

GUN LAW TRENDWATCH

A ROUNDUP AND ANALYSIS OF THE LATEST STATE FIREARM LEGISLATION 3.19.2019

A new wave of gun safety legislators finally listened to the American public and delivered on background checks in 2019.

In the 2018 midterm elections, a record number of federal and state candidates promised to champion gun violence prevention if elected. Swept into office on a tidal wave of frustration and hope, many of these lawmakers are now delivering on their campaign promises by supporting legislation to close background check loopholes.

Currently, federal law only requires buyers to undergo a background check when purchasing firearms from a federally licensed gun dealer (FFL). While nearly half the states require background checks on some or all transactions between private individuals, dangerous people often buy their guns in the half of states that do not.

On February 27, the United States House of Representatives advanced H.R. 8, the Bipartisan Background Checks Act of 2019, which would mandate background checks for all gun purchases. The following day, H.R. 1112, a bill that would significantly extend the time period the FBI has to complete a background check, also passed the House.

One week later, the state of **New Mexico** enacted universal background checks. During the midterms, New Mexico voters replaced their governor with gun safety champion Michelle Lujan Grisham. Governor Grisham upheld her pledge to address New Mexico's weak gun laws, and on March 8, signed SB 8, which closes the private sale loophole and requires background checks on all gun purchasers.

According to a Quinnipiac University poll released this month, 93% of voters support requiring background checks for all gun buyers. It's long past time Americans had courageous representatives who are willing to stand up to the gun lobby and enact these and other lifesaving policies.

COALITION DEFEATS GUNS ON CAMPUS BILL IN WEST VIRGINIA

A determined coalition of activists, including students, faculty, and child welfare advocates, defeated HB 2519, which would have brought guns on to higher education campuses in **West Virginia**. The overwhelming majority of college and university campuses in the United States prohibit some or all types of gun possession, keeping most campuses safe havens from gun violence.

IOWA APPEASES GUN LOBBY; JEOPARDIZES RESIDENTS

On March 13, **Iowa** took another step towards jeopardizing even the most basic gun safety laws, such as laws that keep guns out of the hands of felons. HJR 13/SJR 18 could result in a state constitutional amendment that would mandate all gun laws be reviewed under the "strict scrutiny" legal standard, which requires judges to assume a law is unconstitutional until the state proves otherwise. Only three states—**Louisiana, Missouri, and Alabama**—have adopted the strict scrutiny provision, and these states have much higher gun death rates than Iowa.

GUN BILLS IN MOTION

GUN VIOLENCE PREVENTION BILL

BACKGROUND CHECKS

New Mexico SB 8 was enacted on March 8. **Washington** HB 1465 passed the house. **Maryland** SB 346 passed the senate and has a hearing March 26, and HB 786 passed a committee. **New Hampshire** HB 109 passed a committee. At least 25 states currently have legislation pending to strengthen or enact background checks.

GUN VIOLENCE PREVENTION BILL

DOMESTIC VIOLENCE

Utah HB 100 passed both chambers. **North Dakota** HB 1393 passed both chambers. **New Mexico** HB 87 and SB 328 passed both chambers. **Maryland** SB 138 passed the senate and has a hearing on March 19. **Washington** HB 1786, HB 1225, and HB 1517 all passed the house. **Texas** SB 666 passed a committee. **California** AB 164 passed a committee. **Arkansas** HB 1655 passed a committee. At least 24 states have bills pending that would close domestic violence loopholes that allow abusers to access guns.

GUN VIOLENCE PREVENTION BILL

EXTREME RISK PROTECTION ORDER

Colorado HB 1177 passed the house and a senate committee. **Hawaii** SB 1466 passed the senate and a house committee. **Washington** SB 5027 passed the senate. **California** AB 164 and AB 339 both passed a committee and have a hearing March 20. ERPO bills are pending in at least 26 states.

GUN VIOLENCE PREVENTION BILL

URBAN GUN VIOLENCE

Community-based urban gun violence reduction strategies that focus on identifying individuals at high risk for involvement in shootings have been shown to significantly reduce gun violence in cities. **New Jersey** bills AB 4801 through AB 4806 all passed a committee. Currently, 10 states have bills pending that would allocate or protect funding for such programs.

GUN LOBBY BILL

GUNS IN SCHOOLS

Virginia HB 2142 passed both chambers. **Arizona** HB 2693 passed the house and a senate committee and had

a hearing March 18. **New Mexico** HB 129 passed both chambers. **Iowa** SB 188 passed the senate. **Oklahoma** HB 2336 passed the house. **Missouri** HB 575 passed two committees. **Arkansas** SB 383 and HB 1694 have hearings March 19. **Florida** SB 7030 has a hearing March 20. Dangerous bills to allow guns in school or on campus are pending in at least 30 states.

GUN LOBBY BILL

PERMITLESS CARRY

Permitless carry laws allow individuals to carry concealed weapons without a background check and can increase the likelihood of deadly confrontations in public. **Kentucky** SB 150 was enacted March 11. **Idaho** HB 206 passed the house and HB 199 passed a committee. There are reckless permitless carry bills pending in at least 12 states.

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



Lawmaker? Advocate?

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EXTREME GUN LOBBY BILL: MANDATORY ASSAULT WEAPON OWNERSHIP IN MISSOURI

State Representative Andrew McDaniel introduced the eponymous McDaniel Second Amendment (HB 1052) and McDaniel Militia (HB 1108) Acts, which would significantly endanger residents by requiring them to own at least one handgun and one AR-15.

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For 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.