

# GUN LAW TRENDWATCH

A ROUNDUP AND ANALYSIS OF THE LATEST STATE FIREARM LEGISLATION 5.3.2018

## 2018 is the year of the extreme risk protection order law.

After the 2014 mass shooting near the University of California, Santa Barbara, in which the shooter had made explicit threats and posted violent content online, **California** enacted the first extreme risk protection order (ERPO) law in the nation. ERPOs allow family members, as well as law enforcement officers, to petition a court to temporarily remove guns from a dangerous person. In the years since, other high-profile shootings have underscored the lifesaving potential of this policy, and between 2014 and 2017, two additional states—**Washington** and **Oregon**—enacted this law.

The Parkland shooting has been a catalyst for ERPO laws, given that the shooter was well-known to the community as a danger. In the 10 weeks since the tragedy, the number of states with ERPOs has doubled as **Florida** (SB 7026), **Vermont** (SB 221), and **Maryland** (HB 1302) enacted laws, with more bills pending in state legislatures across the country. Maryland's ERPO is the first in the country to allow individuals other than family, household members, or law enforcement to petition for an order, empowering mental health providers and certain other healthcare workers to help keep their communities safe from gun violence. California is also considering a bill that would add coworkers and educators to the list of people who may petition for ERPOs (AB 2888). The bill is headed to a vote on the assembly floor.

Advocates expect ERPO bills to advance during the remainder of 2018 in **New Jersey** (AB 1217), **Massachusetts** (HB 3081), and **Delaware** (HB 222), among other states.

## BUMP STOCKS NOW ILLEGAL IN SIX STATES

Prior to the Las Vegas shooting, **California** was the only state to prohibit trigger activators such as bump stocks.

**Massachusetts** followed suit in late 2017, and so far in 2018, four additional states have banned bump stocks: **Florida** (SB 7026), **Maryland** (SB 707), **New Jersey** (SB 3477), and **Washington** (SB 5992). Bills banning bump stocks have been sent to governors in **Hawaii** (SB 2046) and **Delaware** (HB 300). A **Connecticut** bill has passed the house (HB 5542).

## MARYLAND INVESTS IN INTERVENTION

On April 24, **Maryland's** governor signed a bill creating a state grant program to fund urban violence prevention and intervention strategies in communities disproportionately impacted by gun violence, pledging to fund the program at \$5 million this year.

# GUN BILLS IN MOTION

## BACKGROUND CHECKS

**Tennessee** SB 834 (enacted on April 24) requires reporting people prohibited due to mental health adjudications who attempt to buy firearms. At least 16 states currently have legislation pending to strengthen or enact background checks.

## DOMESTIC VIOLENCE

**California** AB 3129 (passed committee on April 24); **Kansas** HB 2145 (enacted on April 20); **Louisiana** HB 776 (passed house on April 18), HB 896 (passed house on April 24) and SB 231 (passed committee on April 25); **Maryland** HB 1646 (enacted on April 24); **Missouri** HB 2276 (passed committee on April 25); and **New York** (SB 8121 enacted on May 1). At least 11 states still have bills pending that would close domestic violence loopholes.

## EXTREME RISK PROTECTION ORDER

**California** AB 2888 (passed committee on April 24); **Massachusetts** HB 3610 (passed committee on April 17); **Maine** SB 719 (passed committee on

April 17); **Maryland** HB 1302 (enacted on April 24); and **New Jersey** AB 1181, AB 1217, and SB 2259 (all passed committees on April 16). ERPO bills are pending in at least 19 states.

## GUNS IN SCHOOLS

**Louisiana** HB 602 (passed committee on April 26 and scheduled for house floor debate on May 2). Bills to allow guns in school or on campus are pending in at least 15 states.

## PERMITLESS CARRY

**Oklahoma** SB 1212 (passed the house on April 25 and is in the senate for concurrence). Reckless permitless concealed carry legislation is still pending in at least 10 states.

## URBAN GUN VIOLENCE

**California** SB 934 (passed committee on April 17); **Massachusetts** HB 4400 (passed the house on April 26); and **Maryland** HB 113 and 432 (enacted on April 24). Seven states currently have UGV bills pending.

## DEFENSIVE VICTORY HIGHLIGHTS

Advocates and legislators who prioritize gun safety have defeated numerous gun lobby bills so far in 2018. Dangerous legislation to allow guns on the campuses of colleges and universities has been defeated in 13 states. Bills that would bring guns into K-12 schools have been rejected in 14 states. Permitless carry efforts have been defeated in 10 states so far this session, as have efforts to enact or expand “stand your ground” laws in 5 states. Bills that would deregulate silencers have been defeated in two states in 2018.

**For more information on firearm bills introduced in this legislative session, or any other questions about *Gun Law Trendwatch*, contact its author, Allison Anderman, at [aanderman@giffords.org](mailto:aanderman@giffords.org).**

## OKLAHOMA CLOSE TO PASSING PERMITLESS CONCEALED CARRY

On April 25, the Oklahoma house passed SB 1212, which would allow unvetted, untrained individuals to carry loaded guns in public without a permit. According to a state senate budget analysis, the policy would cost the state \$5 million and require the state police to reduce its workforce. Research shows that when states weaken concealed carry laws, violent crime increases—contrary to the gun lobby’s rhetoric.

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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.