

**4.11.16**

# GUN LAW TRENDWATCH

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

## POSITIVE TRENDS

Several states are acting on important legislation to remove access to firearms by domestic abusers. A Tennessee bill was signed into law last week that requires the state bureau of investigation to notify law enforcement within one day when the subject of a domestic violence protection order attempts to purchase a firearm.

Virginia Governor McAuliffe signed a bill on April 1 that makes it a Class 6 felony to violate any provision of a domestic violence restraining order while armed.

Last week, the New Jersey legislature sent a bill to the governor that requires the prosecutor of a domestic violence incident to notify a survivor when the accused's guns are being returned to him or her. The bill would also require notification of the survivor of the right to petition for an order seeking revocation of the abuser's firearms purchaser identification card or permit to purchase a handgun. It would also create a process for a person to sell or surrender guns he or she is required to surrender as a result of a domestic violence conviction or protective order and allows the court to issue a warrant if there is probable cause to believe the defendant has not surrendered all of his or her guns.

Domestic violence bills are also moving in Connecticut, Hawaii, Illinois, and Maryland and have recently been introduced in Ohio and Rhode Island.

## 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

At the end of last month, Idaho Governor Otter signed SB 1389 which allows concealed handguns to be carried in public without a permit. This is the second permitless carry bill enacted this year—the other was enacted in West Virginia via an override of the governor's veto. There are now eight states that allow concealed carry without a permit. (Alaska, Arizona, Idaho, Kansas, Maine, Vermont, West Virginia, and Wyoming).

The Mississippi bill, HB 786, that expands the state's existing law allowing permitless carry in a fully enclosed case, purse, or bag, has been sent to the governor. If signed, this would amend the existing law to allow permitless carry on the person and would make Mississippi the ninth state to allow concealed carry without a permit. The bill also allows houses of worship to designate members of the congregation to complete firearms training and carry firearms during services to protect the congregation.

In Oklahoma, HB 3098, which would also allow permitless carry, has passed the house and passed a committee in the Senate on Wednesday.

Georgia HB 859 is still awaiting signature by Governor Deal. The bill would allow guns on university and college campuses. Bills to allow guns on campus are also moving in Alaska, Missouri, and Tennessee.

HB 441 was recently introduced in Alabama. The bill would provide for a pretrial hearing to allow a shooter to attempt to prove that he or she was justified in the use of deadly force due to self defense. If successful at the hearing, the shooter would be immune from facing trial for the shooting. A bill has been introduced in Minnesota that would add the state to the list of stand-your-ground states.

## BILLS TO WATCH

At the end of last month, Arizona Governor Doug Ducey signed HB 2224, which states that firearms transfers between private parties may not be subject to any additional encumbrance imposed by the state. It is unclear exactly what legislators intended by the bill, but activists are concerned that the new law could hamper efforts to require background checks for unlicensed firearms sales.

### 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.