

GUN LAW TRENDWATCH

2017 YEAR-END REVIEW

In 2017, efforts from lawmakers and advocates helped keep gun violence prevention a winning issue in statehouses across the nation.

However, weak federal gun laws played an important role in making the Route 91 Harvest Festival massacre in Las Vegas, Nevada, on October 1, 2017, the deadliest mass shooting in modern American history. The Las Vegas shooter used a “**bump stock**,” a device that accelerates the rate of fire, making it easier to kill and wound more people more quickly. In the wake of 58 deaths and another

546 injuries, federal legislators failed to address the dangers posed by bump stocks and similar deadly accessories.

Just a month later, another mass shooting captured the national spotlight when a domestic abuser gunned down 26 people at a

church in Sutherland Springs, Texas. Despite these high-profile massacres and the more than 100,000 victims of gun violence every year, the House of Representatives voted to advance the **Concealed Carry Reciprocity Act**,

a bill to drastically weaken states’ ability to enforce their concealed carry laws—a top priority for the gun lobby.

While Congress attempted to weaken gun safety laws, states took meaningful steps to prevent future tragedies. Massachusetts explicitly prohibited the sale, possession, and manufacture of bump stocks and similar accessories, and New Jersey is moving forward with comparable legislation.

Oregon enacted an **Extreme Risk Protection Order** (ERPO) law similar to those in California and Washington. Risk-based laws like this one allow family members and law enforcement officers to seek an order temporarily disarming dangerous individuals in crisis. Frequently, shooters, including the Sutherland Springs shooter, exhibit warning signs—ERPOs have the potential to prevent gun tragedies.

Recognizing that protecting the public from shootings lies with the states, Giffords Law Center attorneys tracked over 1,600 state bills and worked alongside legislators and advocates in more than half the states to advance lifesaving legislation. This end-of-year edition of *Gun Law Trendwatch* summarizes what action states took in 2017 and reflects back on the numerous victories for gun violence prevention, both offensive and defensive.

1684

FIREARM BILLS
TRACKED IN 2017

2017 STATE GUN LAW VICTORIES

New Lifesaving Gun Laws

BACKGROUND CHECKS

HAWAII HB 459 requires a local police chief to report to prosecutors and others when an individual's application for a permit to acquire a firearm is denied.

WASHINGTON HB 1501 requires law enforcement to be notified when individuals prohibited from possessing guns attempt to purchase them.

DOMESTIC VIOLENCE

LOUISIANA HB 27 expands the definition of "household member" to include same-sex current or former dating partners for the purposes of domestic battery. HB 223 includes dating partners in the provisions of laws regarding domestic abuse and firearms prohibitions.

MARYLAND HB 294 and SB 224 prohibit a person from possessing firearms if he or she is given probation before judgment for a second-degree domestic assault.

NEW JERSEY SB 2483 creates a process for a person convicted of a domestic violence crime to relinquish his or her firearms to law enforcement.

NORTH DAKOTA HB 1402 requires a protective order respondent to surrender firearms, and if a firearm is not surrendered, law enforcement may arrest the respondent and take possession of the firearm. SB 2309 requires courts to report information about protective orders to the FBI and forward the information to local law enforcement.

RHODE ISLAND HB 5510 and SB 405 expand the prohibition on gun possession by people convicted of domestic violence felonies and certain domestic violence misdemeanors, as well as by people subject to restraining orders issued after a hearing.

TENNESSEE HB 1112 sets out a procedure for a person convicted of domestic violence to relinquish firearms.

UTAH HB 206 prohibits firearm possession by individuals convicted of domestic violence misdemeanors and by the subjects of restraining orders.

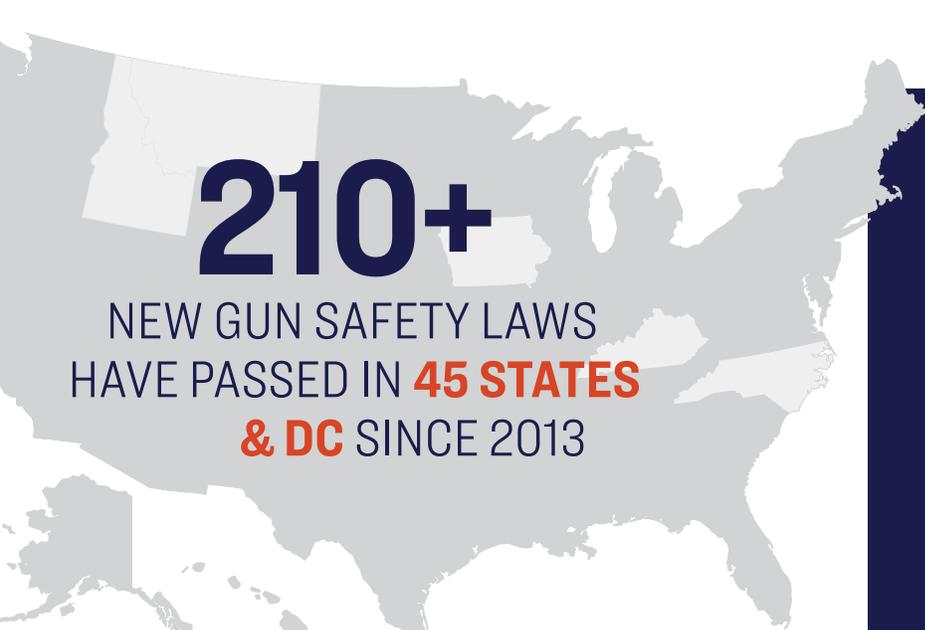
SUICIDE PREVENTION

UTAH HB 346 appropriates funding for suicide prevention programs and requires the state suicide prevention coordinator to develop and report a 10-year statewide suicide prevention plan.

WASHINGTON SB 5552 allows a person to temporarily transfer a firearm without a background check in order to prevent suicide.

GUNS IN SCHOOLS

CALIFORNIA AB 424 removes school districts' discretion to allow concealed weapons to be carried by permit holders in K-12 school zones.



210+

NEW GUN SAFETY LAWS
HAVE PASSED IN **45 STATES**
& **DC** SINCE 2013

URBAN GUN VIOLENCE

CALIFORNIA Funding was extended for CalVIP, a state-level grant program that provides financial support for cities to implement evidence-based violence prevention and intervention strategies.

CONNECTICUT Funding for Project Longevity, a successful violence intervention program, was included in the state's budget despite being threatened for removal.

DANGEROUS PEOPLE

CALIFORNIA AB 785 prohibits hate crime misdemeanants from possessing guns for ten years.

OREGON SB 719 creates an extreme risk protection order that allows family members and law enforcement to petition a court for an order disarming a person who poses an imminent risk of dangerousness.

MILITARY-STYLE ACCESSORIES

MASSACHUSETTS HB 4008 bans bump stocks and trigger cranks.

NEW JERSEY AB 5200 and SB 3477 would prohibit bump stocks and trigger cranks. This legislation is pending.

DEFEATED GUN LOBBY BILLS

Unfortunately, the gun lobby has an outsized and dangerous economic and political influence—foiling the gun lobby's legislative agenda was as critical this year as enacting new gun safety laws.

Twenty-eight states introduced **permitless carry** bills to allow anyone to carry concealed weapons without a permit. These bills were blocked in 20 states.

Dangerous **campus carry bills** to allow guns onto college and university campuses were introduced in 22 states. Legislators in 18 of those states blocked these unwise measures that put students at risk of gun violence.

Efforts to allow or expand "**stand your ground**" laws, which remove the duty to retreat in a public conflict and allow gun owners to shoot first, were introduced in 12 states and were defeated, or failed to advance, in eight states.

In **Montana**, bills were vetoed that would have brought guns into sensitive public spaces. HB 246 would have allowed guns in post offices. HB 280 would have allowed members of the legislature to carry handguns openly or concealed on any portion of state property open to the public.

Many bills that would have weakened **Florida's** already poor gun laws were defeated. SB 274 would have allowed concealed carry at private schools on religious institution property. HB 803 and SB 908 would have allowed guns in numerous locations including police stations, courthouses, polling places, athletic events, K-12 buildings, college and university facilities, and airports.

giffordslawcenter.org/trendwatch

KEEP UP ON THE LATEST TRENDS IN STATE FIREARM LEGISLATION AND VIEW PAST ISSUES

New Gun Lobby Laws

ARKANSAS HB 1249 greatly expands where concealed carry permittees can bring guns by allowing them to obtain an enhanced CCW permit with only eight hours of additional training. SB 37 requires private employers to allow employees with concealed carry licenses to store their firearms in locked vehicles in the employers' parking lot.

FLORIDA SB 128 makes it more difficult for prosecutors to convict shooters who invoke a shoot first/stand your ground defense by shifting the burden of proof to the prosecution to overcome immunity for a stand your ground claim. This law was struck down by a state trial court and is currently on appeal.

GEORGIA HB 280 allows concealed carry permittees to bring guns onto college and university campuses.

WE'RE ON A MISSION TO SAVE LIVES

For nearly 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.

CONTACT US
media@giffords.org

IOWA HF 517 creates a "stand your ground" law, weakens the safety training requirement for concealed carry permits, and extends the duration of a permit to acquire handguns to five years. This omnibus legislation also allows concealed carry in the state capitol building and grounds, permits intoxicated people to carry firearms at their place of business or on their own property, and lets children under 14 possess firearms when supervised.

NEW HAMPSHIRE SB 12 repeals the law that requires people to have a license to carry concealed firearms.

NORTH DAKOTA HB 1169 enacts permitless carry in the state.

TENNESSEE SB 921 repeals the prohibition on possession, manufacture, transport, repair, or sale of a firearm silencer. HB 508 allows individuals or membership organizations to sue to enforce the state's firearms preemption law and potentially recover three times the attorney's fees. It also forbids local or state governments from prohibiting concealed carry on government property for those with CCW permits.

TEXAS HB 1819 decriminalizes possession of silencers under state law if the silencer is lawfully possessed in compliance with federal law or is a curio or relic. SB 1566 requires school districts to allow concealed carry permittees to transport or store a firearm or ammunition in the permittee's vehicle in a school parking lot or garage.

UTAH HB 198 allows people aged 18 to 20 to obtain a provisional concealed carry permit with the only additional restriction imposed that a provisional permit holder cannot carry on K-12 grounds.

WEST VIRGINIA SB 388 allows individuals without concealed carry permits to possess firearms in vehicles on K-12 school property.

WYOMING HB 194 allows school employees with concealed carry permits to carry hidden, loaded firearms in K-12 buildings and on school grounds.

giffordslawcenter.org

FACEBOOK /[Giffords](https://www.facebook.com/Giffords) TWITTER @[GiffordsCourage](https://twitter.com/GiffordsCourage)