

GUN LAW TRENDWATCH

A ROUNDUP AND ANALYSIS OF THE LATEST STATE FIREARM LEGISLATION 4.16.2019

Despite the clear danger posed to children, some lawmakers continue to push for guns in schools.

A dangerous debate is raging in a handful of states regarding arming teachers—despite the fact that the American public strongly opposes the idea. Studies show the presence of guns increases, rather than decreases, the risk of gun violence. A majority of teenagers, teachers, and parents agree that putting guns in schools would make them more dangerous. And yet lawmakers in some states are pushing to do just that.

Parents, teachers, and kids are right to be worried. Earlier this month, Giffords Law Center released our [comprehensive analysis of incidents of mishandled guns in schools](#). We found over 60 publicly-reported incidents of adults mishandling guns in schools in the last five years. In one instance, a gun brought to school by a teacher in Missouri was stolen by two students. That same month, at a Florida elementary school, a loaded gun fell out of the pocket of a substitute teacher doing cartwheels.

And yet, lawmakers in Florida are aiming to expand the state's guardian program with bills that purport to arm teachers. Another Florida bill goes even further by requiring sheriffs to implement a guardian program approved by a school district, even if a school doesn't want it.

A bill currently moving in Texas removes limits on the number of school staff that may carry guns under the state's school marshal program. Another Texas bill would allow such staff to carry a gun (instead of keeping it in a locked safe) even if they regularly work with children.

Fortunately, legislators in many states around the country are acting on bills that would restrict guns in schools, raise the minimum age, and remove access to firearms by people who show signs they are imminently dangerous. These measures are crucial to the safety of our schools, and we owe it to our children to demand that our legislators enact them.

NEW MEXICO DISARMS DOMESTIC ABUSERS

On December 5, 2016, Cheryl Mascareñas's ex-boyfriend shot her and her three young children, killing the children. Although the shooter had been convicted of stalking another ex-girlfriend, law enforcement had no way to intervene. On April 4, Governor Grisham signed SB 328, which prevents convicted domestic abusers, including dating partners, and those subject to orders of protection from possessing firearms. The new law also creates a robust relinquishment process.

FILLING DANGEROUS GAPS IN ILLINOIS FIREARMS LAW

Illinois state law requires gun purchasers to obtain a Firearm Owners Identification (FOID) card, but gaps in the law have allowed prohibited purchasers to slip through the cracks. In February, a convicted felon with a FOID card killed five people at a workplace in Aurora. In response, Illinois Representative Kathy Willis introduced the Fix the FOID Act (HB 96), which requires in-person applications and background checks on every gun sale.

GUN BILLS IN MOTION

GUN VIOLENCE PREVENTION BILL

BACKGROUND CHECKS

Maryland HB 96 passed the house, HB 786 passed the senate, and SB 737 passed the senate. **Washington** HB 1465 passed a committee, and HB 1949, which requires a feasibility study regarding the state serving as a point of contact for background checks, was enacted. Legislation to strengthen or enact background checks is pending in 22 states.

GUN VIOLENCE PREVENTION BILL

DOMESTIC VIOLENCE

Arkansas HB 1655 failed. **Florida** HB 1265 passed a committee. **Georgia** HB 247 passed a committee. **Illinois** SB 1588 passed the senate. **New Mexico** SB 328 was enacted. **Tennessee** SB 828 failed. **Texas** HB 1208 and HB 3191 had hearings on April 10. **Washington** HB 1225 passed the senate, and HB 1517 and HB 1786 passed committees. At least 22 states have bills pending that would close domestic violence loopholes that allow abusers to access guns.

GUN VIOLENCE PREVENTION BILL

EXTREME RISK PROTECTION ORDER

California AB 12 passed the assembly. **Colorado** HB 1177 was signed into law on April 12. **Hawaii** SB 1466 passed the house. **Indiana** HB 1651 passed a senate committee. **Maine** SB 408 has a hearing on April 22. **Nevada** SB 120 failed. **Washington** SB 5027 passed the house. Extreme risk protection order bills are pending in at least 28 states.

GUN VIOLENCE PREVENTION BILL

URBAN GUN VIOLENCE

Community-based urban gun violence reduction strategies have been shown to significantly reduce gun violence in cities. **California** AB 18, AB 656, and AB 1603 passed committees. **Washington** HB 1109 passed both chambers. Currently, 9 states have bills pending that would allocate or protect funding for such programs.

GUN LOBBY BILL

GUNS IN SCHOOLS

Arkansas SB 383 was enacted. **Indiana** SB 119 was sent to conference committee. **Montana** HB 567 passed the senate. **Oklahoma** HB 2336 passed a senate committee. **South Carolina** SB 293 passed a committee. Dangerous bills to allow guns in school or on campus are pending in at least 28 states.

GUN LOBBY BILL

PERMITLESS CARRY

Permitless carry laws allow individuals to carry concealed weapons without a background check. **Idaho** HB 199 and HB 206, which further weaken the state's existing permitless carry law, were enacted April 2. Reckless permitless carry bills are pending in at least 9 states.

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.



Lawmaker? Advocate?

Reach out to Giffords Law Center today to find out how you can use our model laws to help craft lifesaving gun legislation in your home state.

GUN LOBBY EXTREMISM: SHERIFFS THREATEN TO FLOUT COLORADO LAW

Colorado Governor Jared Polis signed HB 1177, an extreme risk protection order bill sponsored by Representative Tom Sullivan (whose son was killed in the Aurora theater shooting). Extremists are threatening to ignore the law—one sheriff said he'd rather go to jail than enforce it—despite proof that these laws save lives.

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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.