



2016 MID-YEAR REVIEW

GUN LAW TRENDWATCH

A roundup and analysis of the latest state firearms legislation.

Midway through 2016, we witnessed the deadliest shooting in our nation's history when a gunman in an Orlando nightclub killed 49 people and wounded another 53. Less than two weeks later, five Dallas law enforcement officers were killed and nine more were injured, ambushed while protecting a peaceful protest in response to the recent police killings of Alton Sterling and Philando Castile. Two civilians were also shot in the incident. Just 10 days later, six more police were shot, three fatally, in a similar attack in Baton Rouge.

Years of frustration over congressional inaction on gun violence finally boiled over onto the floors of Congress when **Senator Chris Murphy led a 15-hour filibuster**, resulting in Senate floor votes on measures to require background checks for all gun sales and to prohibit terrorists from purchasing firearms. Then, on June 22, **Representative John Lewis led a 25-hour sit-in on the House floor** demanding a vote on the same policies—background checks and closing the terror gap.

Though efforts by these courageous leaders have not yet resulted in new laws, their renewed commitment is heartening and underscores the urgency to pass smart gun laws at the state level. Momentum to break the gun lobby's stranglehold over our nation's firearms policy has been building since the tragedy at

Since the tragedy at Newtown, legislators have passed **138 new smart gun laws in 42 states.**

Sandy Hook Elementary in 2012 and continues to grow stronger—at least 138 new smart gun laws have been enacted in 42 states since Newtown.

This year has proven no different. **The increasingly familiar pattern of progress on state gun legislation has continued in 2016, with lawmakers achieving critical victories in areas like background checks, domestic violence, mental health reform, and more.** The Law Center's legal experts have tracked 1455 bills in 2016 so far, with more to come in states whose legislative sessions stretch into the fall.

Gun safety advocates have also achieved a flurry of defensive victories, action that has increased dramatically in the past few years, demonstrating the wide public support for commonsense gun laws and the diminished power of the gun lobby. This special edition of *Gun Law Trendwatch* highlights the key victories and milestones in state gun legislation so far this year.

1455
firearms bills
tracked in 2016

STATE GUN LAW VICTORIES 2016

KEY OFFENSIVE VICTORIES

BACKGROUND CHECKS

California. SB 1235 requires ammunition sellers to be licensed, to conduct background checks, and to report ammunition sales records. AB 1511 requires a background check if a firearm is loaned to anyone outside the owner's immediate family.

Delaware. Delaware lawmakers passed a bill to address the "Charleston loophole" in federal law that allows guns to be transferred by licensed dealers after three business days, even if the FBI has not completed a background check. The new law extends the background check process from 3 to 25 days, providing significant extra time to investigate and find prohibited purchasers that would otherwise fall through the cracks.

Virginia. HB 1386 and SB 715 create a procedure to allow for voluntary background checks at gun shows between unlicensed parties.

DOMESTIC VIOLENCE

Connecticut. HB 5054 mandates that the subject of a domestic violence restraining order surrender firearms within 24 hours and makes subjects of temporary restraining orders ineligible for permits to carry and purchase firearms.

Hawaii. HB 625 closes a dangerous loophole in federal law that allows stalking misdemeanants to purchase and possess firearms despite a strong connection between stalking and future escalating violence against women. This new law prohibits those convicted of misdemeanor stalking and sexual abuse from accessing and possessing guns.

Tennessee. HB 1964 requires state police to notify local police when the subject of a domestic violence order of protection attempts to purchase a firearm. HB 2576 requires criminal courts to issue a domestic violence protective order upon finding that a defendant displayed or used a deadly weapon against a victim.

Virginia. HB 1391 and SB 49 prohibit a person subject to a domestic violence protective order from possessing a firearm and HB 1391 also makes that person ineligible to sell guns. SB 323 makes it a felony to violate an emergency protective order while armed.

Wisconsin. SB 351 expands the definition of domestic violence protection order to include orders issued under the anti-stalking laws of other states.

MENTAL HEALTH

Hawaii. HB 2632 requires that people prohibited from possessing guns due to mental illness immediately surrender their firearms. SB 2813 requires courts to forward all adult guardianship orders to the FBI for background checks.

Louisiana. HB 135 and HB 624 require state agencies to submit records of prohibited people to the FBI for background checks.

New Mexico. HB 336 requires mental health records to be sent to the FBI for background checks.

MILITARY-STYLE WEAPONS

California. AB 1135 and SB 880 close a loophole in California's assault weapons ban that allowed manufacturers to evade the law by producing assault weapons with magazines that can be detached using a bullet. SB 1446 expands prohibitions of large capacity ammunition magazines to include possession.

MISCELLANEOUS

Ohio. SB 97 prohibits violent career criminals from knowingly buying, possessing, or carrying firearms.

Virginia. SB 608 requires information about confiscated or recovered firearms to be sent to the US Department of Justice.

Washington. SB 6165 makes possession of parts solely used to manufacture machine guns illegal. HB 2793 establishes a "safe homes taskforce" to raise public awareness of and increase education on suicide prevention.

LOOKING AHEAD: 2016 BALLOT INITIATIVES

California. The "Safety for All" initiative entails firearm relinquishment procedures, background checks on ammunition sales, lost/stolen gun reporting, a ban on LCM possession, and reporting background check records to the FBI. The ammunition background checks and LCM provisions are similar to laws enacted by the state legislature after the initiative was filed.

Nevada. This universal background checks initiative would require all gun sales to be facilitated by a licensed firearms dealer and include a background check.

Maine. A universal background checks measure has been placed on the ballot that will close the private-sale loophole.

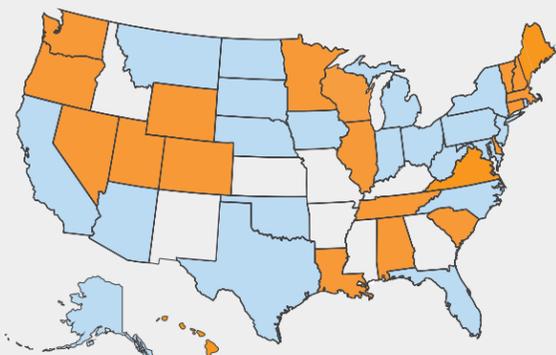
Washington. An Extreme Risk Protection Order law is now on the ballot, allowing family members, law enforcement, and others to petition a court to temporarily remove firearms from a person deemed to be a danger to themselves or others.

Stay informed about the latest trends in state firearms legislation and view past issues of *Gun Law Trendwatch*:

SMARTGUNLAWS.ORG/TRENDWATCH

STATES WITH DOMESTIC VIOLENCE GUN LAWS

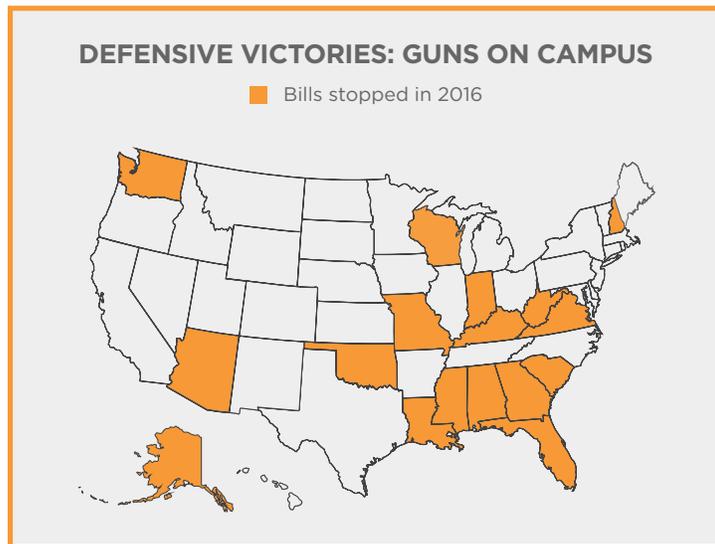
■ Since 2012 ■ Pre-2012



DEFENSIVE VICTORIES

As in past years, gun violence prevention advocates achieved numerous victories for public safety by defeating dangerous bills put forth by the gun lobby.

In Georgia, a bill to allow guns on college campuses was vetoed by the governor after he was bombarded by public opposition. Activists defeated similar guns-on-campus bills in 16 additional states.



Bills that would have created or expanded “stand-your-ground” laws were defeated in nine states. Governors in Missouri and New Hampshire vetoed bills that would have allowed concealed carry without a permit, while similar bills were defeated in 13 other states. Other defeated gun lobby measures include an open carry bill in Florida, an onerous preemption bill in Nebraska, and a bill in Arizona to allow guns in government buildings.

NEW GUN LOBBY LAWS

Arizona. HB 2338 prohibits schools from restricting the carry of guns on public rights of way. SB 1266 imposes personal liability against local officials who violate state preemption laws.

Georgia. SB 270 weakens laws that allow religious institutions to prohibit weapons.

Idaho. SB 1389 allows concealed carry without a permit.

Kansas. HB 2502 limits policies that restrict employees from carrying concealed guns at work and limits restrictions on firearms in public buildings.

Mississippi. HB 786 allows firearms to be carried in a house of worship and allows concealed guns to be carried in public without a permit.

Oklahoma. SB 1057 allows firearms to be stored in vehicles in parking areas during sporting events.

Tennessee. HB 2425 allows anyone over 18 to apply for a concealed carry permit, while HB 2575 lengthens the duration of concealed carry permits. SB 2376 allows public college employees with concealed carry permits to carry hidden, loaded guns on campus.

Virginia. HB 1163 and SB 610 recognize concealed carry permits issued in any other state.

West Virginia. HB 4145 allows anyone over 21 to carry a concealed handgun in public without a permit.

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. In 2016, the Law Center merged with Americans for Responsible Solutions, the gun violence prevention group founded by former Congresswoman Gabrielle Giffords and Navy combat veteran and retired NASA astronaut Captain Mark Kelly. Together, we've formed a powerful new force for gun safety legislation, education, research, and advocacy that stretches from coast to coast.