

# GUN LAW TRENDWATCH

A ROUNDUP AND ANALYSIS OF THE LATEST STATE FIREARM LEGISLATION 2.04.2019

Legislators heard the message of the 2018 midterms loud and clear—Americans want gun safety, and they want it now.

The 2018 midterm elections resulted in a clear mandate to state and federal lawmakers: make gun violence prevention a priority. Now that legislative sessions in Congress and most states are underway, representatives have already introduced numerous pieces of consequential gun violence prevention legislation.

On January 8, exactly eight years after she was shot at a constituent meeting in Tucson, Arizona, former Congresswoman Gabrielle Giffords helped Rep. Mike Thompson (CA-05) introduce a bipartisan bill that would ensure millions of gun purchases are subject to background checks. Similar efforts are currently underway in several states, including **New Mexico** (HB 8/SB 8).

Building from the unprecedented momentum of 2018, when eight states enacted extreme risk protection order (ERPO) laws, legislators in 14 states have introduced ERPO bills so far this year. Federal legislators also plan to introduce bipartisan ERPO bills.

Funding for urban gun violence reduction programs will continue to be a priority for many states in 2019. Bills that would bolster funding for community-based violence prevention and intervention programs have been introduced in **California, Nebraska, and New Jersey**.

With a clear directive from voters and help from advocates, motivated legislators in both state governments and Congress are poised to make 2019 a critical year in passing gun safety laws and saving lives.

## **LONG-AWAITED VICTORY IN ILLINOIS**

In the 2018 midterms, **Illinois** voters elected a new governor who pledged to be a champion for gun violence prevention. On one of his first days in office, Governor Pritzker signed SB 337, which had been vetoed by the former governor. Advocates had worked for years to enact the law that will help stop unscrupulous dealers outside of Chicago from flooding the city's streets with guns.

## **GOVERNOR REVIEWS SWEEPING REFORM PACKAGE**

On January, 29, **New York** legislators sent the governor a package of legislation that, among other things, includes bills to create an extreme risk protection order (SB 2451/AB 2689), close the “Charleston loophole” by extending the time period the FBI has to conduct a background check to 30 days (SB 2374/AB 2690), ban trigger activators such as bump stocks (SB 2448/AB 2684), and prohibit K-12 schools from arming teachers (SB 101A/AB 1715A).

# GUN BILLS IN MOTION

## BACKGROUND CHECKS

**New Mexico** HB 8 and HB 40 have a hearing on February 4. SB 8 passed a committee. **New York** SB 2374/AB 2690 and SB 2438/AB 1213 passed both chambers. **New Hampshire** HB 109 has a hearing February 13. **Maryland** HB 96 has a hearing on February 25.

LEGISLATION TO STRENGTHEN OR ENACT BACKGROUND CHECKS IS PENDING IN 17 STATES

## DOMESTIC VIOLENCE

Abused women are five times more likely to be killed if their abuser owns a gun. A bill in **Maryland** which would prohibit gun possession by a person convicted of a stalking misdemeanor has a hearing on February 7 (SB 138). **New Mexico** HB 87 has a hearing on February 4. At least 16 states have bills pending that would close domestic violence loopholes that allow abusers to access guns.

## EXTREME RISK

### PROTECTION ORDERS

**District of Columbia** B 1068 was signed by the mayor. **New York** SB 2451/AB 2689 passed both chambers. **New Mexico** HB 83 has a hearing on February 4. **New Hampshire** HB 687 has a hearing scheduled for March 5. **North Dakota** HB 1537 has a hearing scheduled for February 4. ERPO bills are pending in at least 14 states.

## GUNS IN SCHOOLS

Allowing guns in schools increases the risk of students being shot. A **Virginia** bill that would allow private schools to employ armed security guards passed the house (HB 1656). **New Mexico** HB 129 passed a house committee. **Virginia** HB 2721 passed a committee on January 28. Dangerous bills to allow guns in school or on campus are pending in at least 19 states.

## PERMITLESS CARRY

Permitless carry laws allow individuals to carry concealed weapons without a background check and can increase the likelihood of deadly confrontations in public. **South Dakota** SB 47 was signed by the governor on January 31. There are reckless permitless carry bills pending in at least seven states.

## URBAN GUN VIOLENCE

Community-based urban gun violence reduction strategies that focus on identifying individuals at high risk for involvement in shootings have been shown to significantly reduce gun violence in cities. Currently, three states have bills pending that would direct or protect funding for such programs.

**For a complete list of 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).**

### Gun Lobby Legislation

#### INDIANA BILL WOULD PROTECT SHOOTERS OF NONVIOLENT CRIMINALS

Indiana HB 1284 would immunize a shooter from civil liability for, among other things, shooting an unarmed person escaping after committing a felony—even a non-violent one. A family bringing a wrongful death suit would have to prove that the shooter was not justified in using self-defense, or the case would be dismissed without a trial.

LAWMAKER? ADVOCATE?  
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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.