity (i.e., greater than 10 rounds) magazines would be a Class 4 Felony.

**SB 1228** would repeal state preemption over the disposition of surrendered and forfeited firearms.

**SB 1229** is similar to SB 1050. It would make it illegal to possess a magazine or any other "feeding device" capable of holding more than 10 rounds. The penalty would be a Class 3 Felony. SB 1229 would exempt standard capacity magazines possessed prior to the effective date of new law.

**SB 1309** would require that all firearms transfers be conducted via a licensed firearms dealer. This bill would outlaw private transfers of firearms between

individuals - this includes transfers between family members. A Class 2 Misdemeanor.

**SB 1473** would make it a Class 1 Misdemeanor, unless specifically authorized by law, to enter "any state building, including the House of Representatives wing and the Senate wing of the State Capitol Building, carrying a deadly weapon." Only unarmed subjects would be allowed into the buildings their taxes paid for. Law-abiding armed citizens cannot be trusted. Singles out the Capitol as a place for only the elected elite.

**SB 1474** is similar to SB 1049. It would expand the definition of "school" in ARS 13-3102 (Weapons Misconduct) to include "a community college under the jurisdiction of a community college district or a university under the jurisdiction of the Arizona Board of Regents." The penalty would be a Class 1 Misdemeanor.

**SB 1480** would raise the penalty for the unlawful discharge of a firearm "within or into the limits of any municipality" from a Class 6 to a Class 5 felony. The definition of unlawful discharge is so broad that a malfunctioning firearm or negligent discharge on your own property,

that harms no one, could make you a felon.

## Taking Action

Edmund Burke is credited for the statement that "all that is necessary for the triumph of evil is that good men do nothing."

Lobbying for good bills and against bad bills is not a spectator sport. AzCDL has two full-time lobbyists working daily at the Capitol, meeting with legislators and testifying at hearings. But, we are only successful when we can back up our words at the Capitol with action from our membership.

WHICH WOULD YOU RATHER USE TO DEFEND YOUR RIGHTS?



**PROVE IT. GET ACTIVE.**



## Join us at Front Sight



You are invited to join AzCDL on our annual trek to Front Sight, Nevada, for a 4 day Defensive Handgun class April 26-29, 2013.

More information on the class can be found at Front Sight's website:

<http://www.frontsight.com>

Don't let the cost of the class scare you. Steeply discounted course certificates are available from AzCDL members who are also Front Sight life members.

Because Front Sight trains thousands of students every year, hotels fill up fast, especially during the months with the

best climate, like April. So you won't be left out, AzCDL has booked a block of rooms at a special rate, at the Saddle West hotel in Pahrump.



To learn more about the class, hotel reservations, or obtaining course certificates, please contact Duke Schechter at

[americanicon@cox.net](mailto:americanicon@cox.net)

Or you can call and leave a message at AzCDL's main number, (623) 242-9086.

The heaviest thing about carrying a firearm is the responsibility that comes with it. Even though Arizona's CCW permit is optional, that doesn't relieve us from our duty to know the law, become competent in our "skill at arms," and understand our responsibilities. The same goes for those who have a CCW permit. Your training never ends.



# We the People National Coalition to Stop the Gun Ban

The **Arizona Citizens Defense League** (AzCDL), in conjunction with other organizations throughout the country, has formed a national coalition to defeat the Obama Administration's gun ban proposals.

The federal "gun control" measures President Obama and his supporters in congress propose represent nothing less than an attack on American freedom.

Using the Sandy Hook tragedy as a pretext to advance an agenda set in the 1980's anti-rights advocates now seek bans on firearms because of cosmetic features, limits on magazine capacities, and universal registration and licensing. As history has demonstrated, registration is the prelude to confiscation.

The Coalition is not the "gun lobby." We do not represent gun manufacturers, nor are we controlled by any national organization. The Coalition represents what politicians should fear most: An organized grassroots movement to defend the Second Amendment and unseat those who would undermine American freedom.

So far, over 36 state and national organizations have joined the "National Coalition to Stop the Gun Ban," including all of the groups listed below, and more joining daily.

The objective of the coalition is to kill the Administration's gun control proposals. Period.

It is not to "compromise" by saddling gun owners with restrictions and complaining "It was the best we could get." Nothing less than the complete defeat of the Administration's proposals will suffice.



All coalition members have agreed that **"compromise" is not an option.**

The member organizations launched the Coalition in January with a coordinated "Open Letter to Members of Congress", and with coordinated press releases and alerts.

### Coalition Members

**National organizations:** The Firearms Coalition, Gun Owners of America,

Jews for the Preservation of Firearms Ownership (JPFO), Rights Watch International, Second Amendment Sisters, and USRKBA.org

**State organizations:** **Arizona Citizens Defense League**, Arkansas Carry, Bama Carry, Connecticut Citizens Defense League, Damas de la Segunda Enmienda (Ladies of the Second Amendment, Puerto Rico), Firearm Owners Against Crime, Florida Carry, Inc., Grass Roots North Carolina, Gun Owners Civil Rights Alliance, Gun Owners of California, Gun Owners of Maine, Gun Owners of Utah, Gun Owners of Vermont, ICarry.org, Iowa Gun Owners, Michigan Gun Owners, Michigan Open Carry, The Minnesota Gun Owners Civil Rights Alliance, Montana Shooting Sports Association, Nebraska Firearms Owners Association, New Hampshire Firearms Coalition, New Jersey 2nd Amendment Society, Nebraska Firearms Owners Association, Oregon Firearms Federation, Peaceable Texans for Firearms Rights, Pennsylvania, ACSL, Shooters Committee on Political Education NY, Utah Shooting Sports Council, Virginia Citizens Defense League, West Virginia Citizens Defense League, Western Missouri Shooters Alliance, and Wisconsin Carry, Inc.

#### Arizona Citizens Defense League



\$10 ticket

## Raffle Tickets—Win an AR-15—\$10!

#### Arizona Citizens Defense League



\$10 ticket

### Get 'em before they're gone!

AzCDL is raffling off **TWO** Mossberg MMR tactical rifles, chambered for 5.56 NATO.

These rifles include a muzzle brake, pistol grip, adjustable stock, Picatinny quad-rail forearm and top rail, rail mounted front and rear adjustable sights and a 30 round magazine.

1,000 raffle tickets have been printed.

**Each raffle ticket you buy represents TWO chances to win.**



**Tickets are \$10 each.**

*Buy your tickets before they're sold out!*

Tickets are available at all gun shows where AzCDL has a presence.

You can also purchase raffle tickets online at AzCDL's "store"  
[http://www.azcdl.org/html/online\\_store.html](http://www.azcdl.org/html/online_store.html)

The winning tickets for these firearms will be drawn on May 19, 2013, in Tucson.

The winner does not have to be present, but must comply with all federal, state and local firearms laws and must pick up their firearm via a federally licensed firearms dealer.

If you are not legally eligible to own these firearms, your ticket will be invalid and another winning ticket drawn.

Refunds for tickets purchased will not be issued to ineligible winners.