

**3.28.16**

# GUN LAW TRENDWATCH

*A roundup and analysis of the latest state firearms legislation.*

## POSITIVE TRENDS

A handful of states have adjourned for the year and several more are projected to adjourn in the next few weeks. Some states, however, are still introducing new legislation. In Louisiana, for example, legislators introduced several smart gun bills last week. House Bill 69 would impose a 10-day waiting period on firearms purchases, SB 304 would facilitate surrender of firearms by domestic abusers, HB 102 would make it unlawful to carry a firearm into a movie theater, and HB 693 would prohibit firearms in public parks, playgrounds, and recreational facilities.

In Minnesota, HB 2897 was recently introduced to close the loophole that allows firearms sales by unlicensed sellers without a background check. In Michigan, legislators introduced a bill that would prohibit handgun purchase by individuals on the terror watchlist.

A Maryland bill to prohibit firearms on the property of a college or university, HB 1002, and a bill to require domestic violence victims to be notified when a firearm is returned to their abuser, HB 1001, have both passed the house and are heading to the senate.

In California, which has a longer session than most other states, numerous bills are moving through committees in their chambers of origin. Bills to expand the one-gun-per-month law and establish an academic center for gun violence research have passed out of committee and several more will be heard this week.

## ISSUES AND BILLS

### DOMESTIC VIOLENCE

AZ S 1128, CT H 5054, FL H 101, FL H 925, FL H 1167, FL S 1410, FL S 1476, GA S 250, GA S 257, GA S 260, HI H 402, HI H 625, HI S 462, KS H 2206, NJ S 2786, NY A 249, NY A 373, NY A 5257, NY S 1461, NY S 1493, OH H 392, OK H 1329, SC H 3034, VA H 658, VA 934, VA H 1106, VA S 49, VA S 96, VA S 323, VA S 546, VT H 567, WI A 473, WI S 351

### GUNS ON CAMPUS

AL H 12, AZ H 2072, FL H 4001, FL S 68, GA H 544, GA H 859, IN H 1055, KY H 221, MI H 5200, MO H 1899, MO H 1910, MO S 589, NH H 1314, OH H 48, OK H 1143, OK H 1265, OK H 2266, OK S 100, OK S 461, OK S 557, OK S 718, SC S 88, TN H 320, TN H 535, TN S 780, VA H 79, VA H 761, WI A 480, WI S 363, WI H 2446

### GUN VIOLENCE PROTECTIVE ORDER

IL H 3160, IL S 1864, KS H 2206, KS H 2375, MI H 4942, MN H 1361, MN S 1289, MO H 1595, NJ A 3370, NY A 4277, NY A 7038, NY S 4389, NY S 6065, PA H 1030, VA H 1025, WA H 1857, WA H 2461, WA S 5727, WA S 6352, WI A 395, WI S 299

### PRIVATE SALE BACKGROUND CHECKS

AZ H 2091, AZ HCR 2007, FL S 370, IA H 77, IL H 1405, S 1490, KS S 25, MI H 4590, S 478, MO H 1596, NJ S 804, NM H 51, NY S 2445, OH H 78, PA H 1010, PA S 777, PA S 1049, SC H 3033, VA H 482, VA H 599, VA H 632, VA H 980, VA H 1000, VA S 187, VA S 220, VT H 250, VT S 31, WI A 247, WI S 159

## NEGATIVE TRENDS

Legislators in Idaho have sent SB 1389 to the governor for signature. This bill would allow concealed, loaded handguns to be carried in public without a permit. **If enacted, this measure would be the second new permitless carry law enacted in 2016.** The West Virginia legislature overrode Governor Tomblin's veto of HB 4145 earlier this month, making West Virginia the seventh state, along with Alaska, Arizona, Kansas, Maine, Vermont, and Wyoming, that allows concealed carry without a permit. Legislators in Mississippi, where permitless carry is allowed if the firearm is carried in a purse or bag, are considering HB 786, which would allow permitless concealed carry on the person. Permitless carry bills have also passed their houses of origin in New Hampshire and Oklahoma.

Georgia's campus carry bill, HB 859, was sent to Governor Nathan Deal earlier this month. After an onslaught of activism in opposition to this dangerous piece of legislation, Governor Deal, who had previously supported the measure, publicly expressed concerns about the bill. Though Deal described himself as a "staunch supporter of Second Amendment rights," he stated that he believes faculty members should be given a choice as to whether or not to allow firearms in their offices and at disciplinary hearings. He also expressed concern about the safety of allowing guns to be carried on campuses where young children are in daycare and elementary and high school students attend classes. It is not yet clear whether Governor Deal will veto the bill.

## BILLS TO WATCH

An Oklahoma bill that proposes an amendment to the state constitution has passed the house. The bill, HJR 1009, would require all firearms laws challenged in court to be analyzed under a strict scrutiny standard. This is the highest judicial standard and few laws are upheld when subjected to it. **Even the United States Supreme Court in the landmark *Heller* and *McDonald* decisions did not adopt strict scrutiny when evaluating gun laws.** If the legislature passes the bill, the question of whether to amend the constitution will go to the voters. Similar amendments have been approved by voters in Alabama, Louisiana, and Missouri.

### ABOUT THE LAW CENTER TO PREVENT GUN VIOLENCE

Founded in the wake of the July 1, 1993, assault weapon massacre at 101 California Street in San Francisco that left eight dead and six wounded, the Law Center to Prevent Gun Violence is now the premier resource for legal expertise and information regarding state and federal firearms laws. We track and analyze gun laws in all 50 states, file amicus briefs in Second Amendment cases across the country, and work with lawmakers and advocates to craft and promote legislation that will reduce gun violence and save lives. We regularly partner with law firms and nonprofit organizations dedicated to combating the epidemic of gun violence in our country, and we invite you to learn more about our work by visiting our website or connecting with us on social media.