

GUN LAW TRENDWATCH

A ROUNDUP AND ANALYSIS OF THE LATEST STATE FIREARM LEGISLATION 4.19.2018

Vermont, historically a state with some of the weakest gun laws, enacts sweeping gun violence prevention legislation.

For many years, **Vermont** has had very few gun laws on the books and, accordingly, it earned an F on Giffords Law Center's most recent *Annual Gun Law Scorecard*, ranking 41st out of the 50 states when it comes to gun safety, while its neighbors **Massachusetts** and **New York** ranked 4th and 5th respectively.

Even after this February's massacre in Parkland, **Florida**, Vermont Governor Phil Scott didn't think a school shooting could happen in his state—until it almost did. When an 18-year-old was arrested for planning a shooting at a Vermont high school with the intent to kill more people than in any previous US school shooting, Governor Scott courageously stood up to the gun lobby and signed a comprehensive package of reforms. One of those reforms (SB 221) included an Extreme Risk Protection Order (ERPO) law, which allows law enforcement officers to disarm individuals who pose a serious danger to the health and safety of themselves or others. The day after the law was signed on April 11, law enforcement obtained an ERPO against the would-be school shooter.

Also on April 11, Vermont became the 20th state to close the private-sale loophole and require background checks on all gun sales (SB 55). The new law also prohibits firearm sales to people under 21 years of age and bans the sale and possession of large capacity ammunition magazines. Governor Scott also signed legislation that allows law enforcement to remove guns from the scene of a domestic violence incident (SB 422).

GUN SAFETY PACKAGES MOVE IN NEW JERSEY & MARYLAND

On April 16, **New Jersey** state senators passed seven gun safety bills out of committee. The bills would create an Extreme Risk Protection Order (SB 2259), close long gun background check loopholes (SB 2374); reduce magazine capacity to 10 rounds (SB 102); and make purchasing components to manufacture untraceable guns a crime (SB 2465). The package of bills has already passed the assembly and is expected to be voted on by the senate in early June.

Maryland lawmakers sent bills to the governor that would: require domestic abusers to relinquish firearms (HB 1646); create a Lethal Violence Protection Order (HB 1302); prohibit bump stocks (HB 888/SB 707); and allocate funding for gun violence prevention programs (HB 113 and HB 432).

GUN BILLS IN MOTION

BACKGROUND CHECKS

Louisiana HB 852 (scheduled to be heard on April 17); **Vermont** SB 55 (enacted on April 11); **New Jersey** AB 2757/SB 2374 (passed senate committee on April 16); **Tennessee** SB 834 (sent to governor on April 13) and HB 958 (passed committee on April 3). At least 17 states have legislation pending to strengthen or enact background checks.

DOMESTIC VIOLENCE

California AB 3129 (scheduled to be heard on April 17); **Louisiana** HB 776 (passed committee on April 11 and scheduled for floor debate on April 18) and HB 896 (passed committee on April 16). At least 13 states still have bills pending that would close domestic violence loopholes.

EXTREME RISK PROTECTION ORDER

California AB 2888 (scheduled to be heard on April 24); **Maine** SB 719 (scheduled to be heard on April 17); **Maryland** HB 1302 (sent to governor on April 9); **New Jersey** AB 1181 and AB 1217 (passed senate committee

on April 16); **Rhode Island** HB 7688 (passed house on April 12); and **Vermont** SB 221 (enacted on April 11). Extreme risk protection order bills are pending in at least 21 states.

GUNS IN SCHOOLS

California AB 2318 (set for hearing April 24) and **Missouri** HB 2232 (passed committee on April 5). Guns in schools or on campus bills are pending in at least 17 states.

PERMITLESS CARRY

Oklahoma HB 3374 (passed senate April 16). Reckless permitless concealed carry legislation is still pending in at least 12 states.

URBAN GUN VIOLENCE

California SB 934 (was set for hearing on April 17); **Illinois** HB 5161 and HB 5616 (both re-referred to committee); **Massachusetts** HB 2 (passed committee on April 11); **Maryland** HB 113 and 432 (passed senate on April 9); **Nebraska** LB 944 (enacted on April 5). Eight states have UGV bills pending.

FLORIDA COUNTY PASSES BOLD GUN SAFETY ORDINANCE

Although **Florida** is known for having one of the most draconian firearm preemption laws in the country, the state's constitution explicitly permits counties to pass laws that require background checks and waiting periods for gun sales that occur on their properties. On April 10, commissioners in Leon County voted 6–1 in favor of an ordinance that requires individuals purchasing a firearm from a private seller on county property to undergo a background check and be subject to a five-day waiting period. While Florida's preemption law still greatly limits the ability of local lawmakers to pass gun laws, Leon County's actions show a desire for local leaders to keep their communities safe from gun violence.

For more information on firearm bills introduced in this legislative session, or any other questions about *Gun Law Trendwatch*, contact its author, Allison Anderman, at aanderman@giffords.org.

MAKING IT EASIER FOR YOUNG ADULTS TO CARRY GUNS IN PUBLIC

Kansas legislators have passed a bill to allow youths between 18 and 20 years old to carry hidden, loaded guns in public (HB 2042). This age group makes up 4% of the United States population but is responsible for 17% of gun homicides. This group is also at a disproportionate risk of committing violent crime in general and experiencing serious mental illness.

LAWMAKER? ADVOCATE?
WE'RE HERE TO HELP

Reach out to Giffords Law Center today to find out how you can use our model laws to help craft lifesaving gun legislation in your home state.

giffordslawcenter.org/trendwatch

FACEBOOK /Giffords TWITTER @GiffordsCourage MEDIA media@giffords.org

For nearly 25 years, the legal experts at Giffords Law Center to Prevent Gun Violence have been fighting for a safer America by researching, drafting, and defending the laws, policies, and programs proven to save lives from gun violence.