



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 3105</b>		DATE: <b>2/17/2026</b>
COMMITTEE: <b>Crime and Public Safety</b>		
<b>TESTIFYING:</b> <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES		
<b>WITNESS NAME</b>		
<b>INDIVIDUAL:</b>		
WITNESS NAME: <b>ARNIE "HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCATE</b>		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE:      ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>2/17/2026 11:59 PM</b>
<b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.</b>		

**I am in Support of this Bill and Legislation to Protect Missourians Rights under the Second-Amendment and the Right-To-Bare-Arms from the Federal District Court Decision this Summer,**



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<b>WITNESS NAME</b>			
<b>INDIVIDUAL:</b>			
WITNESS NAME: <b>CHAD HARTMAN</b>		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>2/17/2026 12:00 AM</b>	
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<b>WITNESS NAME</b>		
<b>BUSINESS/ORGANIZATION:</b>		
WITNESS NAME: <b>CHRIS DEGASE</b>		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME: <b>MISSOURI SHERIFFS CONSTITUTIONAL FIREARM ALLIANCE</b>		TITLE:
ADDRESS: <b>W BUS 50 HWY</b>		
CITY: <b>JEFFERSON CITY</b>		STATE: <b>MO</b>
		ZIP:
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>2/17/2026 12:00 AM</b>
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<b>WITNESS NAME</b>			
<b>INDIVIDUAL:</b>			
WITNESS NAME: <b>CHRIS DIGIUSEPPI</b>		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE:		SUBMIT DATE: <b>2/17/2026 12:00 AM</b>
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<b>WITNESS NAME</b>			
<b>BUSINESS/ORGANIZATION:</b>			
WITNESS NAME: <b>JAY SCHROEDER</b>		PHONE NUMBER: <b>573-632-4209</b>	
BUSINESS/ORGANIZATION NAME: <b>MISSOURI FOP</b>		TITLE: <b>PRESIDENT</b>	
ADDRESS: <b>715 JEFFERSON ST</b>			
CITY: <b>JEFFERSON CITY</b>		STATE: <b>MO</b>	ZIP: <b>65101</b>
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>2/17/2026 12:00 AM</b>	
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<b>WITNESS NAME</b>		
<b>INDIVIDUAL:</b>		
WITNESS NAME: <b>MICHAEL WESTEN</b>		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE:                  ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>2/16/2026 10:25 PM</b>
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**While I wish HB3105 would have more teeth and go further, I support HB3105 and the spirit of it.**

**Who determines if someone is "a danger to themselves or others"?**



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<b>WITNESS NAME</b>		
<b>INDIVIDUAL:</b>		
WITNESS NAME: <b>ANN L WEAVER</b>		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE:      ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>2/17/2026 1:42 PM</b>
<b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo. It does nothing to increase the safety of people in Missouri.</b>		



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<b>WITNESS NAME</b>			
<b>INDIVIDUAL:</b>			
WITNESS NAME: <b>CAROLE WEBSTER</b>		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>		SUBMIT DATE: <b>2/17/2026 2:03 PM</b>
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<b>WITNESS NAME</b>		
<b>INDIVIDUAL:</b>		
WITNESS NAME: <b>KORTNIE HUDDLESTON</b>		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:	STATE:	ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>2/17/2026 10:56 PM</b>

**THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.**

This bill seeks to reenact portions of the Second Amendment Preservation Act (SAPA) which was previously ruled unconstitutional in federal court. These bills are not about preserving liberty; they are a dangerous and reckless act of nullification that prioritizes unfettered access to firearms over the safety and lives of Missourians.

These bills deliberately sabotage crucial federal efforts to implement commonsense regulations—like universal background checks, red flag laws, and restrictions on weapons of war—that the majority of Americans support. They forbid local and state law enforcement from cooperating with federal authorities, creating sanctuaries not for people, but for illegal guns and those who would misuse them.

This is a direct attack on the principle of federal law supremacy, a cornerstone of our union that prevents a chaotic patchwork of conflicting state laws. The bills' financial penalties against police departments who simply work to keep us safe are absurd and will cripple essential law enforcement functions.

In addition, the vague definition of a "law-abiding citizen" is a loophole that could protect individuals who pose a demonstrable threat, undermining efforts to disarm domestic abusers and violent extremists. Also, their core definition of who is afforded these radical "protections" is revealing and exclusionary. By defining a "law-abiding citizen" as explicitly excluding anyone "not legally present" in the U.S. or Missouri, the bills weaponize the Second Amendment to advance a nativist agenda. They create a two-tiered system where fundamental rights are contingent on immigration status, which is a profound betrayal of the concept of inalienable rights and will inevitably lead to increased racial profiling and distrust in our communities.

At a time when gun violence is a national crisis, Missouri's legislature is choosing to dismantle tools for prevention. We must reject this ideological extremism and demand policies that protect our families, our schools, and our communities from the scourge of gun violence.



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<b>WITNESS NAME</b>		
<b>INDIVIDUAL:</b>		
WITNESS NAME: <b>MARK FITZPATRICK</b>		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE:      ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>2/17/2026 2:46 PM</b>
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I strongly oppose this bill.

First, it grants gun owners legal protections that other civil rights don't have, without providing any new safety measures for victims of domestic violence or crime.

Secondly, it reinforces the idea that state laws eclipse federal ones. This makes it harder for the state to ever adopt national safety standards like "Red Flag" laws or safe storage requirements.

Next, I do not agree with the state's definition of a "law-abiding citizen."  
As I interpret it Missouri may end up protecting individuals who the federal government considers too high-risk to own a gun.

Finally, it spends legislative time on symbolic "gun rights" wins instead of practical, data-backed laws that prevent child accidents or domestic shootings.



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<b>WITNESS NAME</b>			
<b>INDIVIDUAL:</b>			
WITNESS NAME: <b>MICHAEL DREYER</b>		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>2/17/2026 10:54 PM</b>	

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This bill seeks to reenact portions of the Second Amendment Preservation Act (SAPA) which was previously ruled unconstitutional in federal court. These bills are not about preserving liberty; they are a dangerous and reckless act of nullification that prioritizes unfettered access to firearms over the safety and lives of Missourians.

These bills deliberately sabotage crucial federal efforts to implement commonsense regulations—like universal background checks, red flag laws, and restrictions on weapons of war—that the majority of Americans support. They forbid local and state law enforcement from cooperating with federal authorities, creating sanctuaries not for people, but for illegal guns and those who would misuse them.

This is a direct attack on the principle of federal law supremacy, a cornerstone of our union that prevents a chaotic patchwork of conflicting state laws. The bills' financial penalties against police departments who simply work to keep us safe are absurd and will cripple essential law enforcement functions.

In addition, the vague definition of a "law-abiding citizen" is a loophole that could protect individuals who pose a demonstrable threat, undermining efforts to disarm domestic abusers and violent extremists. Also, their core definition of who is afforded these radical "protections" is revealing and exclusionary. By defining a "law-abiding citizen" as explicitly excluding anyone "not legally present" in the U.S. or Missouri, the bills weaponize the Second Amendment to advance a nativist agenda. They create a two-tiered system where fundamental rights are contingent on immigration status, which is a profound betrayal of the concept of inalienable rights and will inevitably lead to increased racial profiling and distrust in our communities.

At a time when gun violence is a national crisis, Missouri's legislature is choosing to dismantle tools for prevention. We must reject this ideological extremism and demand policies that protect our families, our schools, and our communities from the scourge of gun violence.



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<b>WITNESS NAME</b>		
<b>INDIVIDUAL:</b>		
WITNESS NAME: <b>NANCY FITZPATRICK</b>		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE:      ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>2/17/2026 3:05 PM</b>
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**PLEASE VOTE AGAINST HB3105!!!**

It grants gun owners "extra" legal protection that other civil rights don't have, without providing any new safety measures for victims of domestic violence or crime.

- It reinforces the idea that state laws eclipse federal ones. This makes it harder for the state to ever adopt national safety standards like "Red Flag" laws or safe storage requirements.
- By focusing on the state's definition of a "law-abiding citizen," Missouri may end up protecting individuals who the federal government considers too high-risk to own a gun.
- It spends legislative time on symbolic "gun rights" wins instead of practical, data-backed laws that prevent child accidents or domestic shootings.



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<b>WITNESS NAME</b>		
<b>INDIVIDUAL:</b>		
WITNESS NAME: <b>REBECCA SMITH</b>		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE:      ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>2/17/2026 1:24 PM</b>
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**We need MORE restrictions on gun possession.**



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<b>WITNESS NAME</b>		
<b>INDIVIDUAL:</b>		
WITNESS NAME: <b>RIVA CAPELLARI</b>		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE:      ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>2/17/2026 1:08 PM</b>
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<b>WITNESS NAME</b>		
<b>INDIVIDUAL:</b>		
WITNESS NAME: <b>SARAH BERRY</b>		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE:      ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>2/17/2026 8:13 PM</b>

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HB 3105 attempts to replace prior Second Amendment Preservation Act language with a revised framework imposing investigative mandates and injunctive authority against state or local officers who “knowingly” deprive a “law-abiding citizen” of firearm rights while acting under color of state or federal law.

While narrower than its predecessor, HB 3105 still presents significant constitutional vulnerability.

**1. Supremacy Clause Conflict**

U.S. Const. art. VI, cl. 2

A state may decline to enforce federal law (anti-commandeering), but it may not penalize or obstruct lawful federal enforcement.

Conditioning discipline or state injunctive proceedings on actions taken under color of federal law risks direct conflict with the Supremacy Clause.

McCulloch v. Maryland, 17 U.S. 316 (1819)  
 Murphy v. NCAA, 584 U.S. 453 (2018)

**2. Federal Officer / Intergovernmental Immunity Concerns**

Although the bill states it does not prohibit participation in federal task forces, it authorizes injunctive actions tied to enforcement conduct undertaken under federal authority. That creates foreseeable intergovernmental immunity disputes.

In re Neagle, 135 U.S. 1 (1890)

**3. Vagueness & Enforcement Ambiguity**

The definition of “law-abiding citizen” includes:  
 “Not under criminal investigation”  
 “Not a danger to self or others”

These are indeterminate standards lacking statutory metrics. Enforcement tied to such fluid definitions invites arbitrary application and due process challenges.

**Fourteenth Amendment – Due Process Clause**

**4. Separation of Powers & Litigation Engineering**

**Mandating expedited TRO hearings within thirty days and conferring standing on the Attorney General or local prosecutors for equitable relief risks judicial management intrusion and procedural distortion.**

**Mo. Const. art. II, § 1**

**Legislative Notice:**

**Absent clear limitations preventing interference with lawful federal enforcement and more precise statutory definitions, HB 3105 presents foreseeable litigation exposure under:**

**The Supremacy Clause**

**Intergovernmental immunity doctrine**

**Due process vagueness principles**

**This statement is submitted to preserve legislative awareness of constitutional risk and to document foreseeability in the event of future judicial review.**



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<b>WITNESS NAME</b>			
<b>INDIVIDUAL:</b>			
WITNESS NAME: <b>SUSAN MYERS</b>		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
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<b>WITNESS NAME</b>		
<b>INDIVIDUAL:</b>		
WITNESS NAME: <b>SHERRY L BUCHANAN</b>		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE:      ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>2/17/2026 12:40 PM</b>
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**I want SAPA bills to go away, once and for all.**