

Senate Bill 360 Testimony  
December 8, 2020

Chairman Wiggam, Vice Chair Stephens, Ranking Member Kelly and members of the House State and Local Government committee, it is an honor to be able to address you through written testimony today. My name is Chris Lee and I write to testify on behalf of the National Shooting Sports Foundation, Inc. NSSF is the trade association for the firearm industry.

Over 13,000 Ohioans are currently employed by the firearm industry. As the trade association for that industry, we worked to help our members navigate the COVID-19 “stay home” orders throughout the country in 2020. In order to demonstrate the necessity and widespread support for legislation like SB 360, I would like to walk you through a brief timeline.

At the onset of the COVID-19 crisis, the firearm industry was exempt from the “stay home” orders in nearly 25 states by existing emergency powers statutes like what is proposed in this bill. Most of those protections were put in place as a result of Hurricane Katrina and the government response that followed, which included forced confiscation of firearms.

As “stay home” orders were issued beginning in March of 2020, many governors in states without emergency power protections, like Governor DeWine here in Ohio deemed the firearm industry to be “essential” and exempt. By March 26<sup>th</sup>, 40 states had declared our industry to be essential, through either existing statute or designation withing executive orders.

On March 28<sup>th</sup>, the Department of Homeland Security released a list of “critical infrastructure sectors.” That list included “Workers supporting the operation of firearm or ammunition product manufacturers, retailers, importers, distributors, and shooting ranges.” More states accepted this guidance and by April 9<sup>th</sup>, the firearm industry was open in 43 states.

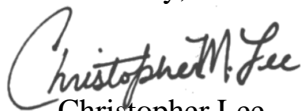
The remaining seven states continued to order the firearm industry closed, including one Midwest state, Michigan. In Massachusetts, U.S. District Judge Douglas Woodlock ruled against the Massachusetts closure orders relating to firearm retailers, writing in his decision that “in this very small corner of this emergency, we don’t surrender our constitutional rights.”

Without an operating firearm industry, 2<sup>nd</sup> Amendment rights of citizens would be greatly infringed upon. Additionally, the same supply chains that provide for citizens, produce critical infrastructure products like firearms, ammunition, and equipment for our law enforcement and military personnel.

Most “stay home” orders have come and gone. The firearm industry is open across the country. Gun sales have shattered records for eight straight months because Americans are concerned about their personal safety, resulting in nearly 8 million new gun owners through November of 2020. This bill would put Ohio law in line with other Midwest states including Indiana, Kentucky, Wisconsin, Minnesota, and Iowa that have already recognized that the ability of citizens to protect themselves is as important in an emergency as ever. The Second Amendment does not have a pandemic clause and future governors should not be able to tell citizens that their Constitutional rights end during emergencies.

Thank you to Senate President Obhof for introducing this legislation and to the committee for consideration.

Sincerely,



Christopher Lee

Director, Government Relations – State Affairs