



House Public Safety Finance & Policy
March 23, 2026

RE: Opposition to HF 3407 (Pinto)

Chair and Members of the Committee:

On behalf of the Minnesota Gun Owners Caucus, we strongly urge you to vote NO on HF 3407.

This bill is not a narrow public safety measure. It is a sweeping criminalization of lawful conduct that directly conflicts with the Constitution and controlling Supreme Court precedent.

Criminalizing Law-Abiding Minnesotans

HF 3407 makes it a felony punishable by up to five years in prison to possess a so-called ghost gun, even if it was lawfully made and never used in a crime. This is not about misuse. It is about possession.

Collectors, hobbyists, heirs, and new residents face felony exposure for failing to comply with a complex and unrealistic serialization scheme. That is a direct attack on peaceful, lawful ownership.

There Is No Historical Basis for This Ban

Under *New York State Rifle & Pistol Association v. Bruen*, the government must point to a historical tradition supporting modern firearm restrictions. There is none here.

From the Founding through the 19th century, Americans routinely manufactured firearms for personal use without serialization, licensure, or government approval. This bill bans that tradition outright. That makes it constitutionally indefensible.

This Bill Bans Common Methods of Exercising a Constitutional Right

HF 3407 prohibits the use of modern tools such as CNC machines and 3D printers for private firearm manufacturing.

That is not regulation. That is a ban.

The Supreme Court has made clear that the Second Amendment applies to modern arms and technologies, not just those from 1791. The same principle applies to the tools used to make them.

You cannot ban the modern exercise of a constitutional right and call it regulation.

This Bill Regulates Speech, Not Just Conduct

HF 3407 criminalizes the sharing of digital design files, including code and technical instructions.

That raises serious First Amendment concerns. Courts have repeatedly recognized that code is protected speech.

This provision invites immediate constitutional challenge and costly litigation.



This Bill Treats Hobbyists Like Criminals

The bill imposes an arbitrary limit of three firearms per year for private manufacture, regardless of intent or use. There is no historical precedent for limiting how many arms a citizen may make or possess for lawful purposes. A person who builds four firearms for personal use is treated like a trafficker. That is not rational lawmaking. It is legislative overreach.

This Bill Creates a Compliance Trap

HF 3407 forces current owners to serialize, surrender, destroy, or remove lawfully owned property within strict deadlines.

It assumes that federally licensed dealers will provide serialization services, that costs will be reasonable, and that access will exist across the state. None of that is guaranteed.

This is a trapdoor system where ordinary Minnesotans become felons not because they intended to break the law, but because the system is unworkable.

Existing Law Already Targets Criminal Misuse

Minnesota already prohibits possession by prohibited persons, trafficking, straw purchasing, and the use of firearms in violent crime.

Those laws target actual criminals. HF 3407 does not. It targets the people most likely to follow the law.

Better Policy Targets Criminal Conduct, Not Law-Abiding, Peaceable Minnesotans

If the Legislature's goal is to reduce violent crime, the path forward is clear:

- Enhance penalties for criminal use of firearms
- Increase enforcement against prohibited possessors
- Target trafficking networks and straw purchasers

HF 3407 does none of these effectively.

Instead, it burdens the very individuals most likely to follow the law—collectors, hobbyists, and ordinary citizens exercising a constitutional right.

Conclusion

HF 3407 is overbroad, historically unsupported, and constitutionally vulnerable. It punishes possession, restricts lawful conduct, regulates speech, and imposes felony penalties on people who have done nothing wrong.

That is not sound public policy.

Vote NO.

Bryan Strawser
Chair

Anna Leamy
Director, Government Relations & Advocacy



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Director, Government Relations - State Affairs

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400 N. Capitol Street NW, Suite 475, Washington, D.C. 20001

March 24, 2026

Re: NSSF Opposition to HF 3407; Non-Serialized and Undetectable Firearms

Honorable Co-Chairs and Members of the Committee:

The National Shooting Sports Foundation (NSSF) is the trade association for the firearms, ammunition, hunting and recreational shooting sports industry.

Our membership includes Minnesota based federally licensed firearms retailers. Our manufacturer members make the firearms and ammunition used by law-abiding Minnesota sportsmen, the US military and law enforcement agencies throughout the state.

This bill includes some very different and distinct topics. We are concerned that conflating the issues addressed by this bill and redefining several separate and distinct types of firearms treated differently under federal law under one ambiguous umbrella term of 'ghost guns' will only muddy the waters.

Please allow me to provide some clarity for those less familiar with the already highly regulated industry that makes and sells legal firearms to Minnesotans.

Serial Numbers

A firearm may lack a serial number for a number of reasons, some blatantly illegal under existing federal law and some perfectly legitimate.

For years, every firearm manufacturer in America has applied serial numbers to their products prior to sale. That unfortunately doesn't stop criminals from illegally defacing stolen firearms by removing their serial numbers to make it more difficult for the legal system to hold them accountable for their crimes. Any definition of 'ghost gun' that lumps criminals who have broken federal law and law-abiding hobbyists building their own firearms in compliance with federal law into the same category sets a sad and dangerous precedent.

Prior to 1968, there was no federal requirement for firearms to be serialized. While it is impossible to give a hard number, the quantity of firearms manufactured without a serial number prior to 1968 is obviously significant. While that includes what many of us would consider antique firearms, others would fall into that list. Any legislation requiring firearms manufactured prior to 1968 to be engraved would come with a hefty price tag because altering many of these firearms would destroy their collectible and historical value.

It is not clear from my initial reading of the proposed language whether the intention is for the serialization process and requirements only to apply to a federal firearm licensee (FFL)'s serialization of a privately manufactured firearm (PMF) or if it would also apply to firearms manufactured by FFLs directly.

If this applies only to FFLs providing marking services for PMFs, the numbering format that is prescribed is consistent with the federal requirement at 27 CFR 478.92(a)(2) for those activities.

Unfortunately, the last part of Sec. 3(b) deviates in regards to the steel plate/undetectable firearm requirement. The bill points to 18 USC 922(p) in that requirement, which does not say anything about embedded steel for serial number marking.

If the serial number requirements are intended to apply to all manufacturing, not just the marking of privately manufactured firearms, significant changes to the language would need to be made because the prescribed format eliminates the typical way in which manufacturers serialize firearms in compliance with federal law.

The definition of “unique serial number” in the bill has a lot of moving parts and would unnecessarily complicate the work our members do to comply with the law. Federal law already defines what serial numbers are required on firearms. Any reference to serial numbers should simply point to 18 USC 921 and 27 CFR 478.11 to avoid conflict with federal definitions.

Should serialization language move beyond this hearing, significantly more clarity is necessary.

Undetectable Firearms

The bill includes firearms that are undetectable by a metal detector as part of the definition of “ghost gun”. Covert guns are considered “Any Other Weapon” under the National Firearms Act (NFA) and must be registered with the ATF. I am aware of no instances where a covert firearm registered under the NFA has been used by its owner in the commission of a crime in Minnesota. So-called “undetectable” firearms are addressed by federal law, which requires firearms, regardless of how they are made, to contain minimum amounts of detectable metal.

This provision only adds unnecessary confusion to state law and obscures the fact that violent criminals are far more likely to use firearms that were stolen and obtained on the black market with obliterated serial numbers than they are to use firearms covered by the NFA.

Manufacturing or Assembling a Firearm.

Many law-abiding firearm owners in Minnesota regularly swap out stocks, sights, scopes and optics, trigger assemblies, barrels, upper receivers, and other components on their firearms for different kinds of shooting activities. Vague restrictions on the assembly of firearms could inadvertently put many of these gun owners in violation of the law or at least in a legal gray area. NSSF and the industry we represent encourage firearm owners to only modify their firearms in ways that are consistent with the law and these restrictions would make it very difficult for many of our customers to be sure they are complying with the law.

In Summary

Taken together, the proposals in this bill would end a tradition that has been part of the fabric of our country since the very beginning – the ability to make firearms for personal use. The bill then puts the weight of compliance on FFLs who are already highly regulated and in so doing repeals existing law aimed squarely at criminals who illegally remove or alter the serial numbers on a firearm.

It has always been a serious crime for a prohibited possessor to own a firearm of any kind. This includes self-made firearms. This proposal addresses law-abiding, self-sufficient gun owners while shifting the focus away from criminals and towards legitimate businesses.

NSSF urges you to oppose HF 3407.

Sincerely,
Moriah Day

NATIONAL RIFLE ASSOCIATION OF AMERICA

INSTITUTE FOR LEGISLATIVE ACTION

11250 WAPLES MILL ROAD

FAIRFAX, VIRGINIA 22030



NRA

March 22, 2026

Public Safety Finance and Policy
75 Rev Dr Martin Luther King Jr Blvd
St. Paul, MN 55155

Dear Chair Novotny and Chair Moller:

The National Rifle Association (NRA) would like to express our strong opposition to HF 3407.

HF 3407 conflates three issues, namely, undetectable guns, homemade guns and 3D- printed guns. Congress has repeatedly addressed undetectable guns enacting the Undetectable Firearms Act in 1988. The current reiteration of the law requires at least 3.7 ounces of stainless steel in a shape resembling a handgun. The law made it illegal to manufacture or possess a firearm that is undetectable to “the types of X-ray machines commonly used at airports.” It’s already prohibited to manufacture or possess an undetectable firearm.

Homemade firearms are subject to the same prohibited person categories as ones manufactured at any business. A felon in possession of a firearm they bought in a store or one made at home faces up to 15 years in prison. The ATF allows homemade firearms and individuals to not have to add a serial number or register it when they are not engaged in the business of making firearms for livelihood or profit. Americans have enjoyed the right to make their own firearms without government interference since before the country’s founding. There is no government tradition requiring citizens to submit to government mandated markings and recordings.

Under current federal law, Individuals who make their firearms may use a 3D printing process or any other process as long as the firearm is “detectable” as defined in the Gun Control Act. All existing gun laws apply regardless of manufacturing method. If an individual attempts to make an undetectable gun (which probably won’t function) or is a prohibited person who manufactures or possesses a firearm with 3D-printed parts will face up to 15 years in prison.

Sincerely,

Brian Gosch
Minnesota State Director

Testimony Opposing H.F. No. 3407

To: Rep. Kelly Moller (Co-Chair), Rep. Paul Novotny (Co-Chair), and Members of the Public Safety Finance and Policy Committee

Re: Strong Opposition to H.F. No. 3407

Date: March 21, 2026

Dear Co-Chairs Moller and Novotny, and Members of the Committee,

My name is Michael Babcock. As a parent, a military veteran, a firearm enthusiast, and a professional in Information Technology and Security, I am writing to express my strong, unequivocal opposition to H.F. 3407. While I recognize the committee's duty to address public safety, this legislation attempts to achieve it by trampling on multiple constitutional rights. If passed, there is no doubt this bill will face immediate and severe legal scrutiny resulting in great expenditure of your constituents hard-earned tax dollars.

I urge the committee to consider the severe constitutional violations embedded in this legislation:

1. Second Amendment Infringements and Historical Tradition H.F. 3407 broadly criminalizes the possession of privately made firearms and bans law-abiding citizens from manufacturing firearms using modern tools like 3D printers or CNC milling machines. It also arbitrarily limits the assembly of firearms to just three per year for non-licensees.

- **New York State Rifle & Pistol Association, Inc. v. Bruen (2022):** The Supreme Court ruled that any firearm regulation must be consistent with this Nation's historical tradition of firearm regulation. Americans have been legally crafting, assembling, and gunsmithing their own firearms at home since before the Revolutionary War. There is zero historical analogue for banning the private manufacture of arms for personal use, nor is there a tradition of placing an arbitrary numerical cap on how many a citizen can assemble.

2. First Amendment Violations: Banning Code and Speech My career in Information Technology and Security gives me a deep appreciation for the exchange of digital information and the potentials of 3D printing. These technologies simply modernize the long-standing historical tradition of Americans gunsmithing their own firearms at home. However, H.F. 3407 attempts to criminalize this technological evolution by making it a felony to sell, transfer, or distribute digital instructions, computer-aided design files, or code used to program a 3D printer.

- **Code is Speech:** Federal courts have repeatedly affirmed that computer code and digital blueprints are protected speech under the First Amendment (see *Bernstein v. Department of Justice* and the initial rulings in *Defense Distributed v. U.S. Department of*

State). Banning the transmission of digital files and technical information operates as an unconstitutional prior restraint on free speech and the free exchange of ideas.

3. Fifth Amendment Takings and Property Confiscation The bill dictates that any person who currently possesses a legally manufactured, unserialized firearm has 180 days to permanently alter it, render it inoperable, remove it from the state, or surrender it to law enforcement for destruction.

- **The Takings Clause:** The Fifth Amendment guarantees that private property shall not be taken for public use without just compensation. By forcing citizens to destroy, surrender, or permanently alter their legally acquired and legally manufactured property under the threat of a five-year prison sentence and a \$10,000 fine, the state is effectively executing an uncompensated taking of private property.

Conclusion

H.F. 3407 is a constitutionally indefensible piece of legislation. It assaults the First Amendment by criminalizing the sharing of digital files, violates the Second Amendment by banning a centuries-old tradition of private firearm manufacturing, and bypasses the Fifth Amendment by forcing the uncompensated surrender of private property.

I strongly urge you to uphold your oath to the Constitution and vote **NO** on H.F. 3407.

Thank you for your time and service to our state.

Sincerely,

Michael Babcock
Saint Paul, MN 55106