



## FACTSHEET

# WAITING PERIOD LAWS FOR GUN PURCHASES

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### HOW DO WAITING PERIOD LAWS WORK?

Waiting Period laws require that a specified number of days pass between the time a gun is purchased and when it is physically transferred to the purchaser.

### WHY ARE WAITING PERIOD LAWS IMPORTANT?

#### 1. They give law enforcement sufficient time to perform background checks on gun purchasers:

- A federal law enacted in 1993 imposed a five-day waiting period for handgun sales, but expired in 1998. Currently, there is no waiting period under federal law, and a person may take possession of a gun immediately upon passing a background check.
- However, if a person has not passed a background check within three days, then he or she may take immediate possession of the gun by default.
  - In 2012, the FBI estimated that more than 3,700 prohibited persons (e.g., convicted criminals) obtained a firearm because of this default procedure.
  - A mandatory waiting period of at least a week would help give law enforcement agents the extra time they need to properly run a thorough background check.

## 2. The “cooling off” period helps prevent suicide and impulsive acts of violence:

- In a study of adults who survived attempted suicide by firearm, more than half reported having suicidal thoughts for fewer than 24 hours before making the attempt.
- 90% of people who have lived through a suicide attempt do not subsequently take their own lives. However, 90% of all suicide attempts with a firearm are fatal.
- The five-day federal waiting period law from the 1990s correlated closely with a decline in the number of men killing their wives, girlfriends, and ex-girlfriends with guns.

## AMERICANS SUPPORT WAITING PERIOD LAWS—INCLUDING HALF OF ALL NRA MEMBERS

A YouGov survey of 45,000 Americans found that 74% of people without a firearm in the home support a five-day waiting period for the purchase of firearms, while 66% of non-NRA gun-owners, and even 50% of NRA members, support this policy

## STATES WITH WAITING PERIOD LAWS GENERALLY HAVE LOWER LEVELS OF GUN VIOLENCE

Ten states have waiting period laws of different lengths, ranging to as many as 14 days. Seven of these 10 are among the 10 states with the nation’s lowest rates of gun violence.

***For more information, visit the Law Center’s Waiting Period Policy Summary at [smartgunlaws.org/waiting-periods-policy-summary](https://smartgunlaws.org/waiting-periods-policy-summary)***

### 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.