Dear Committee Members;

The Connecticut Constitution states, “Every citizen has a right to bear arms in defense of himself [or herself] and the state” (Art. I, § 15).

The scope of the current proposed legislation of Proposed H.B. No. 5040, An act concerning an excise tax on ammunition, infringes on an interest in bearing arms that is protected by the state constitution. The design of this infringement is a mere rewording of a proposed House Bill from 2019, An Act to increase the rate of the sales and use taxes on ammunition to fifty per cent. As was the case in the act introduced by Representative Gilchrist in the January Session of 2019, such an infringement, under a different name now in 2020, remains an infringement, nonetheless.

Representative Gilchrist, and her co-signer, Sen. Haskell proudly maintain the stance from their 2019 proposal on the CT House Democrats website, stating, “Ending gun violence requires new and innovative thinking,” said Sen. Will Haskell. “As new members of the General Assembly, I think Rep. Gilchrist and I have proposed a bill that would reduce the amount of deadly ammunition in circulation and at the same time provide funding for gun safety measures. We’ve taken [his] words to heart when he observed that ‘guns don’t kill people, bullets do.’” This was their stance in 2019, and this current 2020 proposed legislation is nothing different. Its goal is to strip down the Constitutionally protected rights of the people by any means necessary. This cannot be allowed.

The United States Supreme Court has consistently upheld an individual’s rights to possess firearms, on the Federal Level through District of Columbia v. Heller, which established an individual right to own guns, and through McDonald v. Chicago in 2010, which extended the Heller decision from federal gun laws, to state and local ones. I implore the committee to defer to these decisions and not cave to, “new and innovative thinking,” as ways to attack the law-abiding gun owners of this state.

The proposal to ‘reduce the amounts of ammunition in circulation,’ is a clear attack on the means to maintain lawful firearm ownership. Moreover, this is a demand that the very same law-abiding gun owners pay more for already, through permit fees, background checks and the like to, “provide funding for gun safety measures.”

The IRS has established a Taxpayer Bill of Rights. One of these is The Right to Pay No More than the Correct Amount of Tax, which we already do for ammunition through common sales tax. Another is The Right to a Fair and Just Tax System. This proposed bill is neither fair nor just, in that it attacks a Class of citizens who have worked tirelessly to stay within the lines of the law while also continuously fending off attacks, such as this, on our constitutionally guaranteed freedoms. This proposal attacks a Class of CT citizens who have committed no crime but are consistently treated as criminals.

An excise tax is nothing more than a luxury tax – however there is no luxury in freedom or personal safety. While the Governor surrounds himself with a contingent of armed
State Troopers (who carry ammunition in their firearms), and the CGA also which has the true Luxury of Armed Capital Police Officers (again - with ammunition in their firearms) to protect you and your fellow members of the Assembly, this proposal suggests that we ought to pay more for the same safety that our tax dollars already afford you. Yet, you do not pay more for that armed security that surrounds you. We do.

I am a US Marine Corps Veteran and proudly serve as a Police Officer and Detective for over 22 Years here in Connecticut. I am curious if this proposal will affect those who perpetrate gun violence most frequently, those who commit felonies on a regular basis who will neither be subject to this proposed tax, nor change their ways to conform to the proposed, “gun safety measures.”

I strongly stand in opposition of Proposed H.B. No. 5040 and respectfully request that you do the same.

Please contact me directly for further comment.

Brian Harte
Prospect, CT