

Submitter: Donna Bleiler
On Behalf Of:
Committee: House Committee On Judiciary
Measure: HB2572

I OPPOSE HB 2572 because of the subjective language that does not have a definite act associated with it and misuse of paramilitary.

The use of "purport" is defined as profess or claim, and often is false.

The bill defines "Private paramilitary organization" as a constitutional authorized militia group as the Second Amendment protected as a collective right tied to militia or military use of firearms.

United States v. Nelson, 859 F.2d 1318, 1320 (8th Cir. 1988) protects the right of state militias.

The bill ties the legal private paramilitary organization to unlawful activities, but the description of the organization is lawful. The activities described are clearly unlawful, but the definition of "Private paramilitary organization" has to include unlawful intent, which it doesn't, or you are illegally taking constitutional rights away.