Oppose

Senate Fonfara, Senator Witkos, Representative Rojas, Representative Davis and Honorable Members of the Finance, Revenue and Bonding Committee, I write today in strong opposition to H.B. 5040 An Act Establishing an Excise Tax on Ammunitions.

Chief Justice John Marshall said: “The power to tax is the power to destroy.” This effort to impose an excise tax on ammunition is a thinly-veiled attempt to destroy the power of the citizens of this state to exercise their Second Amendment right to keep and bear arms. A 35% tax is confiscatory. It is more than five times greater than the sales tax imposed on other consumer goods in our state. As such, this law would be a clear violation of the United States Constitution. For that reason alone this proposed legislation should not pass.

Further, this bill, if passed, will have a number of unintended consequences. While the purported purpose is to “increase funding for gun violence prevention and reduction efforts”, nothing in the proposal requires establishment of a separate fund for this purpose. Further, taking tax revenue from law-abiding gun owners and giving it to organizations dedicated to undermining the rights of law-abiding gun owners is a gross breach of the public trust. As citizens, we expect our legislature to protect and preserve our constitutional rights, not tax us in order to fund efforts to undermine our constitutional rights.

Finally, it is highly unlikely this bill would raise any additional revenue. It may have the unintended consequence of creating a grey or black market for ammunition to avoid payment of the tax. Further, it will drive consumers to vendors in other states, thereby placing Connecticut-based sporting goods stores at an unfair economic advantage. No sportsman would ever need to purchase ammunition in Connecticut if she or he could acquire it for 35% less in a near-by state.

This legislation is likely to have the exact opposite effect from its stated purpose of increased revenue. The economic recovery in Connecticut is slow and fragile and this body should not take any legislative action that has no actual likelihood of achieving its stated purpose and serves only to hurt Connecticut’s economy and cost jobs.

I thank you for your time and ask you to oppose H.B. 5040.

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