



Arizona Citizens Defense League

Protecting Your Freedom

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AzCDL's Membership Newsletter

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Legislative Session Underway



The 2020 Legislative session convened on Monday, January 13. Sessions run for approximately 100 days. We have a second term Republican Governor who has a history of being unsupportive of pro-rights firearm bills and whose staff has worked behind the scenes to prevent good bills from leaving the Legislature. The 2018 mid-term elections resulted in razor thin Republican majorities in both the House (31 to 29) and Senate (17 to 13). Unfortunately, there are Republican Representatives and Senators that have a history of voting against bills that restore and protect your right to keep and bear arms. As a result, it remains a challenge for good bills to pass. The following are key bills that impact your Right to Keep and Bear Arms (RKBA). You can view the status of all the bills we are monitoring this session at AzCDL's [Bill Tracking Page](#).

Déjà Vu all over again

When will Republicans work as hard to support your rights as Democrats work to disarm you? With consistency, the Democrats at the Legislature introduce substantially similar bills year after year to weaken your right to keep and bear arms, guaranteed under the Arizona Constitution. Meanwhile many Republicans are hiding under their desks at the thought of upholding your rights. Like last year, we're again hearing that the legislative leadership doesn't want any bills that would attract negative attention from the media. It's almost as if they're begging to lose their majority in the November election.



Bad Bills Stopped!

The following are over two dozen bills, predominantly filed by Democrats, aimed at weakening your rights that, with the help of AzCDL, were stopped from progressing early in the session. Many of these bills have been filed in [prior sessions](#).

HB 2136—Would have removed the prohibition against political subdivisions (state, county, city, etc.) from bringing civil action against a firearms manufacturer.

HB 2177 & HB 2584—Would have repealed the civil penalty to political subdivisions that despoiled and surrendered firearms.

HB 2321 & SB 1626—A "Red Flag" law that uses *civil* proceedings to forcibly confiscate your firearms based on claims from family members (broadly defined), household members (includes anyone you shared your home with in the previous year), and others, that you might be dangerous. Your first notification is when the police show up at your door to confiscate your firearms with the assumption that you are armed and dangerous. Your appeal rights are almost non-existent.

HB 2322, HB 2546, HCR 2018, SB 1624—A perennial favorite of Democrats. Would have made it a Class 5 felony to privately transfer a firearm unless you surrender it to an FFL and background checks are conducted on both you and the transferee. *Transfer* is broadly defined and could include simply handing your firearm to a family member or friend. HCR 2018 is a proposed ballot measure.

HB 2323—Would have required doctors and nurse practitioners involved in pediatric services to lecture patients and guardians about the "risks" of firearms ownership.

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2020 Legislation

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HB 2324 & SB 1286—Would have outlawed the possession of a bump stock or “any part, combination of parts, component, device, attachment or accessory designed or *functions* to accelerate the rate of fire of a semiautomatic rifle.” This could include that aftermarket trigger you bought to smooth out your trigger press, since it can *function* to accelerate the rate of fire.

HB 2325 & HB 2437—Would have given FFL’s access to the State’s CCW permit database and require FFL’s to confirm the permit’s validity when conducting a firearm’s sale.

HB 2543 & SB 1165—An overly broad expansion of who can be classified as a prohibited possessor.

HB 2544—Would have created a \$1,000 civil penalty if you don’t have your firearm or ammunition locked up at home. That would include that spare magazine or speed-loader sitting on your dresser.

HB 2545—Would have criminalized your private transfers of firearms as illegal “trafficking” and added several regulatory requirements for firearms dealers, gunsmiths and businesses that deal in aftermarket parts. Among the long litany of additional onerous state regulations are:

- Limiting your firearms purchases to one per month.
- Reporting anyone to who buys multiple firearms in a 90-day period to law enforcement.
- Visual and audio recording of sales and maintaining a database of the guns you buy.

SB 1065—Would have required the following to be added to the Arizona Criminal Justice Commission: one person who leads an indigent defense agency; one person who lead a non-profit juvenile justice organization; one psychiatrist or psychologist who works in the criminal justice system.

SB 1164—A *Republican* sponsored Red Flag firearms confiscation bill, supported by the Governor. Included is a fast-food style telephone approval process with judges on call 24 hours a day.

SB 1248—Would have nullified “no duty to retreat” in statutes justifying the use of deadly force for self-defense.

SB 1263—Would have eliminated the Game and Fish Recommendation Board, setting the stage for the appointment of political ideologues determined to end hunting and fishing in Arizona.

SB 1361—Would have made it a crime to store your firearms without “using a lock and key or combination on the trigger of a the firearm or placing the firearm in a securely locked box or other container.”

SB 1381—Would have erased the statute authorizing the state treasurer to withhold distribution of monies when an “ordinance, regulation, order or other official action adopted or taken by a governing body or a county, city or town violates state law or the Constitution of Arizona.” The statute that is targeted is the one used to require Tucson to stop destroying surrendered and seized firearms.

SB 1625—Would have banned the possession, transfer, manufacture, etc. of “assault weapons” and “large capacity” magazines. “Assault” weapons are largely defined by a detachable magazine and various cosmetic features that would have included pistols and shotguns as well as rifles. A “large capacity” magazine is one that holds more than 10 rounds.

SB 1627—Would have made you a criminal if a minor could access your firearm. A Class 6 felony violation.

The Good Bills

While many of those who claim to support your rights seem to be in hiding, there are still legislators that do care about your rights. The following are pro-rights bills that we are supporting this year.

HB 2032, HB 2149, SB 1556—Civil asset forfeiture reform. In general, would require a criminal conviction for most forfeitures; make all forfeitures go through the judicial system; establish a right to a prompt post-seizure hearing to allow property owners to challenge the seizure of property early, rather than having to wait for the resolution of a criminal trial or forfeiture case.

HB 2093—Would make any act, law, treaty, order, rule or regulation of the U.S. government that violates the Second Amendment of the U.S. Constitution null, void and unenforceable in Arizona. Prohibits political subdivisions from using any personnel or financial resources to enforce, administer or cooperate with any act, law, treaty, order, rule or regulation of the U.S. government that violates the Second Amendment.

HB 2148—Would add civil penalties to departments, agencies, etc. that are delinquent in reporting on the use of state anti-racketeering funds.

HB 2721—Unless prohibited by the owner or the owner’s agent, firearms possession would be allowed in a building or structure that is a “public accommodation,” which is defined as “owned or operated by a religious organization, association or society, a nonprofit institution or organization that is operated, supervised or controlled by or in conjunction with a religious organization, association or society or a public or private hotel, restaurant, theater or museum.”

HCR 2033—a resolution that the members of the Arizona Legislature reaffirm their support for your right to keep and bear arms. You’d think this would be a slam dunk because they all swore an oath to uphold the Constitutions of the United States and Arizona. Sadly, prior versions of this resolution have failed to pass. Apparently too many politicians view their oath of office as merely a box to check before getting the fancy title, perks and power over the rights and freedoms of Arizona’s citizens.

SB 1664—Would make government entities that establish gun-free zones liable for damages by anyone harmed because they were unable to defend themselves.

SB 1665—Would reduce the penalty to a class 3 misdemeanor for being armed in a polling place, or a state or local government facility that bans firearms.

Unfortunately, the same deadline that stopped all the bad bills early in the session, also impacted the good bills. As this was being written, only HCR 2033, SB 1556 and SB 1664 are still viable legislative proposals.



Governor Ducey's Red Flag Redux



Another legislative session, another attempt by Arizona Governor Doug Ducey to move his version of "Red Flag" gun confiscation orders. His "Severe Threat Orders of Protection", aka "STOP Orders" were [first revealed on Twitter](#) on March 15, 2018, immediately following a protest by the anti-rights group "March for Our Lives". In an apparent, and inexplicable, [attempt to curry favor with the anti-rights lobby](#), Ducey borrowed talking points from "Moms Demand Action" and legislative language from bills introduced by anti-rights Democrats. His [PR announcement](#) outlining his plan was released just days later.

But it was not to be. The House GOP caucus, with help from AzCDL members and their thousands of emails, made it clear that he would not have the votes to pass his plan, and the legislation died in the House without a hearing.

Not to be deterred, shortly after the 2018 session ended [he announced his plan](#) to try again. As the 2019 session approached, he insisted, "[I think the STOP plan — the Severe Threat Order of Protection — is the crown jewel of our safe schools plan.](#)" But once again, his plan met the stone wall of AzCDL resistance. Our members again sent thousands of emails to the legislature asking them to bury the plan. He couldn't even secure a sponsor.

We really must give the man credit for persistence, even if his ability to hear and understand his voter base appears to be lacking. As the opening of the 2020 session approached, he once again [announced plans to take another whack at "STOP Orders"](#). And once again, the plan [didn't exactly strike a chord at the legislature](#). But at least, at this point, everyone seemed to be honest enough to call the Governor's plan what it is — a "[Red Flag" gun confiscation bill](#)". That didn't last long.

Shortly after the session began, Republican Senators Kate Brophy-McGee and Heather Carter, along with Democrat Senator Sean Bowie, introduced [SB 1164](#), yet another version of the "STOP Order" plan, this time complete with judges on call 24/7 to issue the orders. Guess you just never know when you'll need to have someone legally "[SWATted](#)". But the bill drew little attention, except from AzCDL members. Nary a peep in the media, and the Governor's office took no credit for it at the time.

Someone on the Ninth Floor had apparently discovered that "[Red Flag" laws were not playing well with the GOP base](#). Time to change tactics.

In a truly classic example of political double-speak, on February 13, 2020, Ducey told a GOP meeting in Lake Havasu City that "[As long as I am governor, there will be no red flag law in the State of Arizona.](#)" Great talking point, if only he meant it. But almost immediately, his spokesman, Patrick Ptak, told the media "The governor hasn't changed his position on anything."

"Ptak said red flag laws and Ducey's STOP orders, for Severe Threat Order of Protection, are not the same. Although both would allow family and police to go to court to remove a person's guns, Ptak said the governor believes his plan "is different than and far superior to" red flag laws because it includes more due process." Similar claims were made in articles published by the Arizona Capitol Times and its sister publication, the Yellow Sheet Report. But, to our surprise, this time Ducey actually took credit for being the driving force behind the aforementioned SB 1164.

So, if we just don't call it a "Red Flag law", it suddenly becomes whatever we want it to be ... right? We can make all that nasty pushback go away just by changing the name. A political magic trick!

What if, for whatever reason, the Governor decided to push a law abridging the citizens' freedom of speech? Let's just say, for the sake of argument, that such a bill said that the media couldn't publish anything critical of the Governor, and they would face confiscation of

their computers, printing presses, broadcast equipment, etc. if they were to break such a law. If we're understanding this "logic" correctly, that would be fine as long as a judge was required to sign off on it, right? They got their due process, didn't they? Perhaps it would be helpful to point the Governor and his staff to the Arizona Constitution, in particular [Article 2](#), our state's Bill of Rights? After all, he swore an oath to uphold this very document, so it might behoove him to become familiar with it. Just a hint ... it's not a menu.

SB 1164 is dead for the session, along with a raft of other anti-rights trash that failed to make it past the Chairman of the Senate Judiciary Committee, Sen. Eddie Farnsworth. We thank him for his vigilance. But, as anyone who has dealt with the legislature knows, no bad idea is truly down for the count until they adjourn Sine Die. Literally anything can be resurrected and added to a strike-everything amendment in committee, or can emerge anew from a conference committee report. So, we must remain vigilant. Keep a watchful eye on our [Bill Tracking page](#) for info on what's moving and what's not.

Whatever you do, don't buy the lie. Whether you call it a "Red Flag Restraining Order", an "Extreme Risk Protection Order", a "Gun Violence Restraining Order", a "Severe Threat Order of Protection", or whatever other clever acronym politicians want to use, it's still gun confiscation. It's not about "dangerous people", it's about **you!** When people want to take away your rights, who do you think will be classified as "dangerous"? Just like Lavrenti Beria of KGB fame said, "Show me the man and I'll show you the crime."

How Red Flag Laws Work





17,000 Members! Woo Hoo!



Congratulations to all our dedicated and hard working volunteers!

At the Second Amendment Rally at the Capitol on February 15, AzCDL volunteers recruited our 17,000th member.

AzCDL was formed in 2005 when seven activists decided to do something about the loss of the right to keep and bear arms in Arizona. Our first meeting was in March.

By June 2005, AzCDL was officially formed. Four of the original founders became AzCDL's first directors. That same year we experienced our first success at the legislature.

Five years later, in 2010, among many other accomplishments, we were successful in achieving Constitutional Carry in Arizona. The right to carry openly or discreetly without begging for government permission was restored.

Because of our success, Guns and Ammo magazine has seven times in a row declared Arizona as the number one state for gun owners.

Our job is not over. The more members we have committed to making a difference, the greater AzCDL's impact at the legislature.

If you are not a member, we urge you to join AzCDL.

JOIN THE MOVEMENT!

ARIZONA SECOND AMENDMENT SANCTUARY MOVEMENT

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AZ2AMOVEMENT



AZ2AMOVEMENT



Join us at Front Sight in April



You are invited to join AzCDL members on our outing to Front Sight's Nevada facility from Friday April 24 through Monday 27 to attend a 4 Day Defensive Handgun class.

Information about this class, along with others that are offered, can be found at Front Sight's website.

<https://www.frontsight.com/>

After making your course reservations, please contact Duke at americanicon@cox.net who will work with Front Sight to ensure AzCDL participants

train on the same ranges.

If you do not have a Front Sight membership or single class certificate, AzCDL has access to discounted *all-inclusive Front Sight memberships*. If you are interested, contact Fred, AzCDL's Treasurer, at treasurer@azcdl.org.

If you have not attended a Front Sight class this year, they will charge you an additional fee to perform a background check.

Because Front Sight trains several thousand students every year, and the Spring months provide a better climate, classes and hotels fill up fast.

Each student is expected to make their own course and hotel reservations.

The Wine Ridge Resort, the Best Western and the Saddle West in Pahrump offer discounted rates for AzCDL Front Sight students.

To learn more about what to expect during your visit to Front Sight, along with information about gear to bring, ordering lunches, etc. please check out:

<https://www.frontsight.com/FirearmTraining/front-sight.asp>

Duke Schechter
AzCDL Director

