

H.R. 38

FEDERALLY MANDATED CONCEALED CARRY RECIPROCITY

INTRODUCED BY REP. RICHARD HUDSON (R-NC)

SUMMARY H.R. 38, “The Concealed Carry Reciprocity Act of 2017,” introduced by Rep. Richard Hudson (R-NC), would allow dangerous people to carry guns nationwide without regard for the laws of the states they are in. It would prevent law enforcement from doing their jobs, and allow all permit holders, in some cases even those without permits, to carry on our streets and even in K-12 schools. It would also allow the carrying of handguns with illegal magazines.

DISASTROUS FOR THE PUBLIC Some states have very strong laws limiting who can carry guns in public and require training and a thorough evaluation to do so. Other states issue permits using lower standards, even to non-residents. The 12 states with the loosest laws (“permitless carry states”) do not require a permit, meaning a person may carry even without a background check. This bill would give people who have obtained a permit from any state and those from permitless carry states the authority to carry concealed handguns across the country without regard to the laws of the states they are in, and even allow them to carry concealed handguns in states that explicitly prohibit those same people from even possessing firearms.

DISASTROUS FOR STATES Certain states prohibit people who have been convicted of violent misdemeanors from possessing handguns, while others prohibit people who are under the age of 21 from possessing handguns. This bill would also prevent states from enforcing their laws regulating high capacity magazines; four states currently ban such magazines. H.R. 38 would give permit holders and people from permitless carry states the authority to ignore these laws, establishing conflicting standards and putting the public at greater risk for violence.

DISASTROUS FOR SCHOOLS H.R. 38 effectively nullifies current law that prohibits the concealed carry of loaded firearms in school zones by individuals who are not licensed by that state. This would allow untrained individuals to carry a loaded gun in K-12 schools, potentially in states where they cannot even legally purchase a gun.

DISASTROUS FOR LAW ENFORCEMENT H.R. 38 would impose a threat of personal litigation against law enforcement officers whenever they attempt to enforce gun laws. It would require officers to become legal experts concerning regulations in all 50 states in order to determine whether an individual is entitled to carry a concealed handgun. While officers already must make life-and-death decisions when dealing with armed individuals, H.R. 38 adds serious threats of personal liability should he or she mistakenly question a person’s legal authority to possess a firearm. As a result, officers would fear conducting a thorough investigation, deterring them from effectively doing their jobs and keeping our communities safe.

DISASTROUS FOR LOCAL COMMUNITIES H.R. 38 would prohibit states from enforcing their own gun laws against armed vigilantes. By hobbling states’ authority, it would expose unsuspecting citizens to swarms of guns in the hands of those unqualified to do so. This legislation would also expose state and local governments to lawsuits by authorizing armed individuals to sue whenever police perform routine investigative stops. It would mandate that the government pay legal defense fees for anyone who is inappropriately charged under a gun law—a significant drain on state and local resources.