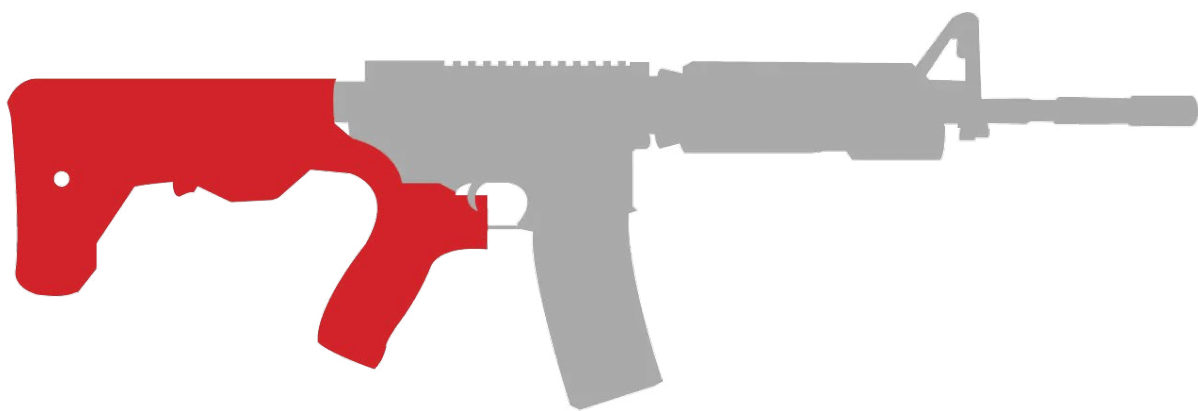


"Bump Stock" Ban Popular, BUT IS IT CONSTITUTIONAL?

A recent survey conducted by my Home of Freedom PAC among likely Republican voters in our Assembly District 36 yielded some surprising poll results on an important Second Amendment issue one month after the Mandalay Bay murders in Las Vegas.

The question:

Should the Nevada Legislature pass a law banning bump stock devices?



The answers from 467 respondents...

Yes, they should be totally banned: **44%**

No, they should not be banned, but better regulated: **22%**

No, the current laws and regulations are sufficient: **21%**

Not sure: **12%**

In my discussions with voters of AD-36 over the past year or so, I've generally found some of the most ardent supporters of the right to keep and bear arms you'll ever want to meet anywhere in America. That almost half of respondents from our district indicated support for a total ban was very surprising.

There are two possible explanations...

1. Raw emotions over hundreds of people shockingly being gunned down at a country-western concert from the 32nd floor of a hotel – with no motive yet determined – clearly and understandably have people wanting to do "something."
2. The proposed ban is on a gun device, not any particular gun. That gives Second Amendment supporters a little "gray area" where they can support a gun control measure without actually supporting a gun control measure on guns themselves.

This will be an important issue that'll come before the 2019 Nevada Legislature, as a number of anti-gun Democrats have already declared their intent to propose a "bump stock" ban in the next session. And Massachusetts recently became the first state in the country to actually enact such a ban.

But there are two problems with this...

1. While it might make people feel good that "something" has been done, such a ban probably won't do anything to stop such a tragedy in the future. In fact, Don Turner of the Nevada Firearms Coalition has said the same firing effect enabled by a "bump stock" can be achieved by other simple devices.
2. Such a ban, regardless of how popular, might still be unconstitutional.

And that second point could put some elected Nevada legislators, who claim to support the Second Amendment but are actually a little wishy-washy, in a bit of a pickle.

Too many politicians are more concerned with being popular, and getting re-elected, than they are with upholding their sworn oath of office to "support, protect and defend the Constitution and Government of the United States, and the Constitution and government of the State of Nevada."

As you may recall, a couple years ago an elected Nevada State Assemblyman, Jim Wheeler, said he'd vote for a bill to bring back slavery if that's what his voters wanted...

"If that's what the constituency wants that elected me, that's what they elected me for. That's what a republic is about. You elected

a person for your district to do your wants and wishes, not the wants and wishes of a special interest, not his own wants and wishes, yours."

This is a dangerous mentality and a complete misunderstanding of what a "republic" is about. Indeed, it was fear of popular passions and "tyranny of the majority" that caused our Founders to establish a constitutional republic rather than an "American Idol" direct democracy.

If the wording of any proposed "bump stock" ban would violate the constitutional rights of Nevadans – even if they are in the minority – legislators who have sworn to uphold the Constitution must oppose it, regardless of popular opinion, unless the change is a constitutional amendment.

Let's hope legislators who "claim" to be pro-Second Amendment are strong enough and principled enough to do just that on this very tough, emotional issue.

Mr. Hof is a successful Nevada businessman, author, philanthropist, star of an award-winning reality TV series on HBO and president of the Home of Freedom PAC. He can be reached at DennisHof.com

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DENNIS
HOF
 ASSEMBLY DISTRICT 36



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