

# GUN LAW TRENDWATCH

## 2018 MID-YEAR REVIEW

### **In 2018, a new wave of youth-led activism has spurred sweeping gun safety reforms across the nation.**

Mass shootings, far too common in our country, are often the catalysts for safer gun laws. After a gunman used a bump stock to kill 58 people and wound hundreds of others in Las Vegas in 2017, eight states banned these and other trigger activators. This year, the surge of youth activism following the school shooting in Parkland, Florida, motivated state lawmakers to enact the strongest improvements to state gun laws in years, including two states raising the minimum age to purchase firearms to 21.

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FIREARM BILLS  
TRACKED IN 2018

While much of the legislation following mass shootings has been tailored to address this specific type of gun violence, lawmakers have also responded with broad policies to save lives from many types of shootings.

In the first half of 2018, nine states passed legislation to keep guns away from domestic abusers, six enacted laws to improve background checks, and eight enacted measures to fund urban violence reduction programs.

Undoubtedly, though, the laws with the greatest momentum in 2018 were extreme risk protection order (ERPO) laws, which allow law enforcement, family members, and/or other designated members of the community to temporarily disarm a person in crisis. In addition to preventing mass shootings, ERPO laws can also prevent everyday gun deaths from suicide and stalking. Eight states, including Florida, have enacted ERPO laws so far this year.

While national gun violence tragedies have always been the precipitators of legislative action, the wave of activism post-Parkland is being led by our nation's young people. Some experienced gun violence for the first time when tragedy struck their school; others face it every day in their communities. Together they are saying "enough" to the gun lobby's influence over our politicians and "enough" to living in fear.

For decades, dedicated activists, academics, and lawmakers have been laying the foundation for the momentum that continues to build and the change that is happening now. This year, we have seen more significant victories and more bipartisan legislation than ever before and we know that a safer America is in reach.

# 2018 STATE GUN LAW VICTORIES

## New Lifesaving Gun Laws

### BACKGROUND CHECKS

Six states enacted laws that add a background check requirement or improve an existing background check law: **Florida** SB 7026, **Louisiana** SB 231, **New Jersey** AB 2757, **Oregon** HB 4145, **Tennessee** SB 834, and **Vermont** SB 55.

### BUMP STOCKS & TRIGGER ACTIVATORS

Eight states enacted laws that ban the use of bump stocks and other trigger activators: **Connecticut** HB 5542, **Delaware** HB 300, **Florida** SB 7026, **Hawaii** SB 2046, **Maryland** SB 707, **New Jersey** SB 3477, **Rhode Island** SB 2292/HB 7075, and **Washington** SB 5992. In 2017, a bump stock was used in the worst mass shooting in modern American history when a gunman killed 58 people and injured hundreds of others at a concert in Las Vegas.

### CONCEALED CARRY

Five states tightened laws that regulate the carrying of concealed firearms in public: **Maryland** HB 819, **New Jersey** AB 2758, **Oklahoma** HB 3353, **South Dakota** HB 1209, and **Washington** HB 2519.

### DEALER REGULATIONS

**Oregon** HB 4145 extended the state's handgun dealer regulations to all firearm dealers. Federally licensed dealers are subject to very little scrutiny. States that enact gun dealer regulations can reduce the number of irresponsible gun dealers whose misconduct threatens the lives and safety of others.

### DOMESTIC VIOLENCE

Nine states enacted laws that help keep firearms away from domestic abusers: **Kansas** HB 2145, **Louisiana** HB 776, HB 896, and SB 231, **Maryland** HB 1646, **New York** SB 8121, **Ohio** HB 1, **Oregon** HB 4145, **Utah** SB 27, **Vermont** HB 422, and **Washington** SB 6298.

### EXTREME RISK PROTECTION ORDERS

Eight states enacted measures that allow law enforcement, a family member, or others in the community to petition for a temporary order removing access to firearms by at-risk individuals: **Delaware** HB 222, **Florida** SB 7026, **Illinois** HB 2354, **Maryland** HB 1302, **Massachusetts** HB 4670, **New Jersey** AB 1217, **Rhode Island** SB 2492/HB 7688, and **Vermont** SB 221.

### GUNS IN SCHOOLS

**Vermont** HB 25 banned possession of guns in K-12 school buildings and buses, except where authorized by local school officials for specific occasions or purposes.

### LARGE-CAPACITY AMMUNITION MAGAZINES

**New Jersey** AB 2761 expanded the state's ban on magazines that hold more than 15 rounds to include any magazines that hold more than 10 rounds. **Vermont** SB 55 banned magazines that can accept more than 10 rounds for a long gun and more than 15 for a handgun.

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## MENTAL HEALTH

**Delaware** HB 302 and **New Jersey** AB 1181 both facilitated removal of firearms from a person who is dangerous due to mental illness.

## PROHIBITED PERSONS

Four states added prohibiting factors to laws regulating who may purchase and possess firearms: **Louisiana** SB 411, **Nebraska** LB 990, **New York** SB 8121, and **Virginia** SB 669. New York's law also extends the state's relinquishment procedures to individuals who have committed felonies or serious offenses.

## URBAN GUN VIOLENCE REDUCTION PROGRAMS

Eight states passed laws to provide state funding to evidence-based urban gun violence reduction programs: **California** SB 840, **Connecticut** SB 543, **Florida** HB 5001, **Illinois** HB 109, **Maryland** HB 113/HB 432, **Nebraska** LB 944, **New York** SB 7503, and **Rhode Island** HB 7200.

## TRAFFICKING

Two states enacted laws that make it harder for criminals to traffic firearms from the legal to the illegal market: **Georgia** HB 657/SB 407 and **Wisconsin** SB 408/AB 524.

## WAITING PERIODS

**Florida** SB 7026 extended the state's three-day waiting period for handguns to all firearms sold at retail locations. **Illinois** SB 3256 lengthened the state's 24-hour waiting period for long guns to 72 hours.

## DEFEATING GUN LOBBY BILLS

In 2018 so far, gun safety advocates have prevented gun lobby-backed bills from becoming law in 31 states.

### PERMITLESS CARRY: Defeated in 11 states

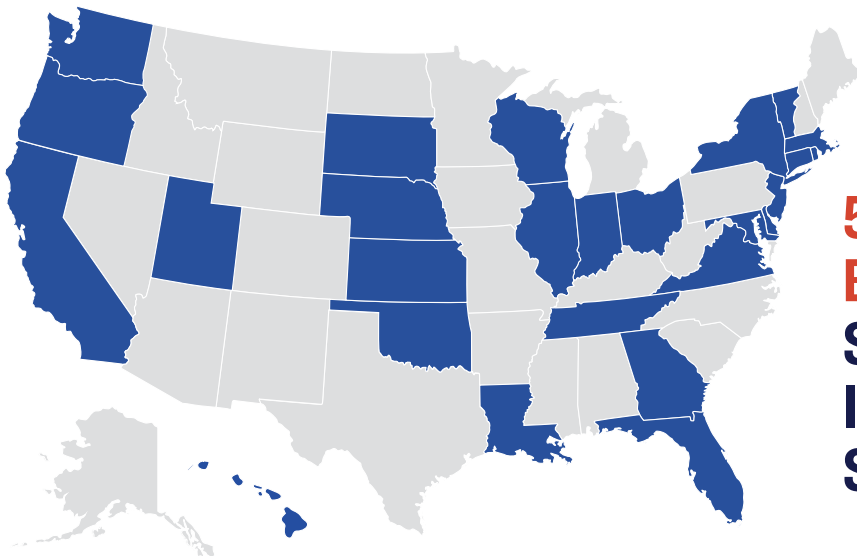
This year, bills to repeal concealed carry permit requirements, a gun lobby priority, failed in **Colorado, Idaho, Indiana, Iowa, Kentucky, Louisiana, Oklahoma, South Dakota, Tennessee, Virginia, and Wisconsin.**

### GUNS ON CAMPUS: Defeated in 14 states

The gun lobby continually attempts to force colleges and universities to allow guns on campus. Campus carry bills failed in **Arkansas, California, Florida, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, New Hampshire, Oklahoma, South Dakota, Virginia, Washington, and West Virginia.**

### GUNS IN K-12 SCHOOLS: Defeated in 19 states

After school shootings, gun lobby-backed legislators predictably call for laws arming teachers. This year, bills to allow guns in K-12 schools failed in **Alabama, Arkansas, California, Colorado, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Minnesota, Mississippi, Missouri, Oklahoma, Tennessee, Washington, West Virginia, and Wisconsin.**



**55 GUN SAFETY  
BILLS HAVE BEEN  
SIGNED INTO LAW  
IN 26 STATES  
SINCE PARKLAND**

# New Gun Lobby Laws

**The gun lobby's relentless efforts to weaken our nation's gun laws at the expense of public safety continued in 2018. Despite the loss of young lives in school shootings and the men, women, and children dying in gun homicides and suicides every day, the gun lobby continued to push reckless legislation in state after state.**

Fortunately, this year, as in years past, courageous legislators and activists who care about public safety have stopped the vast majority of bills that would weaken our gun laws and put us in danger. However, a handful of irresponsible laws promoted by the gun lobby have been enacted in 2018.

## **WE'RE ON A MISSION TO SAVE LIVES**

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. Founded in the wake of a 1993 mass shooting in San Francisco, in 2016 the Law Center joined with former Congresswoman Gabrielle Giffords to form a courageous new force for gun safety that stretches coast to coast.

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**Florida** SB 7026 allows school districts to authorize school personnel to carry concealed firearms in classrooms and on other parts of K-12 campuses. It also requires that "safe-school officers," who may be law enforcement or armed staff, be assigned to each school.

**Iowa** HJR 2009 authorizes a constitutional amendment to be put on the ballot that would subject all gun laws to the highest and strictest form of judicial review, known as "strict scrutiny."

**Idaho** SB 1313 creates a Stand Your Ground law that removes the duty to retreat in public before using self-defense.

**Oklahoma** HB 2632 expands the ability of a person to claim self-defense when using force in houses of worship.

**South Dakota** HB 1083 allows certain individuals between the ages of 18 and 21 to obtain a restricted concealed carry permit. HB 1271 allows firearms on the grounds of private K-12 schools, houses of worship used for public school functions, and any private K-12 school located on the premises of a house of worship.

**West Virginia** HB 4187 forces private business owners to allow guns in their parking lots. SB 244 allows K-12 schools to adopt a written policy permitting guns on their property.

**Wyoming** HB 144 repeals the prohibition on guns in houses of worship. HB 168 expands the Stand Your Ground law by broadening the presumptions of reasonableness granted to a shooter who invokes the defense. The law also makes it easier for shooters to avoid civil liability by allowing the defendant to prove self-defense in a motion rather than at trial.

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