

Gun Law Trendwatch

A ROUNDUP AND ANALYSIS OF THE LATEST STATE FIREARMS LEGISLATION 3/8/17

POSITIVE TRENDS

Bills to make communities safer are on the move in state houses

Legislators in Minnesota recently introduced bills (HB 1669 and SB 1261), that would require background checks for firearms sales from unlicensed sellers. Nineteen states currently require a background check for these sales.

Another Minnesota bill introduced last week **would make Minnesota the third state (in addition to California and Washington) to establish a gun violence protection order procedure**, allowing family members and law enforcement to petition a court to temporarily remove guns from a person who poses an imminent threat to self or others. Similar legislation has been introduced this year in nine additional states.

Several gun violence prevention bills will be heard in committees in Maryland this week. HB 1448 and SB 948 would **require long gun transfers to take place through a licensed dealer** who would conduct a background check and keep records of the sale. (Maryland already requires background checks for handgun sales.) HB 1442 and SB 727 would require proof that a person convicted of a crime of violence has transferred firearms to a licensed dealer or law enforcement within two days of a conviction. SB 224 would prohibit handgun transfer to certain domestic abusers, and HB 1521 would establish the Maryland Commission to Study Firearm Violence which would, among other things, provide grants for research into the factors that affect gun violence and the possible solutions.

ISSUES & BILLS

BACKGROUND CHECKS

AZ H 2150, AZ HCR 2009, CA S 299, FL H 809, HI H 802, HI H 459, HI S 1037, IL H 2720, IA H 73, IA H 145, ME LR 337, ME LR 338, MD H 1448, MD S 948, MN H 1669, MN S 1261, MO H 363, ~~NH H 204~~, NJ A 1212, NJ S 804, NM H 50, NM S 48, NY A 2406, NY A 3438, OR H 2237, SC H 3181, TN H 1319/S 1097, TN H 958/S 834, TN H 962/S 671, TX H 259, TX H 2034, UT H 237, ~~VA H 2187~~, ~~VA H 2188~~, VA H 2212, VA S 187, VA S 915, VT S 6

DOMESTIC VIOLENCE

DC B 116, KS H 2145, MD H 294, MD S 224, MD S 224, NJ A 4046, NM S 259, NY A 980, NY 1224, NY S 67, NV S 124, ND H 1402, OH H 1, OR H 2237, RI H 5067, TN H 1112, TN S 229, TX H 289, UT H 237, ~~VA H 2044~~, VA S 546

PERMITLESS CARRY

AL S 24, CO S 116, IA SJR 2, IN H 1159, KY S 7, KY H 316, MI H 4003, MI H 4005, MN H 188, MN S 649, MN H 309, S 650, ~~MT H 262~~, NC H 69, NH S 12, NJ A 626, NM S 56, NM SJR 5, ND H 1169, PA H 170, OK H 2321, OK S 381, OK S 383, SC H 3700, SD H 1072, TN H 493, TX H 375, UT H 112, UT H 237, ~~VA H 2265~~, S 1450

GUNS ON CAMPUS

AK H 1249, AR H 1249, FL H 803/S 908, FL S 140 FL S 622, IN H 1258, KS H 2220, ME LR 635, MO H 593, MO H 630, NC H 69, OK H 1600, OK S 380 SC H 3248, SC H 3262, TX H 560, WY H 136

NEGATIVE

Concealed guns in public, no permit required

New Hampshire's Governor Chris Sununu signed SB 12 on February 22nd making New Hampshire the eleventh state in the U.S. to allow concealed, loaded guns in public without a permit. New Hampshire will continue to issue concealed carry permits on a voluntary basis. The state joins Alaska, Arizona, Idaho, Kansas, Maine, Mississippi, Missouri, Vermont, West Virginia and Wyoming.

Fortunately, Montana Governor Steve Bullock took a different view of permitless carry and vetoed a similar bill on February 23rd. Bullock, who has vetoed similar measures in the past, said in his veto statement, "While I will fiercely defend the Second Amendment rights of our citizens, **I cannot support an absurd concept that threatens the safety of our communities by not providing for the basic fundamentals of gun safety or mental health screening.**" He also vetoed a bill to allow guns in post offices.

Permitless carry bills have also been stopped this year in Virginia, where the legislature has adjourned for the year.

BILLS TO WATCH

Dangerous omnibus bill in Iowa-- HB 517

Activists in Iowa are fighting against a dangerous omnibus bill that contains a plethora of irresponsible provisions. Although permitless carry and guns on campus provisions have been removed from the bill, the current version relaxes safety training standards for obtaining a new concealed carry permit and eliminates training for permit renewals.

The bill would also make the handgun purchase permit valid for five years, instead of one, **increasing the likelihood that a permit holder could fall into a prohibited category and continue to use the permit.** If enacted, the bill would make cities and towns pay plaintiffs' attorney's fees if found to have violated preemption law, and would allow concealed firearms in the state capitol. In addition, the bill would remove the duty to retreat before using deadly force while in a public street, even to stop a property crime such as robbery or burglary; allow children under 14 to possess firearms with supervision; and allow intoxicated people to possess firearms at their place of business or home.

ABOUT THE LAW CENTER TO PREVENT GUN VIOLENCE & AMERICANS FOR RESPONSIBLE SOLUTIONS

Led by former Congresswoman Gabrielle Giffords and Navy combat veteran and retired NASA astronaut Captain Mark Kelly, Americans for Responsible Solutions and the Law Center to Prevent Gun Violence are committed to advancing commonsense change that makes communities safer from gun violence. Operating out of offices in Washington DC, San Francisco, and New York, our staff partners with lawmakers and advocates to craft and enact the smart gun laws that save lives. We provide expertise in firearms litigation, lead grassroots coalitions, and educate the public on the proven solutions to America's gun violence epidemic.

smartgunlaws.org