



July 25, 2023 - REV

The Honorable Anthony J. Portantino, Chair
 Senate Appropriations Committee
 State Capitol, Room 412
 Sacramento, CA 95814

RE: AB 28 (As Amended July 13, 2023) – OPPOSE

Dear Senator Portantino:

The undersigned wildlife conservation organizations must strongly oppose AB 28 – legislation which would impose an additional excise tax of 11% on the retail sale of all firearms, firearm parts, and ammunition sold in California. AB 28 would require the revenues to be deposited in the “Gun Violence Prevention, Healing, and Recovery Fund” and used to fund gun violence prevention, education, and research programs.

At a time when California’s budget can ill afford the additional expense of implementing upstart efforts, AB 28 would mandate a costly new undertaking on the California Department of Tax and Fee Administration (CDTFA). In fact, CDTFA estimates that their cost to identify and notify taxpayers, create a new tax return, program computer systems, revise publications and audit and compliance manuals, develop special notices and tax guides, create regulations, prepare guidelines for staff, and answer questions from retailers and the public would far exceed \$1 million.

AB 28 would also inappropriately place the entire burden of funding these gun violence initiatives on a blameless segment of California’s law-abiding public that purchases their firearms and munitions legally. Because those who perform these illegal acts do not buy their firearms or munitions from licensed dealers, they would not pay a single cent towards the programs this bill would fund. Because all of California’s citizens benefit from programs intended to address the negative impact the illegal use of firearms has upon our law-abiding public, all should contribute to their funding.

Additionally, by substantially raising the cost of purchasing a firearm and ammunition in California, AB 28 would disproportionately impact the ability of economically disadvantaged communities and individuals to legally purchase a firearm and ammunition to protect themselves and their loved ones. AB 28 would also impede their equitable access to hunting and shooting sports – at a time when the Administration and the Legislature are seeking to increase participation in outdoor recreation and access for all Californians.

Firearms and ammunition are already taxed at the federal level pursuant to the federal Pittman-Robertson Act (PR). But those dollars are allocated back to states to fund beneficial programs – including wildlife habitat projects that benefit game and non-game species. This year alone, the California Department of Fish and Wildlife will be

allocated well over \$30 million in federal PR dollars – monies which will fund a substantial portion of our state’s wildlife management, conservation, and research efforts. By doubling the excise tax law-abiding hunters and shooters already pay on all firearms and ammunition, AB 28 would effectively raise the total tax rate on these items to nearly 30% – markedly reducing their sales and, in turn, the associated federal PR funding allocated back to California for critical wildlife conservation and management efforts.

AB 28 would do nothing to reduce criminal use of firearms. What AB 28 would do is inequitably impact the ability of disadvantaged communities and economically challenged individuals to protect themselves and their families, unjustly place the entire burden of funding these initiatives on California’s innocent and law-abiding hunters and shooters, and negatively impact our wildlife and their habitats.

For all the above reasons, we urge your strong opposition to AB 28 when the bill comes before your Senate Appropriations Committee in August.

Sincerely,

Ryan Bronson, Director of Government Affairs
Rocky Mountain Elk Foundation

Don Martin, President
California Chapter – Wild Sheep Foundation

Lori Jacobs, President
California Houndsmen for Conservation

Adam Chavez, President
California Hawking Club

Steve Jarvis, Chief Executive Officer
California Deer Association

Steve Chappell, Executive Director
Suisun Resource Conservation District

Fred Harpster, President
Black Brant Group

Mark Hennelly, Vice President of Government Relations
California Waterfowl Association

Steve Miller, President
Tulare Basin Wetlands Association

Gary F. Brennan, President
San Diego County Wildlife Federation

Corey Thompson, President
Cal-Ore Wetland and Waterfowl Council

Chriss Bowles, President
California Bowmen Hunters/State Archery Association

James Stone, President
Nor-Cal Guides & Sportsmen’s Association

Rick Travis, Legislative Director
California Rifle & Pistol Association

Lisa C. McNamee, Legislative Coordinator
California Chapters – Safari Club International

Keely Hopkins, Western States Coordinator
Congressional Sportsmen's Foundation

Steve Hunter, President
Golden Gate Chapter - Safari Club International

Clark Smith, President
San Francisco Bay Area Chapter - Safari Club International

Devin O’Dea, California Chapter Coordinator
Backcountry Hunters & Anglers

Wayne Wickham, President
Sacramento Safari Club

Marc Engstrom, Director of Public Policy, California
Ducks Unlimited

Dawnita Harwood, President
California State Chapter – National Wild Turkey Federation

cc: Members, Senate Appropriations Committee
The Honorable Jesse Gabriel