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GUN LAW TRENDWATCH

A roundup and analysis of the latest state firearms legislation.

POSITIVE TRENDS

Legislators and activists continue to diligently push gun violence prevention legislation in state houses across the country. In Oregon, a bill introduced earlier this month, HB 4147, would address the federal law loophole that allows firearm transfers to proceed by default when a background check takes longer than three days to complete. The bill would extend the time for completion of a background check for handgun sales. This bill, which has passed a house committee, is an important first step in addressing this gap that contributed to the killings at the Emanuel AME Church in Charleston last June.

In Maryland and Connecticut, legislators are attacking a potentially lethal problem faced by domestic violence victims across the country—**even after domestic abusers are prohibited from possessing firearms, there is no oversight to ensure guns are in fact surrendered.** In Connecticut, HB 5054 would require individuals subject to a temporary restraining order to surrender firearms to law enforcement or a licensed firearms dealer within 24 hours. In Maryland, legislators have proposed a measure that would require courts to notify abusers of the requirement to relinquish firearms, set a time limit for relinquishment, and require abusers to submit proof to the court that they have relinquished their guns.

In New Mexico, the house has passed HB 336, a bill that would require state courts to report relevant mental health records to the federal National Instant Criminal Background Check System.

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, 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

A dangerous bill, HB 4795, is moving in Michigan. Though state law preempts most local firearms regulation, local Michigan governments do retain some authority to regulate guns. HB 4795 would allow gun lobby groups, and individual residents, to bring lawsuits against local governments and officials claiming they enacted, or simply enforced, a firearms law that enters into a preempted area. **Elected and appointed officials could be sued personally for up to 5,000 dollars for acting in the course of their job duties.** Local governments would be prohibited from paying the fine or providing public money to defend the lawsuit. Similar measures that impose liability against elected officials are already on the books in Florida, Kentucky, and Mississippi. The Law Center is working closely with activists in Michigan who are actively fighting the bill.

As in years' past, the gun lobby is pursuing expansion of concealed carry in numerous states. In West Virginia, HB 4145, a bill that would allow concealed carry without a permit, has passed the house and is moving through the senate. Although Governor Tomblin vetoed a similar measure last year, pro-gun legislators will likely attempt to override any veto of the bill. According to recent polling by Everytown for Gun Safety, 84% of West Virginians, including 87% of gun owners, favor requiring a permit to carry a concealed gun in public.

BILLS TO WATCH

Three bills in Florida that would weaken the safety of the state's residents have passed their first legislative chamber. HB 4001 would repeal the state's ban on guns on college and university campuses and HB 163 would allow open carry by those with concealed carry permits. SB 344 would make it even harder for prosecutors to bring charges against an individual who claims to have used deadly force in self-defense.

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.