

GUN LEGISLATION IN THE US

The 2nd amendment to the Constitution gives each US citizen the right to bear arms.

The *National Rifle Association* (NRA), the most powerful arms lobby in the US with over 5 million members, sees to it that the 2nd amendment's right remains.

There are currently an estimated 465 million weapons in circulation on the American territory, ranging from 25% in the North to 60% in the South.

Gun control is mostly dealt with at the state level, so laws vary a lot throughout the country.

There are many absurdities: federal law requires gun buyers to be 21 to buy a handgun, while many states allow anyone under 18 or older to buy assault weapons like the AR-15 rifle.

Some states like California allow gun owners to carry their gun with them if its hidden from view ("**conceal and carry**"), while others like Texas allow allow people to openly carry a gun ("**open and carry**").

Others have "**stand-your-ground**" laws, which allow people to shoot someone in self-defense if they feel in danger, like Alaska. The problem is in some cases people interpret this as meaning "shoot first".

A few states like California and New York have an extremely strict legislation and allow very few **gun licenses**.

Major state laws:

Alabama	Alabama has some of the weakest gun laws in the country and the fourth-highest gun death rate. It has no background checks , no gun owner licensing, no domestic gun violence laws, no assault weapons restrictions, no large capacity magazine ban, no waiting periods, no strong concealed carry laws, no open carry regulations, no child access prevention laws
Alaska	Alaska enacted a dangerous "stand your ground" law in 2014, removing the duty to retreat from a violent altercation in most public spaces.
Arizona	Arizona repealed its concealed weapons permitting requirement in 2010, allowing anyone 21 or over to carry a hidden, loaded firearm in public without a license. Firearms are prohibited in polling places and there are mental health records kept but no background checks or gun owner licensing...
Arkansas	In recent years, Arkansas has enacted few meaningful gun safety laws. Instead it began allowing concealed carry at universities and polling places.
California	Overall, California has the strongest gun safety laws in the nation and has been a trailblazer for gun safety reform for the past 30 years. California has been the first state in the nation to adopt a number of gun safety reforms, ranging from assault weapons restrictions and strong

	<p>background check requirements to extreme risk protection orders and domestic violence protections.</p> <p><u>In California there are:</u></p> <ul style="list-style-type: none"> Universal background checks Strong eligibility standards for firearms Extreme risk protection orders Domestic violence gun laws Firearm relinquishment requirements Assault weapon and magazine restrictions Waiting periods Minimum age laws Public carry laws
<p>Colorado</p>	<p>Colorado lawmakers have enacted a number of strong gun safety laws, despite facing reactionary recall petitions.</p> <p>In recent years, Colorado has passed important legislation to strengthen its gun safety laws, including an extreme risk protection order law, stronger protections against domestic violence and hate crimes, and preemption reform.</p> <p><u>In Colorado there are:</u></p> <ul style="list-style-type: none"> Extreme risk protection orders Certain domestic violence gun laws Large capacity magazine ban Child access prevention law Waiting periods State database background checks Extended background check period Disarming procedures Lost & stolen firearm reporting Significant local regulation Community Violence Intervention Funding Victims' Access to Justice Minimum age restrictions Some hate crime sale prohibitions Ghost gun regulations <p><u>But there are no:</u></p> <ul style="list-style-type: none"> Gun owner licensing Assault weapon restrictions Hate crime possession prohibitions Gun dealer regulations Open carry regulations Microstamping
<p>Connecticut</p>	<p>After the 2012 shooting at Sandy Hook Elementary, Connecticut enacted a host of gun safety laws and now has some of the strongest laws in the country.</p> <p><u>In Connecticut there are:</u></p> <ul style="list-style-type: none"> Universal background checks Gun owner licensing

	<p>Extreme risk protection orders Certain domestic violence gun laws Assault weapon restrictions Large capacity magazine ban Strong concealed carry law Certain open carry regulations Child access prevention laws Community violence intervention funding Lost & stolen firearm reporting State database background checks Partial ghost gun ban <u>But there are no:</u> Safe storage requirements Bulk firearm purchase restrictions Handgun design safety standards Microstamping requirements</p>
Delaware	<p>Delaware has stronger gun safety laws than many other states, but is still missing key policies that can further protect its residents. In 2021, Delaware took critical action to address the proliferation of unregulated ghost guns and to strengthen protections for survivors of domestic violence.</p>
Florida	<p>In the wake of the tragic school shooting in Parkland, Florida significantly improved its gun laws, but still has a long way to go. Florida’s package of reforms in 2018 included creating an extreme risk protection law, raising the minimum age to purchase firearms from dealers to 21, requiring a three-day waiting period on purchases from dealers, and closing the Charleston Loophole which allows gun purchases to move forward by default after three business days—even if a background check has not been completed. But legislation has recently taken a more conservative turn. Floridians are now able, as of July 1, 2023, to carry concealed guns without a permit. That means those carrying concealed weapons do not have to apply for a permit and do not have to take an instructional course.</p>
Georgia	<p>Georgia has very weak gun laws and is a major exporter of crime guns to other states. In 2017, Georgia began allowing people to carry concealed weapons on college campuses.</p>
Hawaii	<p>Hawaii has taken courageous steps to protect its residents, enacting some of the strongest gun laws in the country and setting an example for other states. Among other lifesaving laws, the state requires gun purchasers to obtain a license and complete a firearm safety course. In 2021, Hawaii had the second lowest gun death rate among the states.</p>
Idaho	<p>Idaho lacks many basic gun safety protections and has weakened its gun laws in recent years. As of July 1, 2020, a concealed weapons license is not required for U.S. citizens and active military members.</p>

	<p>Last March, the Republican supermajority in the Idaho Senate passed a bill that repeals a state law banning groups of people from parading in public with firearms in any Idaho city or town.</p>
Illinois	<p>Illinois has some of the strongest gun laws in the country, and much of its gun violence is due to guns trafficked in from neighboring states with weak laws.</p> <p>Recently, Illinois has taken critical action to invest in community violence intervention programs, close gaps in its firearm relinquishment laws, strengthen background check processes, regulate the ghost gun industry, and comprehensively restrict uniquely dangerous weapons like large-capacity magazines and assault weapons.</p>
Indiana	<p>Though Indiana has enacted a few gun safety policies, it has very weak gun laws overall.</p> <p>Indiana was one of the earliest states to enact a type of extreme risk protection order law, which allows courts to temporarily suspend individuals' access to firearms if they demonstrate significant risk of violence or self-harm.</p>
Iowa	<p>Iowa's lawmakers recently repealed key gun safety measures.</p> <p>In 2021, the Iowa legislature took the step of adopting "permitless carry" and repealing a longstanding state law requiring handgun background checks. The legislature also authorized a ballot measure that invites an onslaught of litigation over basic gun safety laws, including prohibitions for those convicted of felony or domestic violence offenses.</p>
Kansas	<p>Kansas lawmakers refuse to pass the most basic gun safety laws or to close deadly loopholes that enable gun violence.</p> <p>Kansas recently repealed its law requiring a background check and permit to carry a hidden, loaded gun in public and has enacted other laws to make it easier to carry firearms in public places.</p> <p>In 2021, Kansas lawmakers overrode the governor's veto, voting to allow 18- to 20-year-olds to carry concealed, loaded handguns in public without a permit, including on college and university campuses. The state now maintains none of the foundational laws needed to protect the public from gun violence. The state did add important domestic violence protections in 2018.</p>
Kentucky	<p>Kentucky's gun laws are among the worst in the country.</p> <p>Kentucky has none of the foundational policies in place—after legislators repealed its concealed carry permitting requirement in 2019.</p> <p>Kentucky allows any person 21 years or older who is legally able to purchase a firearm to carry it concealed in public, without a permit or background check.</p> <p>State legislators have continued to do harm over the last few years, introducing dangerous bills that would arm teachers in K–12 schools and force college and universities to allow guns on campus.</p>
Louisiana	<p>Louisiana has some of the country's weakest gun laws and has repeatedly suffered some of the highest gun death rates.</p> <p>In 2018, Louisiana took the important step of enacting laws to protect survivors of intimate partner violence, helping to ensure that abusers</p>

	<p>convicted of domestic violence or subject to a restraining order could not possess firearms. But since that time, the Louisiana legislature has repeatedly attempted to weaken the state’s gun safety laws, even passing permitless carry legislation in 2021 that would have allowed for concealed carry without a permit, training, or background check. Only the governor’s veto prevented permitless carry from becoming law in the state.</p>
Maine	<p>Maine has very few foundational gun safety laws. Maine passed a permitless carry law in 2015 that allows residents to carry loaded, concealed handguns in public without a permit or background check.</p>
Maryland	<p>Maryland has enacted strong gun safety laws, though some of this lifesaving progress is undermined by guns trafficked in from states with weaker laws. Since 2018, Maryland has allowed a family member, law enforcement officer, or mental health professional to petition courts for extreme risk protection orders to temporarily disarm an individual in crisis. In recent years, Maryland has expanded its background check requirement to cover rifles and shotguns. It was also the first state to repeal its Law Enforcement Officers’ Bill of Rights which is intended to protect American law enforcement personnel from investigation and prosecution arising from conduct during the official performance of their duties.</p>
Massachusetts	<p>Massachusetts has some of the strongest gun laws in the country and leads the nation in investing in community violence intervention strategies. It is one of the only states to bar gun purchases by people with outstanding warrants and to require secure storage for any firearm not in the owner’s immediate control.</p>
Michigan	<p>Michigan has made modest improvements to its gun safety laws in recent years. In 2023, Michigan passed several foundational gun safety laws, including an Extreme Risk law and a secure storage law. While the state has long required a permit to purchase handguns, it also passed a law in 2023 extending this requirement to long gun sales. However, the state legislature has not written any meaningful protections for domestic violence victims and does not allow cities like Detroit to pass their own public safety laws.</p>
Minnesota	<p>Minnesota has enacted modest gun safety measures in recent years, but is still missing a number of lifesaving policies that can combat gun violence in the state. While the state prohibits most people subject to domestic violence court orders or convictions from owning guns, it does not require background checks on gun purchases between private individuals. Minnesota has had recent success in passing gun safety policy, including passing laws requiring background checks for all gun sales, an Extreme Risk law, and laws blocking access for domestic abusers under restraining orders.</p>

<p>Mississippi</p>	<p>Mississippi has the weakest gun laws in the country and the highest gun death rate.</p> <p>Mississippi passed a permitless carry law in 2016 which allows almost anyone to carry hidden, loaded guns in public without a background check or law enforcement oversight.</p> <p>The state has none of the foundational gun laws in place, and only three policies total—having most recently repealed the requirement to get a permit before carrying a concealed handgun in public.</p> <p>Mississippi is also among the top 10 states in household firearm ownership—and yet the state has no law requiring secure storage and it forces higher education institutions and K–12 schools to allow guns on their campuses.</p>
<p>Missouri</p>	<p>Missouri has weak gun laws and one of the country’s highest gun death rates.</p> <p>Since 2017, the state has allowed people to carry concealed, loaded firearms in public without a background check or permit.</p> <p>In 2021, Missouri enacted the so-called “Second Amendment Preservation Act (SAPA)” which subjects local and state law enforcement officers to fines of \$50,000 for helping to enforce a federal gun law. Accordingly, law enforcement in the state are no longer enforcing federal gun laws. On March 7, 2023, a federal court declared SAPA unconstitutional but has since allowed the law to remain in effect pending appeals.</p>
<p>Montana</p>	<p>Montana has among the worst gun laws in the country and has the highest rate of household firearm ownership.</p> <p>In recent years, Montana’s state legislature has repeatedly made the state’s weak laws even weaker. The state eliminated the permit requirement for carrying a concealed gun in public, and recently required colleges and universities to allow guns on their campuses. Lawmakers have even tried to attack the law barring guns in K–12 schools, one of only four policies still in place in the state.</p> <p>The state’s dangerous “stand your ground” law and weak public carry laws make it far too easy for daily arguments to turn into deadly shootouts.</p>
<p>Nebraska</p>	<p>Nebraska has enacted modest gun safety measures.</p> <p>While Nebraska requires everyone who purchases a handgun to undergo a background check, individuals purchasing long guns from unlicensed sellers are not subject to this requirement.</p> <p>It recently repealed its concealed carry permit requirement.</p>
<p>Nevada</p>	<p>In the wake of the deadliest mass shooting in modern American history, Nevada acted to significantly strengthen its gun safety laws.</p> <p>In recent years, Nevada enacted an extreme risk protection order law, trigger activator ban, and child access prevention law as part of a bill introduced by Assemblywoman Sandra Jauregui, a survivor of the Las Vegas Route 91 shooting.</p> <p>Since voters in Nevada passed a background checks initiative in 2016, legislators in the state have enacted several significant gun safety laws—strengthening the background checks requirement, adding an Extreme Risk</p>

	<p>law, and requiring that guns be stored securely to prevent access by children.</p> <p>However, the state continues to have a dangerous Shoot First law in place and no regulation for open carry of firearms.</p>
New Hampshire	<p>New Hampshire lacks many basic gun safety protections, and in fact has weakened its gun laws in recent years.</p> <p>New Hampshire has not passed any meaningful gun safety laws in years, and recently enacted a law that allows people to carry loaded, hidden handguns in public without a background check or permit.</p> <p>New Hampshire Legislators recently tried to pass an Extreme Risk law to limit gun access for people at high risk of suicide, along with a background checks bill, but the governor vetoed it.</p>
New Jersey	<p>New Jersey has taken decisive action to protect its residents, setting an example for other states by enacting some of the country’s strongest gun laws.</p> <p>New Jersey was the first state to comprehensively regulate untraceable and undetectable firearms, or “ghost guns”, and is a leader on many other gun safety policies.</p> <p>It has one of the most comprehensive concealed carry permitting systems, and both a permit and background check required for all gun purchases.</p>
New Mexico	<p>In recent years, New Mexico has taken important steps to improve its gun laws.</p> <p>In 2019, New Mexico enacted laws requiring a background check for nearly all firearm sales and prohibiting many people subject to domestic violence convictions or court orders from accessing guns.</p> <p>It also passed an Extreme Risk law, a suite of domestic violence protections, and a secure storage law.</p>
New York	<p>New York has taken bold action to save lives from gun violence and serves as a national model for many gun safety policies and programs.</p> <p>In addition to having strong foundational laws, New York continues to be an innovator—the first state in the country to enact gun industry liability law that aims to hold gun manufacturers and dealers accountable for dangerous business practices.</p> <p>It is illegal to possess an unregistered handgun. Open carry is not addressed in New York state law, although a New York Pistol License (NYPL) is required to possess a loaded handgun outside of the home or place of business. Concealed carry is only legal with a NYPL</p>
North Carolina	<p>North Carolina has a mixed record on gun laws, and is above the national average in its rate of gun deaths.</p> <p>In 2023, North Carolina repealed its permit to purchase handguns—a fundamental requirement the state had in place for over a century. The state has strong domestic violence laws for abusers under restraining orders, but does not cover those convicted of misdemeanor domestic violence.</p> <p>Lawmakers made the decision to put a Shoot First law in place and have made multiple efforts to repeal the state’s concealed carry permit requirement.</p>

<p>North Dakota</p>	<p>North Dakota lacks all of the foundational gun violence prevention laws and has only ten of the 50 key policies in place.</p> <p>The state does have some important restrictions in place for public carry, including prohibiting guns in bars, and it blocks gun possession by some people with violent criminal offenses.</p> <p>But since 2017, the state has allowed residents to carry loaded, hidden handguns in public without a background check or permit.</p>
<p>Ohio</p>	<p>Ohio has weak gun laws and a correspondingly high gun death rate.</p> <p>The state fails to require background checks on gun sales and has very weak protections for victims of domestic violence and violent hate crimes.</p> <p>Lawmakers recently passed a dangerous Shoot First law, encouraging violence and vigilantism in public—and eliminated the requirement that a person get a permit and safety training before carrying a concealed gun in public.</p> <p>Lawmakers also recently passed a dangerous law which allows K–12 schools to arm teachers.</p>
<p>Oklahoma</p>	<p>Oklahoma lacks many basic gun safety protections, and in fact has weakened its gun laws in recent years.</p> <p>In 2018, state legislators expanded the state’s dangerous “stand your ground” law, making it easier for public conflicts to turn deadly.</p> <p>In 2019, the state repealed its permitting requirement for the concealed carry of firearms.</p>
<p>Oregon</p>	<p>Oregon voters enacted a strong gun safety ballot initiative in 2022 and the state has meaningfully reformed its gun laws in recent years.</p> <p>In recent years, Oregon has acted to strengthen its gun safety laws by enacting an extreme risk protection law, strengthening protections for victims of domestic violence, investing in community violence intervention programs, and requiring safe storage of firearms around children.</p> <p>In November 2022, Oregon voters also enacted a gun safety ballot initiative that strengthened background check and licensing processes, restricted large-capacity magazines, and promoted law enforcement efforts to investigate and recover firearms from people who become disqualified from owning them.</p> <p>The state enacted a prohibition on untraceable ghost guns and 3-D printed guns in 2023, targeting a growing and dangerous part of the gun industry. However, sales of assault weapons are still allowed.</p>
<p>Pennsylvania</p>	<p>Pennsylvania has made modest improvements to its gun safety laws in recent years.</p> <p>Pennsylvania requires background checks on all handgun sales, including at gun shows, but does not extend this requirement to long guns including assault rifles.</p> <p>Pennsylvania is missing three of the five foundational gun laws—with no Extreme Risk orders or requirement for secure storage and with a dangerous Shoot First law in place.</p> <p>In recent years, the legislature has tried to pass laws that would undermine gun safety, including a repeal of the Commonwealth’s permit requirement</p>

	for concealed carry. Pennsylvania also restricts cities and towns from implementing local ordinances to curb gun violence in their communities.
Rhode Island	<p>Rhode Island’s gun safety laws are more comprehensive than most other states.</p> <p>In recent years, Rhode Island enacted an extreme risk protection order law, laws to curb gun trafficking, and a law restricting guns from K-12 schools. Recent legislative victories in Rhode Island include a full suite of domestic violence laws and a prohibition on ghost guns and high-capacity magazines. The state still lacks an assault weapons prohibition and protections against police abuse.</p>
South Carolina	<p>South Carolina has weak gun laws—missing 39 out of 50 key policies—and suffers the fifth-highest rate of gun homicides in the nation.</p> <p>Due to gaps in state law, minors can legally purchase assault weapons from private sellers in South Carolina with no parental oversight or background check.</p> <p>South Carolina has still not closed the Charleston Loophole that armed the mass shooter who attacked worshipers at the Emanuel AME Church in 2015.</p> <p>The Palmetto State has only one of the foundational gun laws in place, but does retain several protections against dangerous public carry—with regulation of open carry, a prohibition on guns in K–12 schools and on state capitol grounds, and no mandate for guns on higher education campuses.</p>
South Dakota	<p>South Dakota lacks many fundamental gun safety protections and in fact has weakened its gun laws in recent years.</p> <p>It has none of the most critical protections in place, such as secure storage, an Extreme Risk law, or waiting periods.</p> <p>In 2019, the state repealed its requirement that individuals obtain a license and background check to carry loaded, concealed firearms in public.</p> <p>South Dakota has no foundational gun laws, and in recent years state legislators have enacted laws that further endanger South Dakotans, including expanding the state’s Shoot First law and repealing its permitting requirement for the concealed carry of firearms in public.</p>
Tennessee	<p>Tennessee’s gun laws are weak and its gun death rate is high.</p> <p>In spite of its lack of many basic gun safety laws, Tennessee does prohibit most people subject to domestic violence convictions or court orders from possessing firearms. The Volunteer State does have several of the policies aimed at keeping guns out of the wrong hands—including prohibitions for people convicted of felonies or hate crimes, fugitives from justice, people who pose a danger due to mental health, and domestic abusers.</p> <p>Legislators in Tennessee have recently weakened the state’s policies, eliminating the carry permitting requirement, allowing nearly anyone in the state to carry loaded firearms in public, concealed or open, without a background check, permit, or safety training.</p>
Texas	<p>In recent years, Texas has suffered some of the deadliest mass shooting incidents in modern US history, yet Texas lawmakers have responded by continuing to weaken the state’s most basic gun safety laws.</p>

	<p>Texas is by far the leading source of guns trafficked across the southern border and fueling gun violence in Mexico and Central America.</p> <p>Despite several recent tragedies in Texas—including the 2022 Robb Elementary School shooting, the 2019 El Paso and Odessa shootings, and the 2017 Sutherland Springs shooting—state lawmakers continue to sit on their hands and refuse to enact foundational gun safety laws. To the contrary, the laws passed in recent years have torn down existing protections. Texas now forces colleges and universities to allow guns on their campuses, lets school personnel carry guns in K–12 schools, and as of 2021, has no requirement to get a permit before carrying a concealed gun in public.</p>
Utah	<p>Utah has weak gun laws overall and a correspondingly high gun death rate.</p> <p>In 2018, Utah expanded its “stand your ground” law, making public confrontations more likely to turn deadly.</p> <p>While Utah has taken some recent steps to address gun violence—such as a policy prohibiting domestic abusers from purchasing or possessing guns—the state legislature has also been peeling back the few core protections in its laws. In 2021, the state repealed its concealed carry permit system, and in 2022, the state legislature put further limitations on local officials’ ability to take steps to prevent gun violence in their communities.</p>
Vermont	<p>Over the last several years, Vermont has worked to enact basic gun safety laws, including prohibiting high-capacity magazines, raising the minimum age to purchase a firearm to 21, requiring background checks for all gun sales, passing an Extreme Risk law, and prohibiting people subject to domestic violence-related or stalking-related restraining orders from purchasing or possessing firearms.</p> <p>In 2023, the legislature enacted a comprehensive suicide prevention package that included requiring secure storage of firearms, a waiting period for firearm purchases, and expanded eligible ERPO petitioners to include family and household members, who are most likely to see the signs of crisis. Despite this progress, Vermont still has not taken on many of the more innovative policies that its neighbors have pioneered and is the only state that has never had a concealed carry permit requirement.</p>
Virginia	<p>In 2021, Virginia enacted a strong package of strong gun safety laws.</p> <p>This package of gun safety bills included universal background checks, an extreme risk protection law, stronger protections for victims of domestic violence, and meaningful investments in community violence intervention programs.</p> <p>In 2021, the state also enacted legislation to address the Charleston Loophole—extending the period of time to complete a background check before a firearm can be transferred—and to empower localities to pass their own gun safety laws.</p>
Washington	<p>In recent years, Washington has made significant progress on gun safety, passing a number of lifesaving pieces of firearm legislation.</p>

	<p>In 2016 and 2017, respectively, Washington voters approved ballot measures that enacted universal background checks and an extreme risk protection law.</p> <p>In 2018, state voters also approved measures to raise the minimum age to buy guns and enact a child access prevention law.</p> <p>In recent years, the state has also established a state office of firearm violence prevention, enacted critical ghost gun legislation, banned the sale of assault weapons, and invested in community violence intervention programs.</p> <p>It also passed laws addressing police accountability, and barring carry at the state capitol and at public demonstrations.</p> <p>Washington also has notably strong minimum age and sales records laws, and has begun to make significant investments in community violence intervention funding. However, the state has weak protections on open carry.</p>
West Virginia	<p>West Virginia has weak gun laws and one of the highest gun death rates in the United States.</p> <p>The state does not require individuals to undergo a background check or obtain a permit to carry a loaded, concealed firearm in public.</p>
Wisconsin	<p>Wisconsin has relatively weak gun laws and has not enacted or repealed major gun safety policies in recent years, despite significant public pressure after the Madison shootings in 2020.</p> <p>The state processes background checks through state databases for handguns but doesn't require background checks for private sales.</p> <p>The Badger State has failed to pass laws requiring background checks for all gun sales or an Extreme Risk law, but has also resisted gun lobby pressure to repeal its concealed carry permit law or enact Shoot First.</p>
Wyoming	<p>Wyoming has some of the weakest gun laws in the country.</p> <p>In 2018, Wyoming enacted a "stand your ground" law that increases the likelihood of deadly public confrontations.</p> <p>In 2021, Wyoming had the 5th highest gun death rate among the states and the highest gun suicide rate in the country, along with the seventh-worst gun laws and the second-highest household firearm ownership.</p> <p>Despite these alarming figures, Wyoming has taken no steps to address gun safety policies, like preventing access by domestic abusers or background checks for all gun sales. To the contrary, its legislature has sought to weaken laws by adding more guns to K–12 schools.</p>

Sources:

- <https://everytownresearch.org/rankings/state/>
- <https://giffords.org/lawcenter/gun-laws/states/>

At the federal level:

A few timid efforts to control this sector were made almost 30 years ago, under President Bill Clinton, who banned **semi-automatic weapons** in 1993 and signed the *Brady Law* in 1994, requiring a 5-day **waiting period** before a gun could be bought to allow the FBI to check the buyer's background and **criminal record**. In 1998, this FBI checkup became immediate. But they are insufficient (only 2% of them prevent a gun sale) and in the following decade the gun lobby scored important victories: Congress legalized dangerous rapid-fire assault weapons in 2004 and the Supreme Court overturned a very strict gun control law in 2008, reaffirming the right of individuals to own and possess a gun. The case was *District of Columbia vs Heller* and this landmark decision was the first Supreme Court case to explore the meaning of the 2nd Amendment. The Supreme Court held that the Second Amendment guarantees an individual right to possess firearms independent of service in a state militia and to use firearms for traditionally lawful purposes, including self-defense within the home. It thus endorsed the "individual-right" theory of the Second Amendment's meaning.

Recent evolutions in 2022

(source: <https://edition.cnn.com/2022/07/30/us/gun-control-laws-2022/index.html>)

Several high-profile mass shootings and a sustained rise in gun violence across the United States in 2022 have spurred law enforcement officials and lawmakers to push for more gun control measures. The year 2022 is the second-highest year of mass shootings in the United States on record.

In June, President Joe Biden signed into law the Bipartisan Safer Communities Act after the House and the Senate approved the measure. The package represents the most significant federal legislation to address gun violence since the expired 10-year assault weapons ban of 1994. The measure failed to ban any weapons, but it includes funding for school safety and state crisis intervention programs. The package includes \$750 million to help states implement and run crisis intervention programs, which can be used to manage **red flag** programs, as well as for other crisis intervention programs such as mental health, drug and veteran courts. Red flag laws, approved by the federal measure, are also known as Extreme Risk Protection Order laws. They allow courts to temporarily seize firearms from anyone believed to be a danger to themselves or others. The legislation encourages states to include juvenile records in the National Instant Criminal Background Check System, which would provide a more comprehensive background check for people between 18 and 21 who want to buy guns. It also requires more individuals who sell guns as primary sources of income to register as Federally Licensed Firearm Dealers, which are required to administer background checks before they sell a gun to someone. The law bars guns from anyone convicted of a domestic violence crime who has a "continuing serious relationship of a romantic or intimate nature." The law, however, allows those convicted of misdemeanor domestic violence crimes to restore their gun rights after five years if they haven't committed other crimes.

CALIFORNIA: In July 2022, Gov. Newsom signed a package of laws which range from prohibiting the gun industry from marketing firearm-related products to minors, to further restricting ghost guns, including the parts used to build them. The legislation also established a firearm industry

standard of conduct to promote “safe and responsible firearm industry member practices,” the bill states. Also included in the package is a law which cracks down on the manufacture of firearms by prohibiting any person, regardless of federal licensure, from manufacturing firearms without a state license. It also prohibits unlicensed individuals from using 3D printing to manufacture any firearm or precursor part. The last bill allows private citizens to bring civil action against anyone who manufactures, distributes, transports or imports assault weapons or ghost guns, which are banned in the state.

COLORADO: Governor Jared Polis signed in March 2022 a law that prohibits a person from openly carrying a firearm within any polling location or central count facility. It also bans individuals from open carrying within “100 feet of a ballot drop box or any building in which a polling location or central count facility is located,” while election activity is in progress, according to the legislation. Violations are punishable by a maximum \$1,000 fine, up to 364 days imprisonment in the county jail, or both.

DELAWARE: In June, Governor John Carney signed a package of gun safety bills including legislation to prohibit assault weapons, regulate high-capacity magazines and strengthen background checks. The Delaware Lethal Firearms Safety Act of 2022 prohibits the manufacture, sale, offer to sell, transfer, purchase, receipt, possession or transport of assault weapons in Delaware, subject to certain exceptions, according to HB 450. The package also includes legislation to raise the minimum age requirement to purchase or possess a firearm from 18 to 21, ban the use of devices which convert handguns into fully automatic weapons and hold gun manufacturers and dealers “liable for reckless or negligent actions that lead to gun violence,” the bill states.

ILLINOIS: Gov.JB Pritzker signed two bills to address secure storage of firearms and regulating ghost guns. The first bill (May) prohibits individuals from selling or possessing ghost guns and ensures all firearms are serialized, allowing law enforcement to better trace them. The second bill (June) requires the Department of Public Health to develop and implement a two-year public awareness campaign focused on safe gun storage, which includes sharing information about safe gun storage, the bill says.

MARYLAND: Gov.Larry Hogan announced in April he would allow Senate Bill 387, which bans the sale or possession of ghost guns, to become law without his signature, noting it doesn’t go far enough in taking “decisive action to hold violent criminals accountable.”

NEW JERSEY: Gov. Phil Murphy on July 5 signed seven gun safety bills, six of which were part of his Gun Safety 3.0 package he introduced to the state legislature in April 2021. The package includes legislation which would allow the state’s attorney general to sue members of the firearm industry for violations stemming from the sale or marketing of firearms, the bill states. Also included in the package is legislation to regulate the sale of handgun ammunition, developing a system of electronic reporting of these sales; and require training prior to the issuance of a gun purchaser identification card with a validity date of 10 years. Another bill in the package mandates firearm owners who become state residents to obtain a Firearm Purchaser Identification Card and register out-of-state acquired handguns, according to the bill. On December 22, Murphy signed another gun safety bill strengthening the state’s firearm

licensing laws and established a list of 'sensitive places' where concealed carry is prohibited, including playgrounds, bars and restaurants serving alcohol, train stations, and polling places.

NEW YORK: Gov. Kathy Hochul signed a package of bills and an additional piece of legislation to address a wide range of gun safety issues. Hochul signed a gun safety package on June 6, which includes bills requiring microstamping on handguns, strengthen the state's extreme risk and firearm purchase permit law, raise the minimum age to purchase semi-automatic rifles to 21 and enhance information sharing between state, local and federal agencies when guns are used in crimes. Following the Supreme Court decision on June 23 to strike down a New York gun law enacted more than a century ago which places restrictions on carrying a concealed handgun outside the home, Hochul signed legislation to strengthen the state's gun laws and bolster restrictions on concealed carry weapons. The law, which takes effect on September 1, will expand eligibility requirements in the concealed carry permitting process, restrict the carrying of concealed weapons in sensitive locations and establish state oversight over background checks for guns and regular checks on license holders for criminal convictions, according to the legislation.

OREGON: In the November 2022 US midterm elections, Oregon voters enacted a gun safety ballot measure, Measure 114, which strengthens background checks and prohibits the sale and transfer of ammunition magazines holding more than 10 rounds. The measure also closes the "Charleston Loophole," which allows gun purchases to move forward by default after three days even if a background check has not been completed. It requires state police to complete background checks on individuals before a gun sale or transfer is made.

RHODE ISLAND: Gov. Daniel McKee signed three gun safety bills on June 21. They prohibit high-capacity magazines, ban the open carry of rifles and shotguns in public and raise the legal age to purchase firearms or ammunition from 18 to 21, with exceptions for law enforcement officers.

VERMONT: Gov. Phil Scott signed into law a package on March 25 banning firearms from hospital buildings and prohibits the transfer of firearms between unlicensed people. The governor vetoed a similar bill, S.30, in February which would have closed the "Charleston Loophole." The new law, S.4, addresses the policy by extending the time period to seven days for the federal government to complete a background check before an individual can purchase a firearm. It also strengthens protections for victims of domestic violence, according to the bill.

WASHINGTON: Gov. Jay Inslee signed three gun safety bills into law on March 23. The first one prohibits the manufacture, sale, purchase or possession of ghost guns, while the second one prohibits the open carry of firearms at local government meetings and restricts them at school board meetings and election-related locations. The third bill prohibits high-capacity magazines, defined as an "ammunition feeding device with the capacity to accept more than 17 rounds of ammunition," the bill states.