

The Changing Landscape of U.S. Gun Policy



STATE FIREARM LAWS

1991-2016

The Changing Landscape of U.S. Gun Policy: State Firearm Laws, 1991-2016

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Foreword

Daniel W. Webster, ScD, MPH and Jon S. Vernick, JD, MPH

In the United States, there is only modest regulation of firearms at the federal level. Federal gun law consists primarily of licensing and other requirements for gun makers, distributors, and retail dealers; a set of criteria for who may not purchase or possess a firearm; and a system for conducting background checks for guns purchased from licensed dealers. Federal law, however, expressly permits states to enact their own gun laws as long as these don't conflict with federal law.

As a result, the **states have become the primary forum for innovation in gun laws**. And some, but certainly not all, states have done just that—enacting a diverse array of gun laws. Today, state gun laws range from jurisdictions whose laws largely mirror federal law to those with much more comprehensive regulation of the manufacture, distribution, sale, and possession of firearms. States establish safety standards for the design of firearms, define who can legally purchase and possess firearms, establish requirements for what sellers must do to prevent prohibited individuals from acquiring firearms, regulate firearm possession outside the home, set penalties for illegal gun possession, and require safe storage of firearms.

In addition to promoting public safety, state firearm policies represent opportunities for researchers to study the laws' impacts on interpersonal violence, suicides, and unintentional shootings. But researchers need to know—with some degree of precision—not only which gun laws states have today, but when they were enacted, and if any were repealed or substantially modified along the way.

The authors of this report, and especially the accompanying website, have performed a tremendously important service by providing just those data. As researchers who have collected and analyzed such data ourselves, we

know this is no easy task. It requires not only extensive legal research, but developing and applying definitions of what should count as a specific type of law. It also involves reconciling, where possible, discrepancies in compilations provided by others. State policy makers can also benefit from this report by better understanding what other states have done and the statutory language they've used.

Given the value of these data and the ease of their use, there may be a temptation to simply upload the information into one's preferred statistical package and begin to generate estimates of a given law's effects. We urge researchers to take the time to fully understand the laws they are evaluating. Developing a data set like this one necessarily involves making a set of choices about what to collect and what to leave out, about which laws should be grouped together under one heading, and about which to classify as distinct laws. Some groupings may mask important differences in state laws. Databases like this also, very understandably, do not address differences in how laws are implemented and enforced—something that researchers need to understand to properly interpret their findings. These are not criticisms, just the inevitable consequence of the need to simplify so complex an area.

The developers of this data set have thus provided a critical foundation for the study of state firearm policies. Yet firearm policy research poses many challenges. Some refer to state policies as “natural experiments,” but the very nonrandom process by which state gun laws are adopted, and the many ways in which states with the weakest guns laws are different from states with the strongest gun laws, makes for great challenges to developing study designs and analytic methods that will yield valid estimates of their impact.

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There is probably no better example of the complexities of gun policy research than the past two decades of research on so-called Right to Carry (RTC) laws that eliminated most barriers to citizens legally carrying concealed firearms in public places. John Lott published studies in which the data suggested that RTC laws reduced violent crime (Lott & Mustard, 1997; Lott, 1998, 2000, 2010). This controversial research has been used to dramatically expand RTC laws. Several scholars have identified and corrected numerous flaws in Lott's studies including errors in coding states' RTC laws (Ayres & Donohue, 2003; Welford, Pepper & Petrie, 2005; Aneja, Donohue & Zhang, 2014). There are other examples in which the findings of controversial research on state policies has been refuted after researchers corrected a number of errors that

had been made about the status of state laws (e.g., Zeoli, Norris, and Brenner, 2011).

Gun violence remains a pervasive public health problem. Firearm suicide rates have risen steadily for middle-aged non-Hispanic whites since 1999 and firearm homicide rates rose sharply in 2015 (Centers for Disease Control and Prevention, 2017). There are too few rigorous studies that provide valid estimates of the impact of state gun laws and too many times when flawed studies are used to influence new gun legislation (Webster et al., 2016; Webster & Wintemute, 2015; Hemenway & Webster, 2015). We hope that this new resource on state gun policies will facilitate research that will guide us toward strategies that have the greatest protective effect and help to turn back efforts to enact laws that actually increase gun violence.

Daniel W. Webster is Director and Jon S. Vernick is Co-Director of the Johns Hopkins Center for Gun Policy and Research, Johns Hopkins Bloomberg School of Public Health, Baltimore, MD.

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We obtained information from the following organizations when conducting our investigation: *Everytown for Gun Safety*, the *Law Center to Prevent Gun Violence*, the *Brady Campaign to Prevent Gun Violence*, the *Bureau of Alcohol, Tobacco, Firearms, and Explosives*, the *Bureau of Justice Statistics*, the *National Rifle Association Institute for Legislative Action*, the *Legal Community Against Gun Violence*, *Legal Science, LLC*, and the *Law Atlas Project*.

One hundred of the 133 law provisions were coded by Michael Siegel, MD, MPH, Boston University School of Public Health, with funding

from the *Robert Wood Johnson Foundation*, Evidence for Action: Investigator-Initiated Research to Build a Culture of Health program (grant #73337), using data derived from the *Thomson Reuters Westlaw* legislative database. The remaining 33 provisions were coded using a database created by Everytown for Gun Safety and Legal Science, LLC (<http://everytownresearch.org/gunlawnavigator>). These data were shared in accordance with the Creative Commons Attribution-4.0 International License (<https://creativecommons.org/licenses/by/4.0/>), which is incorporated herein by this reference (<https://creativecommons.org/licenses/by/4.0/legalcode>). No changes were made to the original coding, but the data were adapted for use in this database. See the online codebook (<http://statefirearmlaws.org>) for information on which provisions were coded by which source.

Support for this report was provided by the *Robert Wood Johnson Foundation*, grant # 73337, Evidence for Action: Investigator-Initiated Research to Build a Culture of Health. The views expressed here do not necessarily reflect the views of the Foundation.

Executive Summary

Media coverage of mass shootings has rekindled the public's interest in gun violence prevention. Firearm-related injuries are a significant cause of morbidity and mortality in the U.S. In 2015, there were an average of 99 firearm-related deaths per day, according to the Centers for Disease Control and Prevention (CDC). Added to those 36,252 firearm-related deaths were another 46,716 firearm-related injuries that resulted in hospitalization.¹ Between 1991 and 2015, there were 821,218 firearm-related deaths in the United States.¹ These numbers pose a significant challenge to public health. Research is needed to better understand what factors affect rates of gun violence, and why these rates vary substantially from state to state. Of particular interest to policy makers and public health professionals is the question of whether state firearm laws have played a part in reducing or increasing gun violence.

However, research on this topic has been constrained since the mid-1990s, when Congress passed an amendment to the 1996 omnibus spending bill, known as the Dickey Amendment,² that prohibited the CDC from using federal funds to "advocate or promote gun control," effectively banning CDC gun violence research. Due to lack of federal funding for firearms research, there is no existing longitudinal database of state firearm laws, making it difficult to study the effectiveness of these policies. This has hindered the development of evidence-based policies for firearm violence prevention. To understand the potential role of firearm policies in reducing gun violence, we must first have a reliable, comprehensive source of data on state firearm laws over time.

To address this gap in firearm policy research, we have developed a database that catalogs the presence or absence of 133 firearm law provisions in each state from 1991 to 2016. By creating this database, we hope to stimulate research that evaluates the efficacy of state firearm laws, including their impact on firearm-related homicide and suicide rates. Through such research, public health experts can help state policy makers differentiate effective gun violence prevention measures from those that unnecessarily infringe upon rights of gun owners.

This report provides highlights from our database and is being released in conjunction with a manuscript published in the *American Journal of Public Health* that summarizes the development and structure of the database, and with a website,

(<http://statefirearmlaws.org>) where the database may be accessed. The website also contains citations and links to each of the state statutes currently in place.

We sorted the 133 provisions into fourteen categories—dealer regulations, buyer regulations, prohibitions for high-risk gun possession, background checks, ammunition regulations, possession regulations, concealed carry permitting, assault weapons and large capacity ammunition magazines, child access prevention, gun trafficking, domestic violence, preemption, immunity, and stand your ground laws. For each of these groups, we described any historical context or federal regulation pertaining to the topic, and outlined ways in which states have legislated that area of gun violence prevention.

From 1991 to 2016, we observed a 57% increase in the number of enacted state firearm law provisions nationwide. However, this was dominated by a few states with vast increases in their provisions (CT, CA, MA, MD, NY); most states had slight increases, and sixteen states repealed more provisions than they enacted.

According to the Centers for Disease Control and Prevention, the national rate of firearm-related homicide decreased from 6.64 per 100,000 in 1991 (17,746 deaths) to 4.13 per 100,000 in 2015 (12,979 deaths).¹ The rate of firearm-related suicide also decreased, but less significantly, dropping from 7.39 per 100,000 in 1991 to 6.48 per 100,000 in 2015. However, the number of suicide deaths actually increased from 18,526 in 1991 to 22,018 in 2015.

The largest observed year-to-year increase in the firearm homicide rate was from 2014 to 2015, between which the age-adjusted firearm homicide rate increased from 3.50 per 100,000 to 4.13 per 100,000. While the firearm homicide rate declined steadily during the 1990s, progress has waned since 2000, and, in fact, the firearm homicide rate was higher in 2015 than it was in 2000.¹ Similarly, the age-adjusted firearm suicide rate in 2015 was higher than it had been in 2000.

Over the past twenty-five years, an increasing number of firearm-related laws have been enacted in most states, but not in all states. Trends in firearm-related violence continue to waver. By researching the efficacy of gun laws, public health can inform lawmakers, allowing them to create evidence-based firearm prevention policies that strike a balance between minimizing firearm violence and protecting the constitutional rights of gun owners.

INTRODUCTION

In 1993, the *New England Journal of Medicine* published a study linking gun ownership to homicide in the home.² This study received significant media attention. In response, the gun lobby pressured Congress to prevent the Centers for Disease Control and Prevention (CDC) from conducting any research to “advocate or promote gun control.”³ This campaign was successful, and in 1996, Congress included the Dickey Amendment in the Omnibus Consolidated Appropriations Bill, redirecting \$2.6 million of the CDC’s budget that had been previously allocated for firearms injury research.⁴ While the language in the Dickey Amendment does not specifically prohibit firearms injury research, it has deterred the CDC from research beyond the collection of data on firearm-related injuries and deaths. On January 16, 2013, President Barack Obama published a memorandum directing the CDC to conduct gun violence prevention research.⁵ However, Congress refused to earmark the \$10 million needed to support this initiative, so the memorandum’s impact has been minimal.⁶

Because of this gap in research, it has been difficult to develop evidence-based public health policies for firearm violence prevention. While state governments have implemented their own laws in attempts to promote firearm safety, lack of funding has hindered the evaluation of policy effectiveness. Public interest demands that we protect gun ownership rights while reducing firearm-related injury and death; to do this, we need to distinguish policies that effectively reduce firearm violence from those that are ineffective and therefore unnecessary.

While some studies have examined the impact of individual state firearm laws, the field lacks a longitudinal resource necessary to quantitatively evaluate law effectiveness over time. With funding from the Robert Wood Johnson Foundation, we developed such a resource, creating a database of 133 firearm law provisions for all 50 states from 1991 to 2016.

This report summarizes the findings from our data collection. We have outlined state trends in the presence of gun laws over time, fire-arm-related homicide rates, and firearm-related suicide rates. We highlight specific provisions that have been the focus of substantial policy debate over the past decade. We hope that our work will advise future research on policies to promote gun safety in the United States.

Reducing Gun Violence: A Profile of the National Policy Climate

The ideological divide over the regulation of firearms poses a real challenge to policy makers seeking to reduce gun violence. While tragedies like those in Columbine, Newtown, and Orlando are often followed by increased calls for changes in gun laws, media coverage of mass shootings drives both sides of the debate. Some argue that firearms provide the protection necessary to diffuse such dangerous situations, while others insist that stronger restrictions on gun ownership are the only way to prevent future incidents.

Because of these and other ideological disagreements, members of Congress have not enacted any federal legislation regulating firearms since 2007.⁷ During the 2015-2016 congressional session, more than fifty bills were introduced addressing this topic; four of these made it out of committee, but none were enacted.⁸ Even after significant prompting from President Obama,⁹ the federal government failed to prioritize gun violence reduction as a policy issue.

Though there has been little statutory movement at the federal level, many state governments have mobilized to tackle this problem within their own jurisdictions. In the 2016 legislative cycle, 21 states passed firearm-related laws and four states (California, Maine, Nevada and Washington) included firearm-related initiatives on their 2016 ballots.¹⁰ By tracking the

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changes in state gun laws over time, researchers can examine transformations in the policy climate surrounding these issues, and analyze the impacts of such policies on gun violence.

While federal firearm laws are narrow and have many loopholes, they do prohibit gun possession by convicted felons, certain people convicted of misdemeanor crimes of domestic violence or subject to domestic violence-related restraining orders, and people who have been deemed “mentally defective” or committed to a mental health institution. In addition, federal law regulates the sale of firearms by federally licensed dealers. Generally, there are two ways in which states can go beyond existing federal statutes. First, states can enact legislation that mirrors federal restrictions. While this may seem redundant, it can make a major difference by allowing states to more easily enforce these laws and prosecute violators. Second, states can enact legislation that goes beyond federal statutes. We tracked state laws in both of these categories.

About Our Research

Our longitudinal gun law database catalogs the presence or absence of 133 firearm safety laws in each of the 50 states from 1991 to 2016. It serves as the most extensive panel of longitudinal state firearm laws assembled to date. To identify provisions for inclusion in the database, we drew heavily from past research on state firearm laws¹¹ and current state gun policy resources.¹²⁻¹⁷ The database will be updated continually.

The primary goal of this database is to aid researchers as they evaluate the effectiveness

of various firearm laws. To do this, laws must be classified in such a way that they can be compared across state lines. However, state statutes are not uniformly written. Nuanced in language, implementation, and enforcement, each firearm law provision is unique to its state. We aimed to create a classification system that allowed us to categorize provisions using a methodology that both captured their important differences and maintained a level of comparability between states. Because of this, our database is not the most detailed nor the most comprehensive record of all state firearm policies. Other resources may provide users with a deeper understanding of individual provisions, while our database serves as an efficient way to compare the broad scope of state firearm laws across the country.

This report should not be interpreted as expressing political views about state firearms legislation. Our sole aim is to provide a comprehensive picture of the historical and current landscape of state firearm laws, so that public health researchers can identify ways to minimize firearm violence. Nothing in this report should be construed as indicating support or opposition to any specific law or policy.

The 133 provisions included in our database are segregated into fourteen categories, as outlined in the following section. While we did not include every state gun law ever enacted, we attempted to incorporate the key firearm safety provisions that play a significant role in today’s policy debate. We hope that this resource provides leaders in the field of gun violence prevention with data that will prove helpful in developing evidence-based policy.

OVERALL TRENDS

To measure the effectiveness of firearm laws, researchers may examine potential correlations between the enactment of firearm legislation and subsequent changes in firearm-related homicide and suicide rates. By analyzing whether the rates of firearm violence change after the implementation of firearm statutes, researchers can distinguish laws that successfully promote gun safety from laws that unnecessarily restrict gun ownership. To protect their citizens from firearm violence without infringing on the right to bear arms, state governments require accurate data to inform their legislative decisions.

We did not analyze the effectiveness of state firearm laws in this report. However, we have compiled summary statistics for gun violence (Figure 2, Appendix A) and have identified overall trends in the enactment or repeal of firearm laws from 1991 to 2016. Researchers may choose to utilize these resources when evaluating the effectiveness of various gun laws in reducing firearm-related violence.

It is important to note that an increase in the number of enacted firearm laws does not necessarily indicate a strengthening of gun laws in that state. States may enact legislation without providing the necessary structures for implementation and enforcement of those laws, potentially rendering them ineffective. Alternately, states may choose to focus on a smaller number of laws that they believe are particularly effective at minimizing firearm-related violence. It may be more important, then, to consider the effectiveness of individual provisions rather than considering the aggregate number of laws a state has enacted in a given year. Overall, the number of firearm law provisions in a state may indicate the degree to which that state's legislature has prioritized the issue of gun violence reduction, but does not necessarily indicate success in addressing this problem.

Figures 1a and 1b display the total number of implemented firearm law provisions, by state, in 1991 and 2016. Figure 2 shows the net change in these laws between these years, indicating which states increased their total number of provisions, which states decreased their provisions, and which states held steady over the last 25 years, though specific provisions may have changed over time.

According to the Centers for Disease Control and Prevention (CDC), the national rate of firearm-related homicide decreased from 6.64 per 100,000 in 1991 (17,746 deaths) to 4.13 per 100,000 in 2015 (12,979 deaths).¹ The rate of firearm-related suicide also decreased, but less significantly, dropping from 7.39 per 100,000 in 1991 (18,526 deaths) to 6.48 per 100,000 in 2015, and the number of suicide deaths actually increased from 18,526 in 1991 to 22,018 in 2015.

The largest observed year-to-year increase in the firearm homicide rate was from 2014 to 2015, between which the age-adjusted firearm homicide rate increased from 3.50 per 100,000 to 4.13 per 100,000, meaning that the firearm homicide rate in 2015 was no lower than it was in 2002 (Figure 3). Similarly, the age-adjusted firearm suicide rate in 2015 was higher than it had been in 1999.

Unfortunately, there are not consistent data for non-fatal firearm-related injury rates for the early years of our study. Because of this, we are unable to provide these data as a longitudinal measure of firearm violence for researchers.

The maps on the following pages show the number of law provisions present in each state at the end of 2016. A section at the end of the report (entitled, "2017 Updates") summarizes state firearm laws that went into effect in 2017 or are scheduled to go into effect during 2017. The project website (<http://statefirearmlaws.org>) will be updated periodically to reflect these and subsequent changes.

Figures: Firearm Law Provisions and Firearm Injury Rates by State

Figure 1a. Total Provisions in 1991, by State

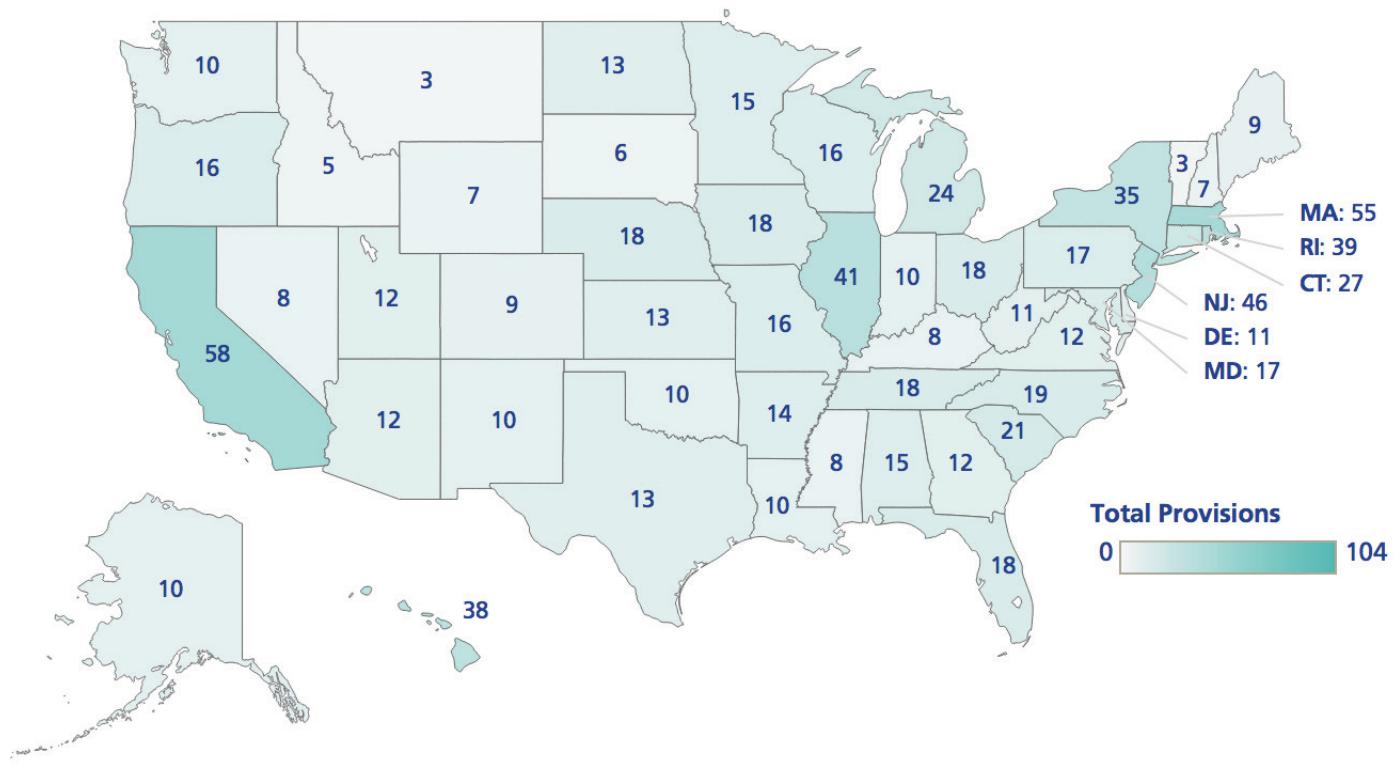


Figure 1b. Total Provisions in 2016, by State

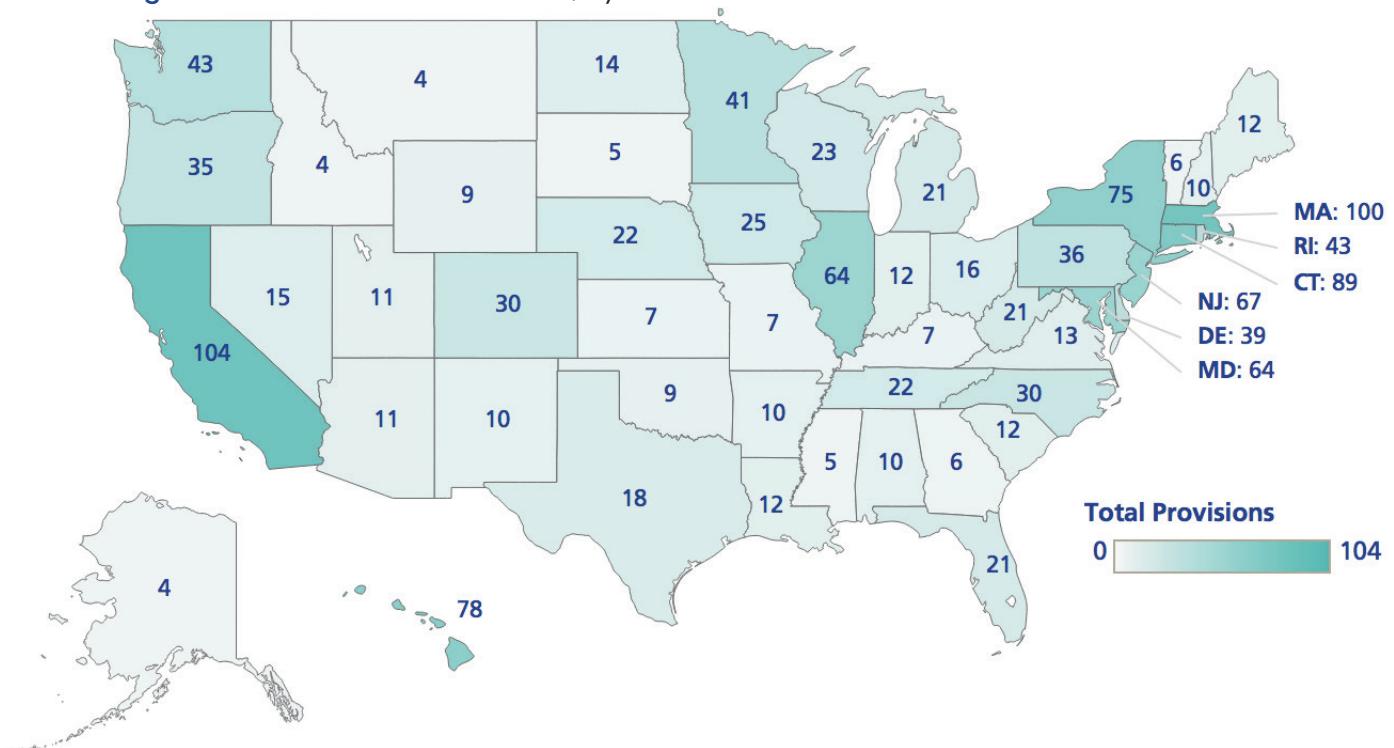


Figure 2. Change in Provisions from 1991 to 2016, by State

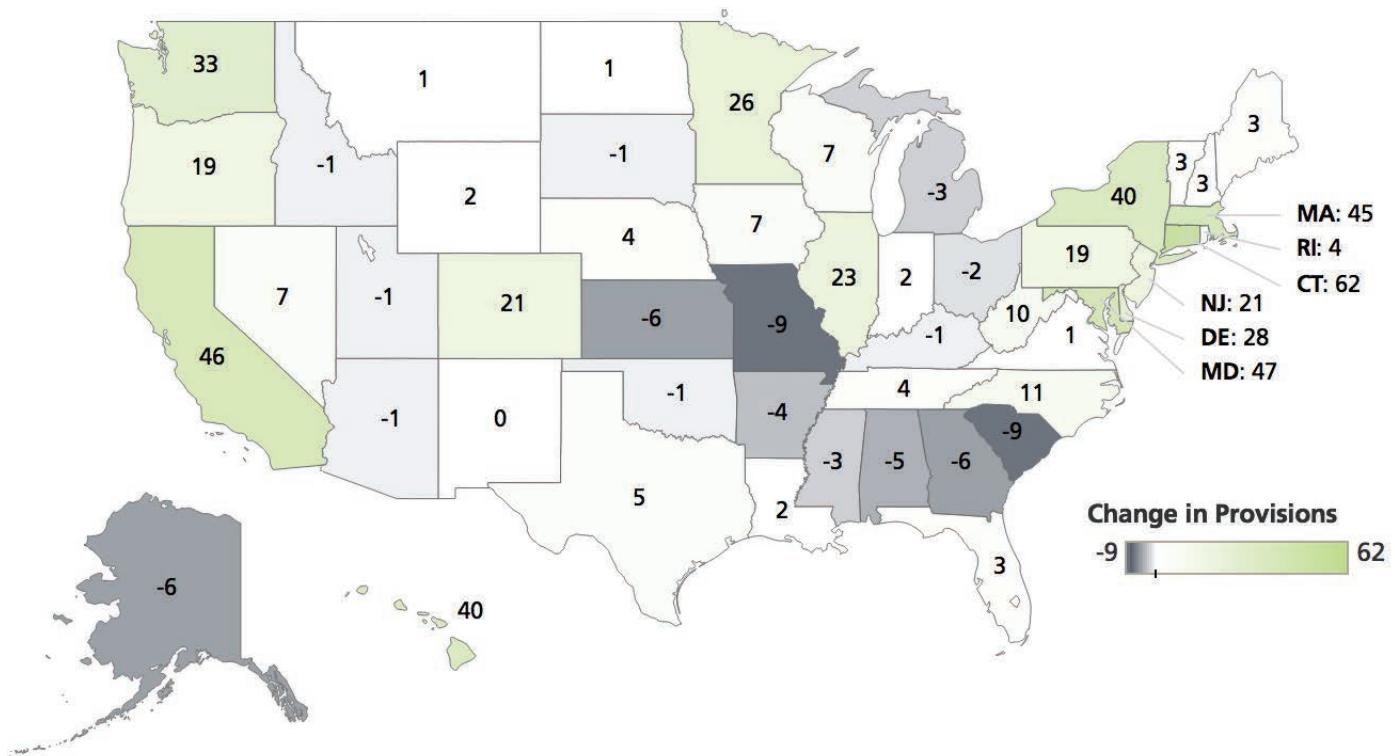
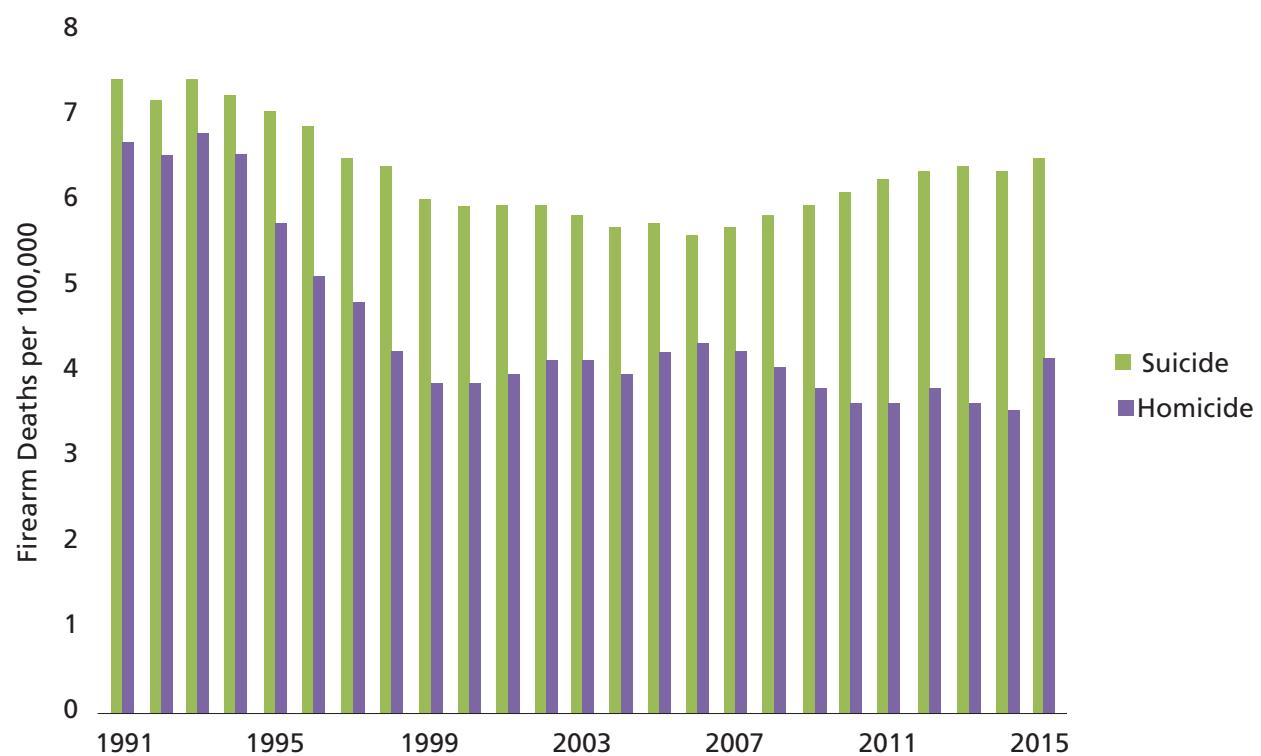


Figure 3. US Firearm-Related Homicide and Suicide Rates from 1991 to 2015



CATEGORIES OF FIREARM LAWS

Outlined below are the 14 categories used to classify the 133 firearm law provisions in our database. The subsequent pages provide detailed explanations of the historical context and legal scope of the provisions that fall within each of these categories.

Dealer Regulations: Establish rules for anyone in the business of selling, lending, or trading firearms.

Buyer Regulations: Laws that gun purchasers must obey in order to obtain a firearm.

Prohibitions for High-Risk Gun Possession: Prevent individuals with a history of crime, substance use, or mental health issues from possessing firearms.

Background Checks: Establish requirements and procedures for firearm dealers to perform background checks on prospective firearm purchasers.

Ammunition Regulations: Establish rules for anyone in the business of buying or selling firearm ammunition.

Possession Regulations: Establish age limitations for firearm possession, conditions under which possession is allowed, and places where gun carrying is permitted.

Concealed Carry Permitting: Outline the process that individuals must undergo to obtain a concealed carry permit in their state.

Assault Weapons and Large-Capacity Ammunition Magazines: Outline state bans

on the purchase and/or possession of assault weapons and large capacity ammunition magazines.

Child Access Prevention: Establish rules for firearm safety locks and hold gun owners criminally liable for negligent gun storage.

Gun Trafficking: Prohibit the sale of firearms with the intent to re-sell them, ban straw purchases, or require gun technology that helps trace firearms or ensure that a gun can be operated only by its owner.

Domestic Violence: Establish conditions under which individuals convicted of domestic violence-related offenses are prohibited from possessing firearms.

Gun Industry and Ownership Protections

The provisions in the following categories were counted differently than other provisions. Because they are primarily intended to expand the manner and space in which firearms can be used or to minimize the liability of gun manufacturers, we counted the number of states without these provisions.

Preemption: Prevent local governments from enacting more stringent firearm regulations than those established at the state level.

Immunity: Prohibit civil liability actions from being brought against gun manufacturers from damages resulting from the misuse of their products.

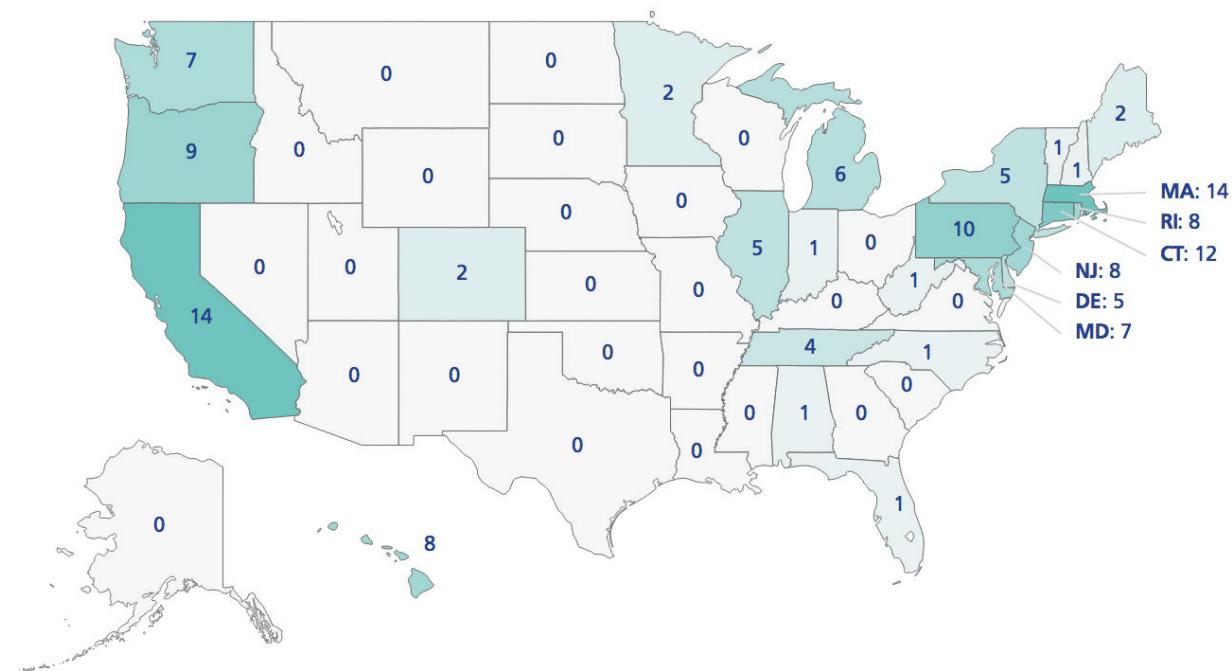
Stand Your Ground: Allow individuals to use deadly force as a first resort for self-defense in any public place where they have a legal right to be.

Dealer Regulations

Dealer regulations establish rules for anyone in the business of selling, lending, or trading firearms.

Average number of provisions per state in 2016: **2.7**

Number of provisions in this category by state, 2016 (Maximum possible = 17)



These regulations may apply to federally licensed dealers and/or private sellers, depending on the scope of the law. Federally licensed dealers are subject to the rules established by the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), while private, unlicensed sellers are not covered by most federal law, including requirements to conduct background checks on firearm purchasers. Private sales may occur at gun shows, through the internet, in cars, or within private residences, and are illegal in some states.

We tracked **17** provisions for this category. They include requirements for:

- Licensing of dealers
- Recordkeeping
- Sales reporting
- Store security

Dealer regulations protect against illegal and dangerous sales, and hold dealers accountable for their gun stock and sales practices. Because handguns are the most common type of firearm used in crime,¹⁸ many dealer regulations apply only to the sale of handguns, though states with broader firearm laws will often regulate both handgun and long gun sales.

Most common provision in 2016:
Nineteen states required licensed dealers to maintain records of handgun sales.

Dealer Regulation Provisions

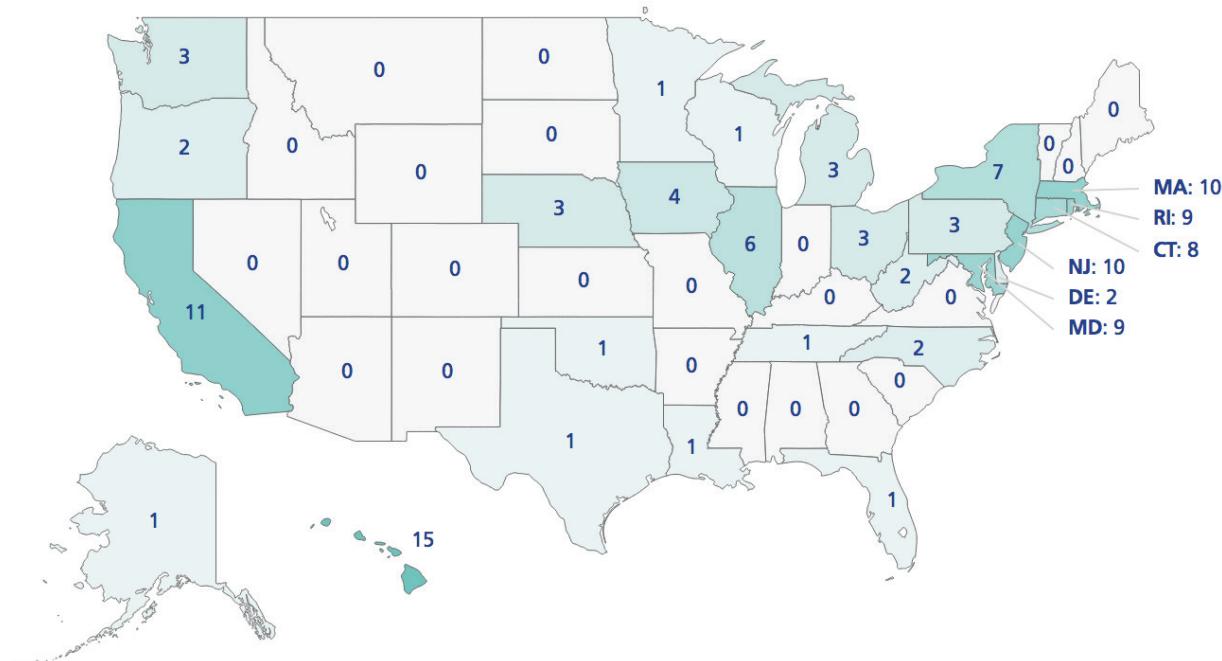
- State license required for sale of handguns.
 - State license required for sale of all firearms.
 - Licensed dealers are required to keep and retain records of handgun sales.
 - Licensed dealers are required to keep and retain records of all firearm sales.
 - All private sellers and licensed dealers are required to keep and retain records of handgun sales.
 - All private sellers and licensed dealers are required to keep and retain records of all firearm sales.
 - Licensed dealers are required to report handgun sales records to state agencies.
 - Licensed dealers are required to report all firearm sales records to state agencies.
 - All private sellers and licensed dealers are required to report handgun sales records to state agencies.
 - All private sellers and licensed dealers are required to report all firearm sales records to state agencies.
 - Dealers may retain sales records for at least 60 days after firearm purchase and are not required to purge records.
 - State ban on non-commercial dealers.
 - Mandatory reporting of stolen guns by all firearm dealers.
 - State requires at least one store security precaution for firearm dealers.
 - Mandatory police inspections of commercial firearm dealers.
 - Dealers are liable for damages resulting from illegal gun sales.
 - Ban on the sale of junk guns (sometimes called “Saturday night specials”).

Buyer Regulations

Buyer regulations are laws that gun purchasers must obey in order to obtain a firearm.

Average number of provisions per state in 2016: **2.4**

Number of provisions in this category by state, 2016 (Maximum possible = 17)



Federal buyer regulations place conditions on the purchase of firearms, including setting minimum age requirements for firearm purchase (Table 1). Like dealer regulations, these rules can specifically apply to the purchase of handguns or can regulate all firearm purchases.

Table 1: Minimum age requirements for firearm dealer

TYPE OF DEALER	HANDGUNS	LONG GUNS
Licensed Dealer	Age 21	Age 18
Private Seller	Age 18	No Restriction

Buyer regulations place restrictions on firearm purchase in order to reduce or prevent unsafe or criminal use of firearms. Regulations may place limits on the number of firearms that may

be purchased in a given period of time. Most common provision in 2016: Nineteen states had raised the minimum age for the sale of long guns to 18.

We tracked **17** provisions for this category. They include requirements for:

- Permit protocols
- Waiting periods between purchase and delivery
- Mandatory safety training
- Firearm registration
- Supplementary age requirements

Buyer Regulation Provisions

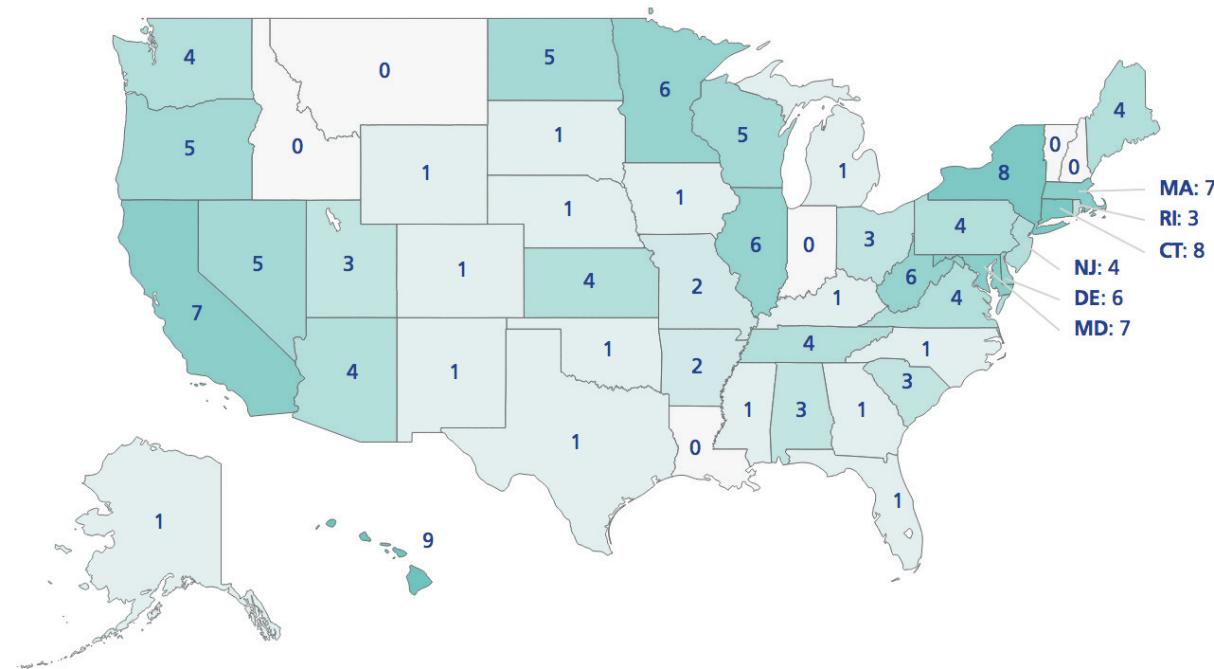
- Waiting period is required for all handgun purchases from licensed dealers.
- Waiting period is required for all firearm purchases from licensed dealers.
- A license or permit is required to purchase handguns.
- A license or permit is required to purchase all firearms.
- Permit application process involves law enforcement personnel.
- Potential buyers must be fingerprinted at point of purchase.
- Safety training or testing required to purchase a firearm.
- Gun owners must register newly purchased handguns with the state.
- Gun owners must register all newly purchased firearms with the state.
- De facto registration of handguns is in place because of a recordkeeping requirement for all handgun sales.
- De facto registration of handguns is in place because of a recordkeeping requirement for all firearm sales.
- Purchase of long guns from licensed dealers and private sellers restricted to age 18 and older.
- Purchase of long guns from licensed dealers restricted to age 21 and older.
- Purchase of long guns from licensed dealers and private sellers restricted to age 21 and older.
- Purchase of handguns from licensed dealers and private sellers restricted to age 21 and older.
- Mandatory reporting of lost and stolen firearms by owner.
- Buyers may purchase no more than one handgun per month with no or limited exceptions.

Prohibitions for High-Risk Gun Possession

Prohibitions for high-risk gun possession prevent individuals with a history of crime, substance use, or mental health issues from possessing firearms.

Average number of provisions per state in 2016: **3.1**

Number of provisions in this category by state, 2016 (Maximum possible = 10)



Federal law specifies nine types of individuals who are prohibited from possessing firearms or ammunition.¹⁹ However, federal enforcement of these laws is imperfect, and some states have strengthened enforcement by enacting similar prohibitions in their own legislation. Experts suggest that “preventing individuals who are deemed too risky or dangerous from obtaining firearms is arguably the most important objective of gun control policies.”²⁰

Prohibitions for high-risk gun possession may help to keep firearms out of the hands of people who may be a danger to themselves or others. States may strengthen federal prohibitions by enacting them at the state level or by expanding

the scope of these policies to cover additional categories of individuals who pose a high risk for illegal firearm use.

Three prohibitions—felony convictions, involuntary commitment for inpatient mental health treatment, and drug-related misdemeanor convictions—are already included in federal law and are examples of states adopting federal prohibitions into their own penal code. The other seven provisions expand possession prohibitions to additional high-risk populations.

Most common provision in 2016: Thirty-seven states prohibited firearm possession by people convicted of a felony.

We tracked **10** provisions for this category. They include possession prohibitions for people with:

- Felony convictions
- Violent misdemeanor convictions
- Drug-related misdemeanor convictions
- History of involuntary mental health treatment
- History of alcohol or drug abuse

Prohibitions for High-Risk Gun Possession Provisions

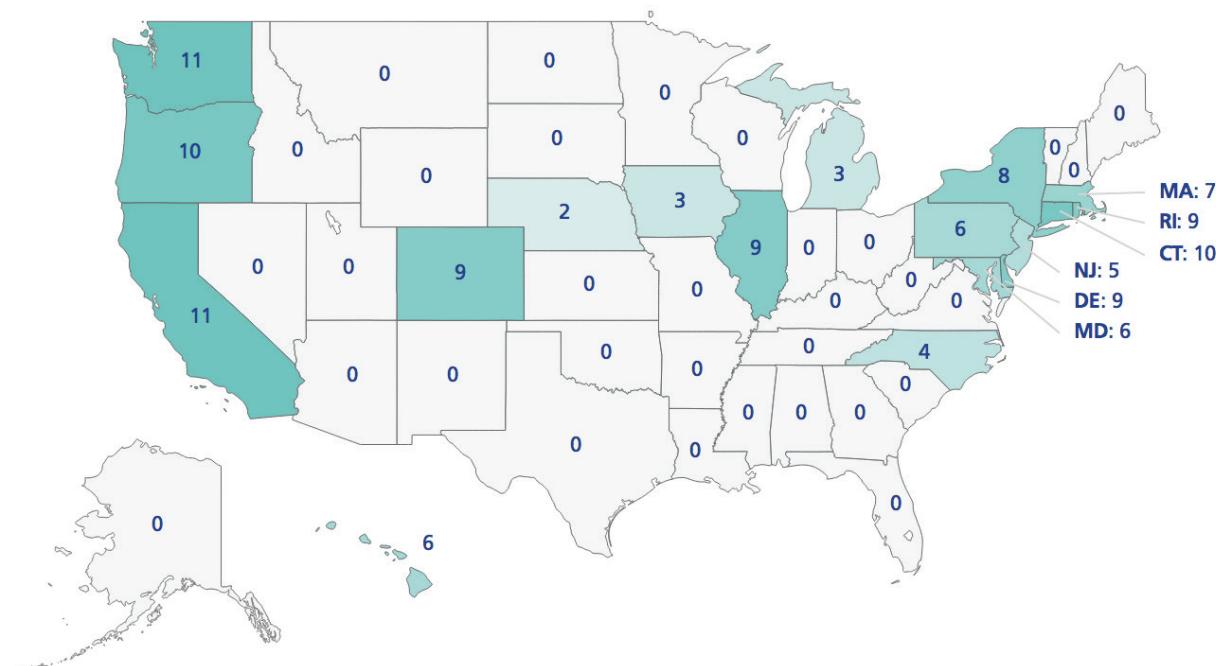
- Firearm possession is prohibited for people with a felony conviction.
- Firearm possession is prohibited for people who have been involuntarily committed to an inpatient facility for mental health treatment.
- Firearm possession is prohibited for people who have been involuntarily committed to an outpatient facility for mental health treatment.
- Firearm possession is prohibited if person is deemed by court to be a danger to oneself or others.
- Firearm possession is prohibited for people with a drug-related misdemeanor conviction.
- Firearm possession is prohibited for people who are being treated for alcohol-related reasons.
- Firearm possession is prohibited for some people with alcoholism.
- Firearm possession is prohibited for people who have committed a violent misdemeanor punishable by more than one year of imprisonment.
- Handgun possession is prohibited for people who have committed a violent misdemeanor punishable by less than one year of imprisonment.
- Firearm possession is prohibited for people who have committed a violent misdemeanor punishable by less than one year of imprisonment.

Background Checks

Background check provisions establish requirements and procedures for firearm sellers to conduct criminal background checks on prospective firearm purchasers.

Average number of provisions per state in 2016: **2.6**

Number of provisions in this category by state, 2016 (Maximum possible = 11)



The Brady Handgun Violence Prevention Act of 1993 mandates that federally licensed firearm dealers perform background checks on all gun purchasers.²¹ These background checks, conducted via the National Instant Criminal Background Check System (NICS), which was established in 1998, use Federal Bureau of Investigation resources to determine whether a prospective firearm purchaser is legally prohibited from possessing firearms.

Not all firearm sales are subject to this mandate, and there are gaps in the NICS database that may allow individuals to purchase firearms even if they are legally prohibited from doing so. The list below provides some examples of federal background check loopholes.

We tracked **11** provisions for this category. They include:

- Background checks for private sales (universal background checks)
- Extension of three-day limit for background check
- Checks state mental health records
- Independent (non-NICS) state checks

- If a NICS check is not completed within three days, the firearm sale can proceed without any additional investigation. This is known as the “three-day limit” or a “default proceed sale.”
- Private sellers, including those at gun shows, are exempt from federal background check requirements. This is known as the “gun show loophole.”
- Not all states require mental health records to be submitted to the NICS database. Without accurate information, individuals who are prohibited from purchasing a firearm due to their mental health history may bypass the system.

Most common provision in 2016: Eighteen states required background checks through either point-of-purchase checks or a required permit process for handgun sales.

Background Check Provisions

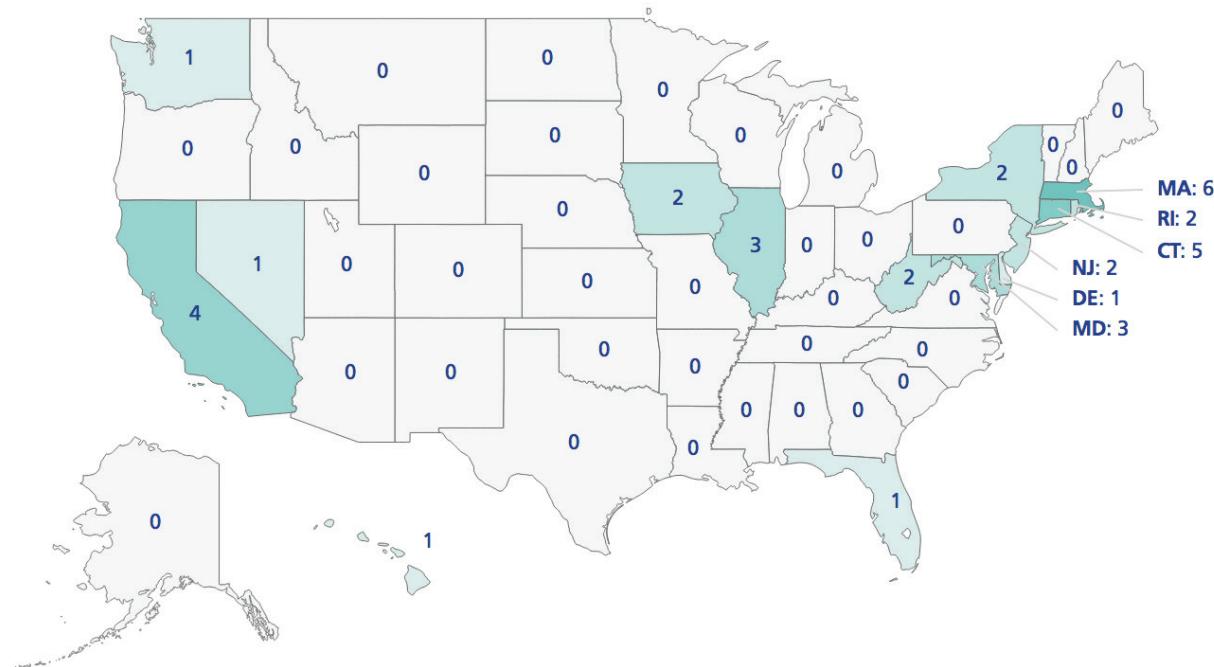
- All firearm sellers, either licensed or private dealers, are required to conduct universal background checks at the point of purchase for handguns.
- All firearm sellers, either licensed or private dealers, are required to conduct universal background checks at the point of purchase for all firearms.
- Background checks required for handgun sales at gun shows at the point of purchase.
- Background checks required for all firearm sales at gun shows at the point of purchase.
- State has either extended background check requirements to include all handgun sales, or background checks are conducted through a permit requirement for all handgun sales.
- State has either extended background check requirements to all firearm sales, or background checks are conducted through a permit requirement for all firearm sales.
- The law does not require that the state purge background check records within 60 days of the firearm purchase or permit application.
- Background checks processes for firearm sales do not need to be completed before three days.
- Background check procedures include an explicit requirement for search of state mental health records.
- State conducts separate background checks, beyond NICS, for handgun purchases.
- State conducts separate background checks, beyond NICS, for all firearm purchases.

Ammunition Regulations

Ammunition regulations establish rules for anyone in the business of buying or selling firearm ammunition.

Average number of provisions per state in 2016: **0.7**

Number of provisions in this category by state, 2016 (Maximum possible = 7)



Federal regulation of firearm ammunition is usually bundled along with the regulation of firearms, rather than existing independently. For example, the federal age requirements for ammunition purchase, by type of firearm and type of dealer, are the same as those outlined in Table 1 for the

purchase of firearms. The populations that are prohibited from possessing firearms are also prohibited from possessing firearm ammunition.

Most common provision in 2016: Eleven states applied the same restrictions for the purchase of firearms to the purchase of ammunition.

We tracked **7** provisions for this category. They include:

- Dealer licensing and recordkeeping
- Permitting protocol for ammunition purchasers
- High-risk possession prohibitions
- Supplemental age restrictions
- Background checks for ammunition purchase

Ammunition Regulation Provisions

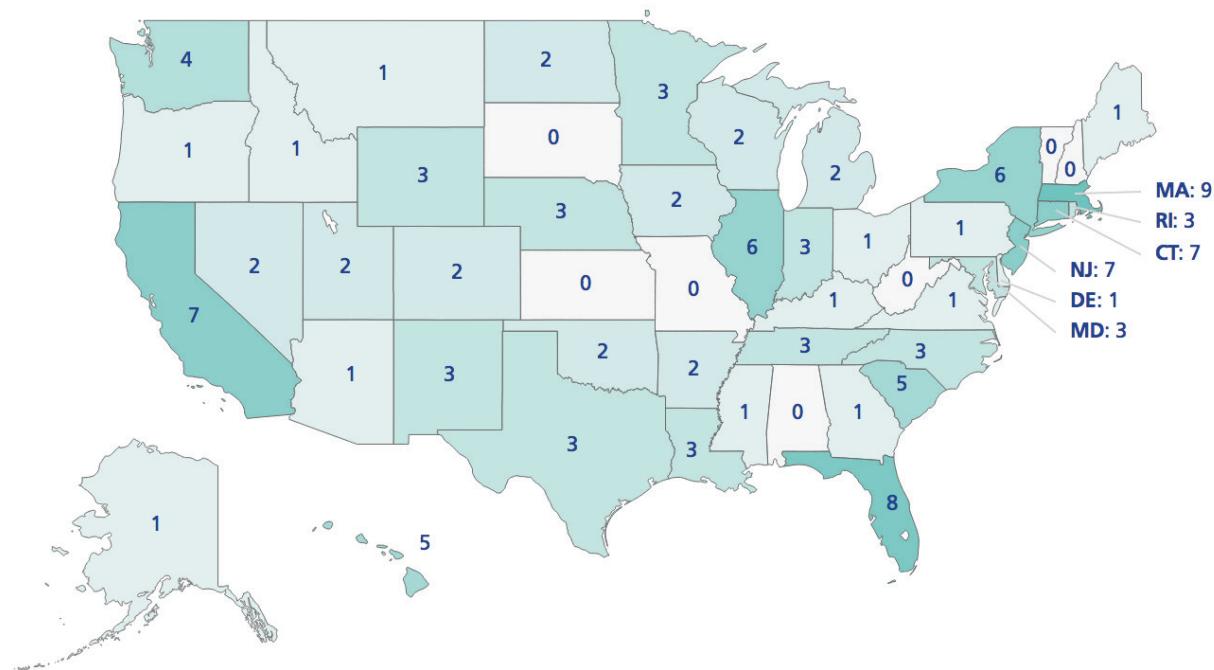
- Vendor license required to sell ammunition.
- Records of ammunition sales must be retained by the dealer.
- Permit required to purchase ammunition.
- Background checks required for ammunition purchases.
- Sale of ammunition is restricted to the same categories of those who are legally allowed to purchase firearms.
- Purchase of any type of ammunition restricted to those ages 18 and older.
- Purchase of handgun ammunition restricted to those ages 21 and older.

Possession Regulations

Possession regulations establish age limitations for firearm possession, conditions under which possession is allowed, and places where gun carrying is permitted.

Average number of provisions per state in 2016: **2.6**

Number of provisions in this category by state, 2016 (Maximum possible = 12)



Federal firearm possession regulations have been heavily informed by the Gun-Free School Zones Act of 1990 and the 1996 Supreme Court decision in *United States v. Lopez*. According to federal law, individuals are prohibited from carrying a firearm in a K-12 school zone without a license or permit. In addition, federal law sets minimum age requirements to possess firearms mirroring the age requirements for private firearm sales: age 18 for handguns (no restriction for long guns). Some states have extended these regulations by raising minimum age requirements and strengthening bans on firearm possession near school zones and college campuses.

Possession regulations may limit the presence

of guns in public places or among people who may use firearms in an unsafe manner. This category shares similarities with high-risk gun possession prohibitions. However, that category is specifically comprised of prohibitions that can be identified through background checks, while these possession regulations have a broader scope. This category also includes policies that allow family members or law enforcement to initiate a firearm confiscation process for individuals deemed by a court to represent a threat to themselves or others.

Most common provision in 2016: Thirty-three states banned carrying concealed weapons on elementary school campuses.

We tracked **12** provisions for this category. They include:

- Supplementary age restrictions
- Confiscation if threat to self or others
- School zone regulations
- Open carry restrictions

Possession Regulation Provisions

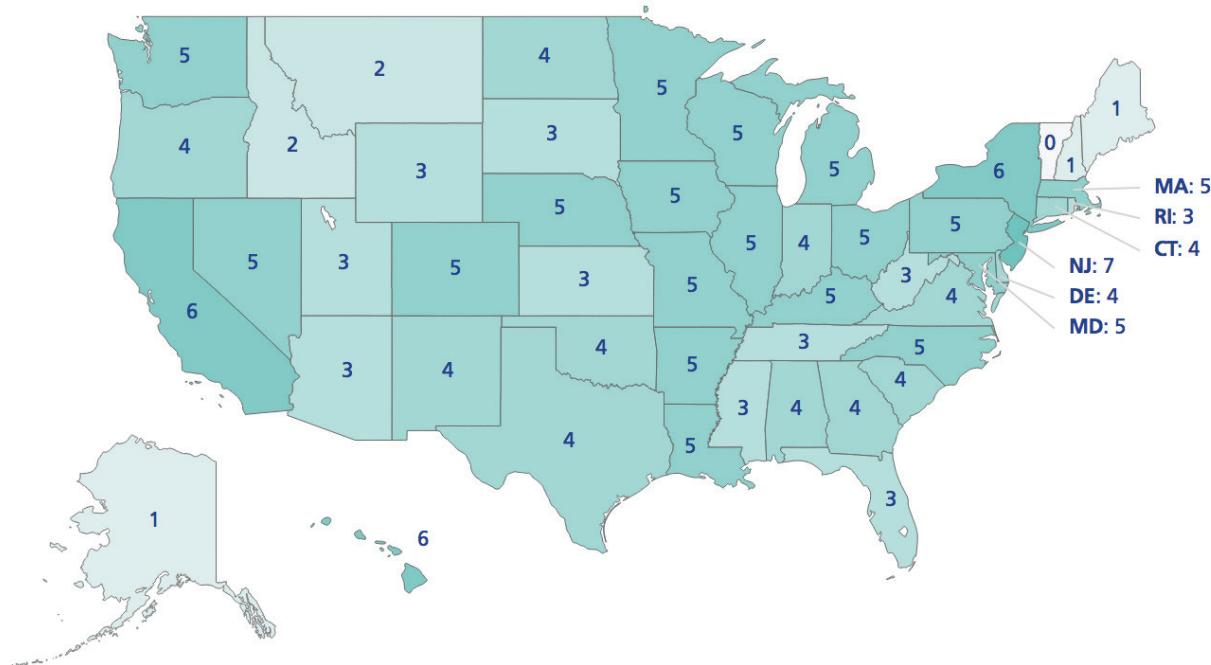
- No possession of long guns until age 18.
- No possession of long guns until age 21.
- No possession of handguns until age 21.
- Law enforcement officers may confiscate firearms from any person who is deemed by a judge to represent a threat to themselves or others.
- Family members or law enforcement officers can initiate a process for confiscation of firearms from any person who is deemed by a judge to represent a threat to themselves or others.
- No carrying of firearms on college campuses, with an exemption for concealed weapon permittees.
- No carrying of firearms on college campuses, including concealed weapons permittees.
- No carrying of firearms on elementary school property, including concealed weapons permittees
- No open carrying of long guns is allowed in public places unless the person has a permit.
- No open carrying of long guns is allowed in public places, with no exceptions.
- No open carrying of handguns is allowed in public places, concealed carrying is permitted.
- No open carrying of handguns is allowed in public places, with no exceptions.

Concealed Carry Permitting

Concealed carry provisions outline the process that individuals must undergo to obtain a permit to carry concealed firearms in their state.

Average number of provisions per state in 2016: **4.0**

Number of provisions in this category by state, 2016 (Maximum possible = 7)



The federal government does not regulate the concealed carry of firearms. In the absence of federal regulations, there is tremendous variation in state laws concerning concealed carry permits. All 50 states allow the concealed carry of firearms in at least some circumstances, and, in 2016, nine states allowed concealed carrying without a permit (Alaska, Arizona, Idaho, Kansas, Maine, Mississippi, Vermont, West Virginia, and Wyoming).

Concealed carry policy revolves around one central issue: the degree of discretion granted to state officials in making the decision of whether

or not to approve or deny an application for a concealed carry permit. States are sometimes grouped into “may issue” vs. “shall issue” categories based on whether or not concealed carry permitting authorities are allowed discretion in granting permits. In “may issue” states, authorities may withhold concealed carry permits from applicants, while in “shall issue” states, authorities must grant permits to anyone who meets state permit criteria.

Most common provision in 2016: Forty-one states required permits for carrying concealed weapons.

We tracked **7** provisions for this category. They include:

- Concealed carry permit requirements
- Background check requirements for obtaining concealed carry permits

Concealed Carry Permitting Provisions

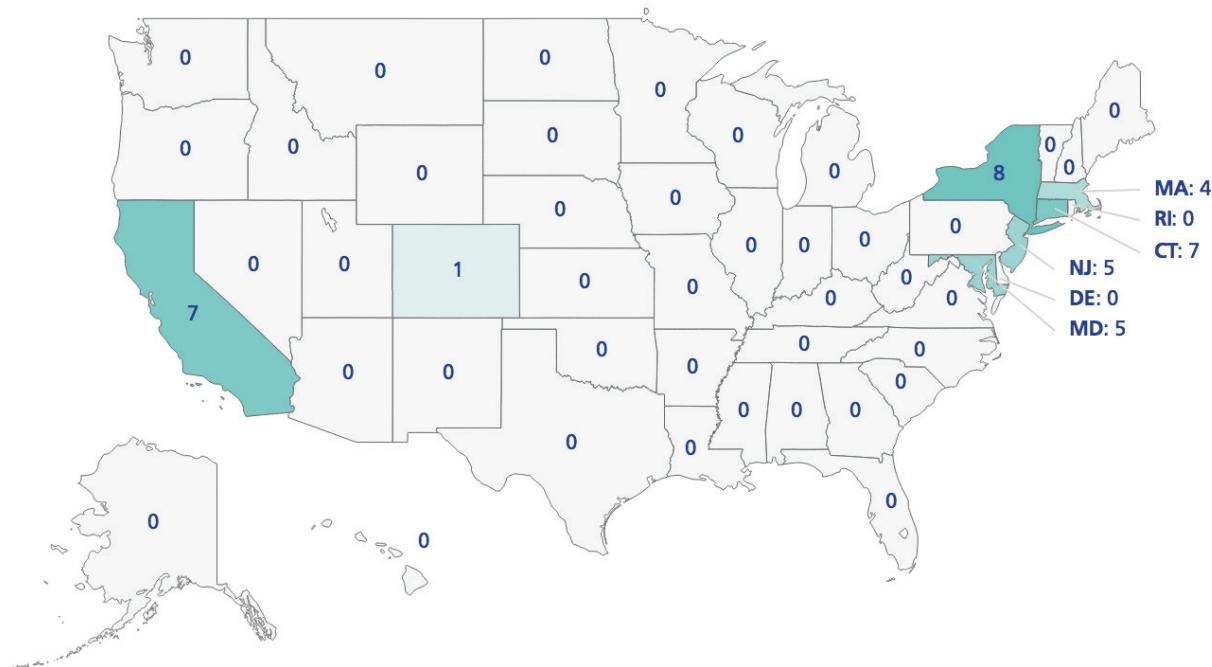
- Permit is required to carry concealed weapons.
- Law provides authorities with discretion in deciding whether to grant a concealed carry permit.
- Law prohibits applicants from being approved for concealed carry permits unless they make a heightened showing, such as demonstrating a particular need to carry a concealed weapon.
- Authorities are required to revoke concealed carry permits under certain circumstances.
- Concealed carry permit process requires a background check.
- Background check process for a concealed carry permit explicitly involves the NICS database.
- Concealed carry permit renewal requires a new background check.

Assault Weapons and Large-Capacity Magazines

This category outlines state bans on the purchase and/or possession of assault weapons and large-capacity magazines.

Average number of provisions per state in 2016: **0.7**

Number of provisions in this category by state, 2016 (Maximum possible = 8)



In 1994, the Federal Assault Weapons Ban prohibited all manufacture, transfer, or possession of semiautomatic assault weapons and magazines capable of storing more than 10 rounds of ammunition. This ban expired in 2004, and Congress did not renew the law.

Most states have not implemented any limitation on the possession or purchase of assault weapons and large-capacity magazines. However, some states have enacted such laws.

Most common provision in 2016: Seven states had enacted a ban on possession of large-capacity ammunition magazines.

We tracked **8** provisions for this category. They include:

- Criteria for banned weapons
- Protocol for grandfathered weapons
- Criteria for banned ammunition

Assault Weapons and Large-Capacity Magazines Provisions

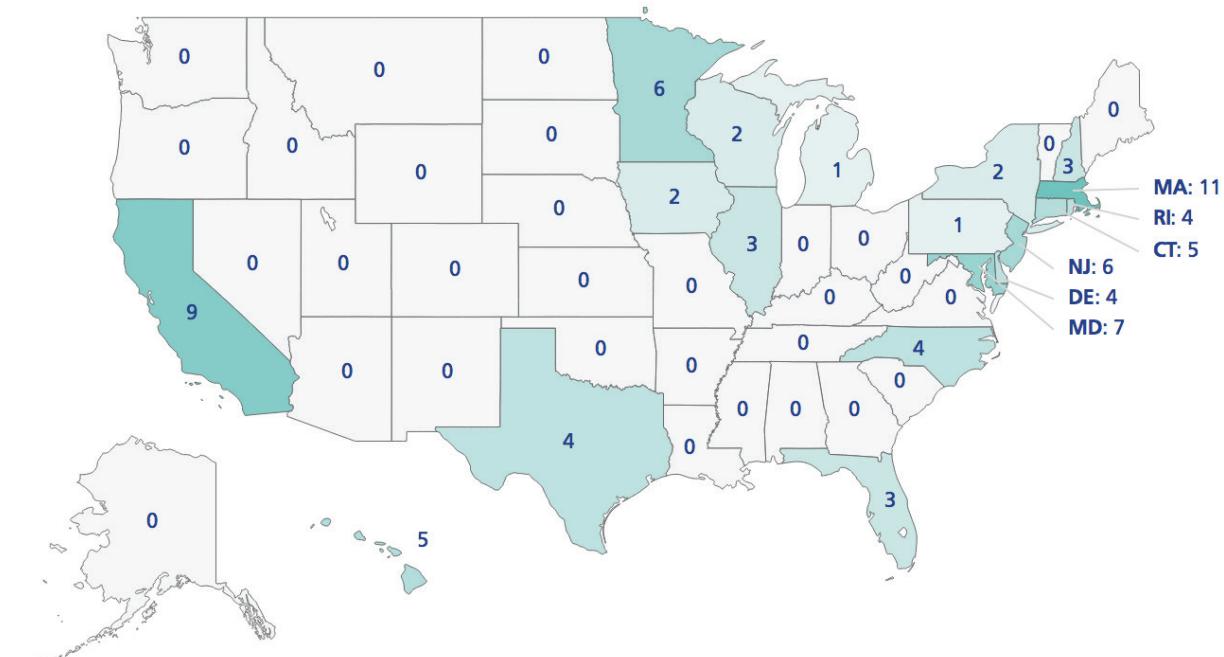
- Ban on sale of assault weapons beyond just assault pistols.
- Ban on sale of assault weapons using a one-feature definition.
- Ban on sale of assault weapons which includes a list of banned weapons.
- Law bans the sale of assault weapons. Individuals who already own assault weapons included in this ban must register their weapons.
- Law bans the sale of assault weapons. Individuals who already own assault weapons included in this ban are prohibited from selling or transferring their weapons to others.
- Ban on sale large capacity magazines beyond just ammunition for pistols.
- No magazines with a capacity of more than 10 rounds of ammunition may be sold.
- Possession of pre-owned large capacity magazines is prohibited.

Child Access Prevention

Child access prevention regulations improve firearm safety by protecting children from accessing firearms. These policies establish firearm safety lock requirements and hold gun owners criminally liable for negligent gun storage.

Average number of provisions per state in 2016: **1.6**

Number of provisions in this category by state, 2016 (Maximum possible = 11)



The Protection of Lawful Commerce in Arms Act of 2005 (PLCAA) mandated that federally licensed dealers provide handgun purchasers with a secure storage or safety device for that handgun. However, while the federal government requires the provision of handgun safety locks, it does not regulate firearm storage within private residences, nor does it penalize gun owners if children gain access to their guns. Some state governments have attempted to discourage children's unsupervised access to firearms by expanding safety lock and storage requirements, and by holding gun owners criminally liable if

children gain access to their weapons.

States can expand their safety lock policies by reiterating the federal regulation within their own penal code, by applying this rule to private sellers, or by establishing quality standards for these locks. Safe storage regulations typically establish the conditions under which gun owners are criminally liable for enabling child access to firearms.

Most common provision in 2016: Sixteen states imposed criminal liability on the gun owner if a firearm is not stored properly and a child uses or carries it.

We tracked 11 provisions for this category. They include:

- Safety lock regulations and standards
 - Criminal liability for gun owner by age of child
 - Criminal liability for gun owner by child access or use

Child Access Prevention Provisions

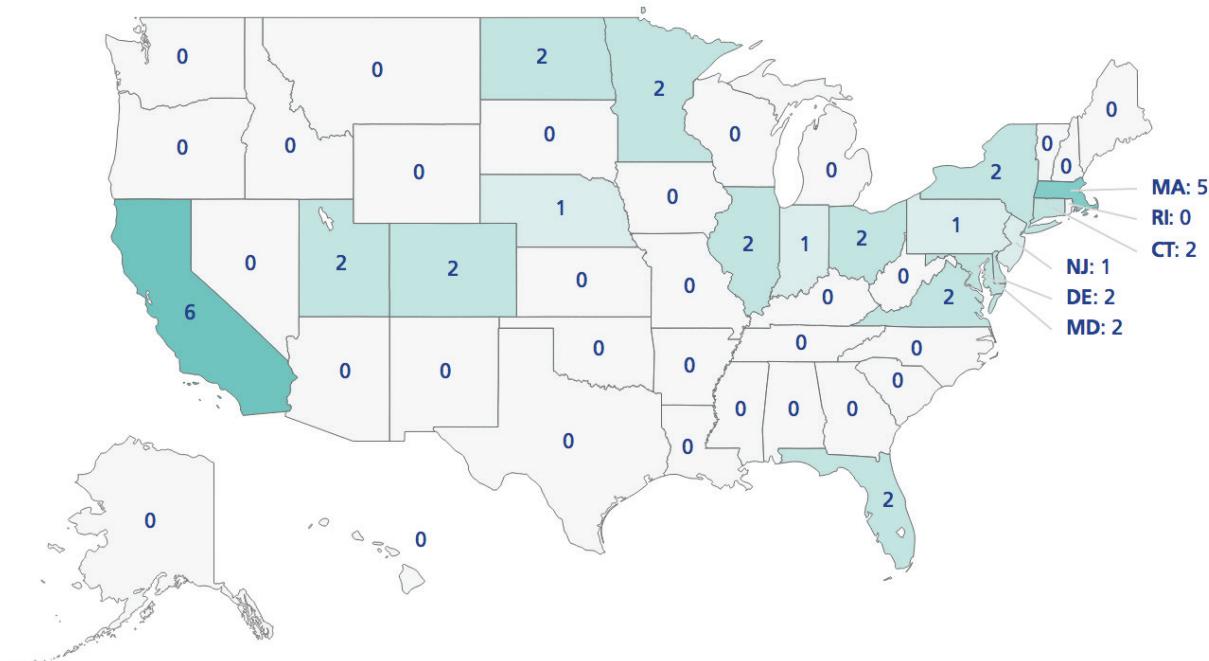
- Safety lock is required for handguns sold through licensed dealers.
- Safety lock is required for handguns sold through all dealers.
- Safety locks must meet state-specified standards or be otherwise approved by the state.
- All firearms in a household must be stored securely (locked away) at all times.
- Owner of gun is criminally liable if a gun is not stored properly and the child uses or carries the gun.
- Owner of gun is criminally liable if a gun is not stored properly and a child gains access to the gun.
- Owner of gun is criminally liable if a gun is not stored properly, regardless of whether a child actually gains access to the gun.
- Owner of gun is criminally liable if child under age 14 gains access to the gun.
- Owner of gun is criminally liable if child under age 16 gains access to the gun.
- Owner of gun is criminally liable if child under age 18 gains access to the gun.
- Owner of gun is criminally liable regardless of whether gun is loaded or unloaded.

Gun Trafficking

Gun trafficking regulations prohibit the sale of firearms with the intent to re-sell them; ban straw purchases; or require gun technology that helps trace firearms or ensure that a gun can be operated only by its owner.

Average number of provisions per state in 2016: **0.8**

Number of provisions in this category by state, 2016 (Maximum possible = 7)



Federal law does not criminalize gun trafficking, otherwise known as gunrunning, in the United States. This significantly hinders the ability of law enforcement to trace illegal firearm activity. The combination of poor recordkeeping, background check loopholes, and straw purchasing* allows individuals to obtain firearms with criminal intent. This completely unregulated secondary or underground gun market hampers gun violence prevention efforts.

States may attempt to decrease the frequency

and impact of gun trafficking by improving gun identification systems and deterring straw purchases. Technologies such as microstamping and ballistic fingerprinting can contribute to attempts to reduce gun trafficking. However, in 2016, only three states—California, New Jersey, and Maryland—have currently enacted gun technology-related provisions.

Most common provision in 2016: Fifteen states explicitly prohibited the purchase of handguns with the intent to re-sell to another person.

We tracked **7** provisions for this category. They include:

- Intent-to-resell purchase prohibitions
- Straw purchase prohibitions
- Microstamping requirements
- Implementation of personalized gun technology review

* A straw purchase is an illegal act in which an individual purchases a firearm on behalf of another individual who is prohibited from purchasing or possessing that firearm. This is also called surrogate purchasing.

Gun Trafficking Provisions

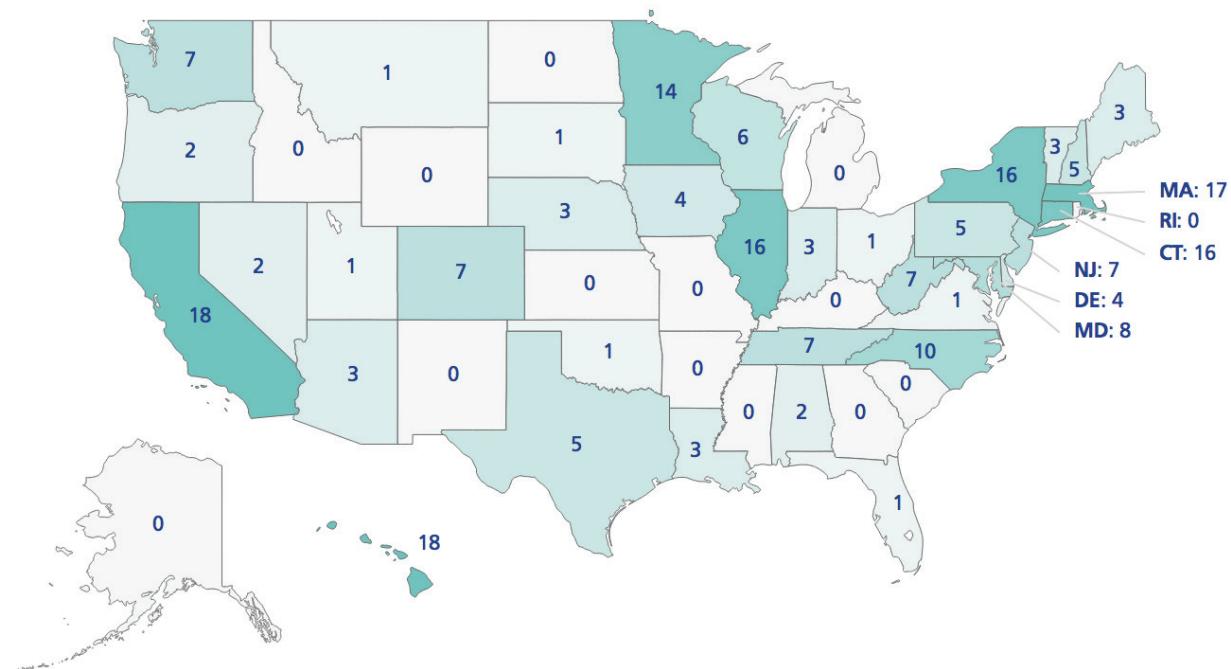
- No person may purchase a handgun with the intent to re-sell to a person who is prohibited from buying or possessing a firearm.
- No person may purchase any firearm with the intent to re-sell to a person who is prohibited from buying or possessing a firearm.
- No person may purchase any firearm with the intent to re-sell without going through a background check or having already gone through a background check.
- No person may purchase a handgun on behalf of another person.
- No person may purchase any firearm on behalf of another person.
- All handguns sold must have either ballistic fingerprinting or microstamping so that they can be identified if used in a crime.
- State law has initiated a process to review implementation of a policy that requires new handguns to have a mechanism so that only the authorized user can operate the gun.

Domestic Violence

Domestic violence laws establish rules that prohibit certain individuals convicted of domestic violence-related crimes from possessing firearms.

Average number of provisions per state in 2016: **4.6**

Number of provisions in this category by state, 2016 (Maximum possible = 21)



An estimated 44% of domestic violence-related crimes involve firearms, and domestic violence-related incidents involving a gun are more likely to result in homicide than incidents involving any other weapon.²⁰ Federal law prohibits individuals convicted of domestic violence, including those subject to permanent domestic violence-related restraining orders, from purchasing or possessing firearms.

Some states have codified federal law into their own statutes, while others have expanded beyond federal law to require domestic violence perpetrators to surrender their firearms or have them confiscated by law enforcement personnel.

Most common provision in 2016: Twenty-seven states prohibited people who have been convicted of misdemeanor crimes of domestic violence from possessing firearms.

We tracked **21** provisions for this category. They include:

- Possession prohibition for misdemeanor domestic violence offenders
- Possession prohibition for subjects of domestic violence-related restraining orders
- Possession prohibition for persons convicted of stalking
- Firearm removal conditions for domestic violence offenders
- Firearm surrender conditions for domestic violence offenders

Domestic Violence Provisions

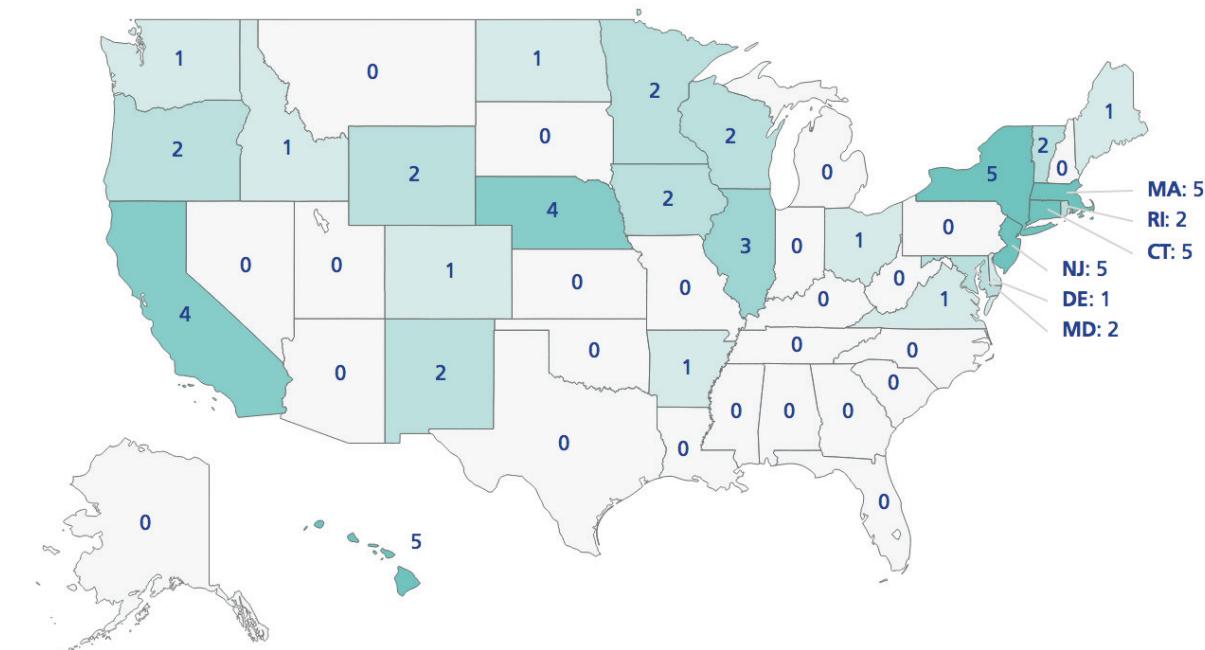
- Those convicted of a misdemeanor crime of domestic violence against a spouse, ex-spouse, or cohabitating partner are prohibited from possessing firearms.
- Those convicted of a misdemeanor crime of domestic violence are prohibited from possessing firearms.
- Those convicted of a misdemeanor crime of domestic violence against a spouse, ex-spouse, or cohabitating partner are required to surrender their firearms.
- Those convicted of a misdemeanor crime of domestic violence against a spouse, ex-spouse, or cohabitating partner are required to surrender their firearms with no exceptions
- Those convicted of a misdemeanor crime of domestic violence are required to surrender their firearms.
- State law allows law enforcement to remove firearms from those convicted of a misdemeanor crime of domestic violence.
- State law requires law enforcement to remove firearms from those convicted of a misdemeanor crime of domestic violence.
- Law enforcement is required to remove firearms involved in the scene of a domestic violence incident.
- All firearms must be removed from the scene of a domestic violence incident.
- Those subject to domestic violence-related restraining orders regarding a spouse, ex-spouse, or cohabitating partner are prohibited from possessing firearms.
- Those subject to any domestic violence-related restraining order are prohibited from possessing firearms.
- Those subject to domestic violence-related restraining order regarding a spouse, ex-spouse, or cohabitating partner are required to surrender their firearms.
- Those subject to any domestic violence-related restraining order are required to surrender their firearms.
- The requirement that those subject to a domestic violence-related restraining order must surrender their firearms is automatically required without any additional conditions necessary.
- Those subject to an ex parte (temporary) domestic violence-related restraining order regarding a spouse, ex-spouse, or cohabitating partner are prohibited from possessing firearms.
- Those subject to any ex parte (temporary) domestic violence-related restraining order partner are prohibited from possessing firearms.
- Those subject to an ex parte domestic violence-related restraining order regarding a spouse, ex-spouse, or cohabitating partner are required to surrender their firearms.
- Those subject to any ex parte domestic violence-related restraining order are required to surrender their firearms.
- The requirement that those subject to an ex parte domestic violence-related restraining order must surrender their firearms is automatically required without any additional conditions necessary.
- State law requires law enforcement to remove firearms from individuals who are subject to a domestic violence-related restraining order.
- Those convicted of a stalking offense are prohibited from possessing firearms.

Gun Industry and Ownership Protections

Industry and ownership protections prevent local governments from enacting ordinances to regulate firearms; provide certain legal immunity to gun manufacturers for damages caused by their products; and allow gun owners to use deadly force as a first resort in public.

Average number of provisions per state in 2016: **1.3**

Number of provisions in this category by state, 2016 (Maximum possible = 5)



Some state legislatures have enacted laws that protect firearm manufacturers and firearm owners. These laws, which we categorized as “Preemption,” “Immunity,” and “Stand Your Ground,” prevent local governments from regulating firearms, prohibit local governments from suing gun manufacturers, immunize firearm manufacturers from certain lawsuits, or expand the allowable scope of firearm use for self-defense.

Preemption laws prevent local governments from enacting firearm regulations that are more stringent than those established at the state level, such as city ordinances that ban firearms in public places or otherwise regulate the possession, sale, use, or purchase of guns.

Immunity laws expand on the Protection of Lawful Commerce in Arms Act of 2005, which federally prohibits civil liability actions from being brought against gun

manufacturers, distributors, dealers or importers from damages resulting from the misuse of their products.²² States may expand on this law to protect gun manufacturers from liability at the state level for damages caused by the use of firearms.

Stand Your Ground laws refer to an extension of the Castle Doctrine, which allows individuals to protect their private property when at home with immunity from the law. The extension provides this immunity for the use of deadly force as a first resort in self-defense anywhere a person has a legal right to be, rather than requiring that a person has a duty to retreat to avoid conflict.

Most common provision in 2016: Twenty-six states have not enacted Stand Your Ground laws.

We tracked **5** provisions for this category. They include:

- State law preemption of local authority to regulate firearms
 - State legal immunity for gun manufacturers
 - Stand Your Ground provisions

Gun Industry and Ownership Protections Provisions

- State law does not completely preempt local regulation of firearms
- Any law that preempts local regulation of firearms is narrow in its scope (i.e. in no more than one area of regulation)
- State law does not preempt local regulation of firearms in any way
- State does not have a law providing blanket immunity to gun manufacturers or prohibiting state or local lawsuits against gun manufacturers
- State does not have a Stand Your Ground law

2017 UPDATES

This section summarizes changes in the 133 state firearm law provisions tracked in this report that went into effect or are scheduled to go into effect in 2017. The names of the variables and the changes in the coding of those variables are provided.

California: As of July 1, 2017, all persons who possess a large-capacity ammunition magazine must relinquish ownership of it by removing it from the state, selling it to a licensed firearms dealer, or surrendering it to a law enforcement agency [change “magazinepreowned” from O to 1]. As of July 1, 2017, all gun owners are required to report the loss or theft of a firearm to a law enforcement agency within five days [change “loststolen” from O to 1].

Delaware: As of January 1, 2017, people who are convicted of a misdemeanor crime of domestic violence against a dating partner are prohibited from possessing firearms (formerly, the prohibition only applied if the victim was a spouse, former spouse, cohabiting partner, or former cohabiting parner of the offender or if the victim and offender had a child in common) [change “mcdvdating” from O to 1].

Georgia: As of July 1, 2017, persons with concealed carry permits may carry concealed weapons on college campuses [no change in the coding of “college” or “collegeconcealed,” which remain as O, because concealed carry was already allowed for specific individuals with school authorization].

Iowa: As of July 1, 2017, a person may use deadly force as a first resort with no duty to retreat in any place they have the legal right to be if they reasonably believe that their or someone else’s safety or life is at risk—this is a “Stand Your Ground” law [change “nosyg” from 1 to O].

Missouri: As of January 1, 2017, a permit is no longer required to carry a concealed firearm [change “permitconcealed” from 1 to O].

Nevada: As of January 1, 2017, a background check is required for the sale of all firearms, even from unlicensed sellers [change the following from O to 1: “universal,” “universalh,” “gunshow,” “gunshowh,” “universalpermit,” and “universalpermith”].

New Hampshire: As of February 22, 2017, a permit is no longer required to carry a concealed firearm [change “permitconcealed” from 1 to O].

New Jersey: As of August 1, 2017, anyone who has been convicted of a misdemeanor crime of domestic violence and anyone who is subject to a permanent domestic violence-related restraining order must surrender any firearms they already possess; law enforcement authorities are authorized to confiscate these weapons [change the following from O to 1: “mcdvsurrender,” “mcdvsurrendernoconditions,” “mcdvsurrenderdating,” “mcdvremovalallowed,” “dvrosurrender,” “dvrosurrendernoconditions,” “dvrosurrenderdating,” and “dvroremoval”].

North Dakota: As of August 1, 2017, a permit is no longer required to carry a concealed firearm [change “permitconcealed” from 1 to O].

Ohio: As of March 21, 2017, the concealed carry of handguns is no longer banned on college campuses, as long as the institution authorizes it [no change in the coding of “college” or “collegeconcealed,” which remain as O, because open carry is not explicitly prohibited by state law].

Utah: As of March 23, 2017, anyone who has been convicted of a misdemeanor crime of domestic violence and anyone who is subject to a permanent domestic violence-related restraining order is not allowed to possess firearms [change “mcdv” from O to 1, and change “dvro” from O to 1].

CONCLUDING REMARKS

The field of public health must prioritize the prevention of gun violence. Funding deficiencies and political controversy may dissuade researchers, but policy makers need reliable data in order to find ways to mitigate the impact that gun violence has on the lives of thousands of Americans each year. Federal and state governments have taken some strides to reduce firearm violence by regulating who can sell and buy firearms, in addition to restricting the conditions under which firearms can be used. We have documented these regulations over time in order to help public health researchers and policy makers determine which of these laws

effectively reduce firearm violence, and to what degree.

Over the past 25 years, most states have enacted an increasing number of firearm-related laws. However, this is not the case in all states, and firearm-related violence rates are now increasing. Law efficacy research may inform evidence-based policies to address the growing epidemic of firearm violence. Ultimately, this may help policy makers to strike a balance between protecting the constitutional rights of gun owners and saving lives by minimizing firearm violence in the United States.

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APPENDIX A:

Firearm-Related Homicide and Suicide Rates by State, 1991 and 2015

Table 2: Firearm Violence Measures by State, 1991 to 2015

State	Firearm-Homicide Rate			Firearm-Suicide Rate		
	1991	2015	Rank	1991	2015	Rank
Alabama	9.90	8.43	47	10.38	10.34	40
Alaska	2.84	5.22	37	8.85	16.48	49
Arizona	5.57	3.56	26	11.99	9.82	38
Arkansas	8.48	5.34	38	9.51	10.78	43
California	8.74	3.52	25	6.91	3.78	8
Colorado	2.94	2.46	18	9.47	9.65	36
Connecticut	3.63	2.43	17	4.40	2.72	4
Delaware	2.15	6.12	43	4.38	5.50	11
Florida	7.35	4.66	34	9.24	7.03	17
Georgia	9.01	5.73	41	10.53	7.93	27
Hawaii	1.42	*	*	2.95	2.77	5
Idaho	1.14	1.29	6	12.08	12.92	47
Illinois	7.91	5.45	39	4.85	3.68	7
Indiana	4.16	4.61	33	7.53	7.57	23
Iowa	1.44	1.62	7	6.54	5.84	12
Kansas	3.81	3.35	24	8.53	7.59	24
Kentucky	4.59	3.96	27	9.76	10.70	42
Louisiana	13.49	9.96	49	10.52	9.77	37
Maine	*	1.14	3	8.98	8.64	30
Maryland	8.07	7.69	45	5.38	3.83	9
Massachusetts	2.18	1.26	4	2.65	1.59	1
Michigan	7.95	4.74	35	7.21	6.55	14
Minnesota	1.45	1.77	10	5.94	5.41	10
Mississippi	10.33	9.11	48	10.89	9.30	33
Missouri	7.54	7.92	46	9.01	9.50	35
Montana	2.52	2.17	14	13.42	16.07	48
Nebraska	1.93	2.67	19	7.39	5.90	13
Nevada	7.15	4.49	31	17.46	9.48	34
New Hampshire	1.23	0.96	1	6.10	7.79	25
New Jersey	2.84	3.22	22	2.22	1.95	3
New Mexico	5.34	4.79	36	12.29	12.49	46
New York	9.57	2.07	12	3.13	1.95	2
North Carolina	8.25	4.54	32	8.87	7.30	21
North Dakota	*	1.69	8	5.80	10.24	39
Ohio	3.89	4.38	30	7.01	7.09	19
Oklahoma	4.90	5.87	42	9.70	11.66	45
Oregon	1.96	2.35	16	9.36	8.52	29
Pennsylvania	3.88	4.34	29	6.27	6.70	15
Rhode Island	2.24	0.99	2	3.07	3.60	6
South Carolina	7.34	7.55	44	8.61	9.17	32
South Dakota	*	1.97	11	8.13	8.22	28
Tennessee	7.69	5.71	40	9.99	9.12	31
Texas	10.43	4.04	28	9.57	7.31	22
Utah	1.64	1.29	5	11.40	11.05	44
Vermont	2.35	1.76	9	11.30	7.91	26
Virginia	5.54	3.29	23	8.84	7.06	18
Washington	2.39	2.32	15	8.15	7.22	20
West Virginia	4.62	2.89	20	9.64	10.39	41
Wisconsin	2.75	3.18	21	6.74	6.90	16
Wyoming	2.27	2.16	13	15.26	16.58	50

* too small to report

APPENDIX B:

State Fact Sheets

In the following section are one-page highlights for each of the fifty states, which include key firearm statistics and law trends for state-specific analyses and between-state comparisons.

The “State Statistics” section of these pages includes the total number of provisions that state had in the year 2016, its firearm homicide,¹ suicide,¹ and nonfatal injury* rates per 100,000 for the most recent year of publicly available data, and each state’s population size. The Centers for Disease Control and Prevention does not report fatality data if there are fewer than 10 events in a given state; therefore, we were unable to provide figures for states with less than 10 fatalities.

In the “Trends” section are charts that display the total number of provisions within each category that have been enacted by that state in 2016. The total number of possible provisions for each category can be found in the “Categories Firearm Laws” section of the report (p. 6). The second chart graphs the total number of that state’s law provisions by year over the entire study period from 1991 to 2016. The total possible number of provisions from our database is 133, but because no states have enacted all 133 provisions, the maximum value of the y-axis in these figures is below 120.

We also included the total reported number of both suicide and homicide deaths by firearms using the most recent year data available (2015).

Finally, for further legislative research, links to each of the firearm law provision statutes can be found on our website: <http://statefirearmlaws.org>.

*State injury rates were obtained from the Healthcare Cost and Utilization Project (HCUP)²³ for the most recent year of data available on the number of hospitalizations for firearm-related injuries. For states with missing data, firearm-related injury rates were estimated by determining the average rate of firearm injuries to firearm homicides for states with available data and then applying this ratio to the homicide rate in that state.

Alabama

State Statistics

10
firearm laws
2016

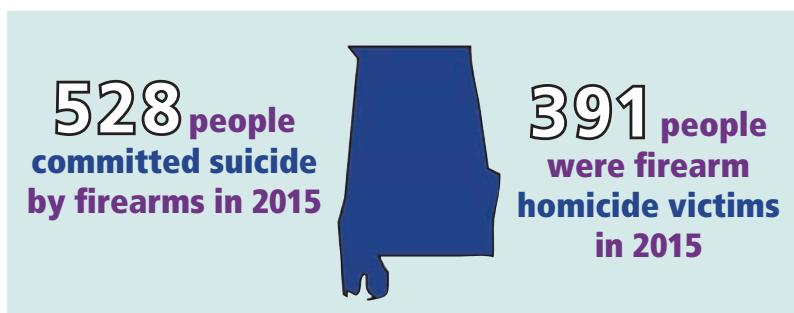
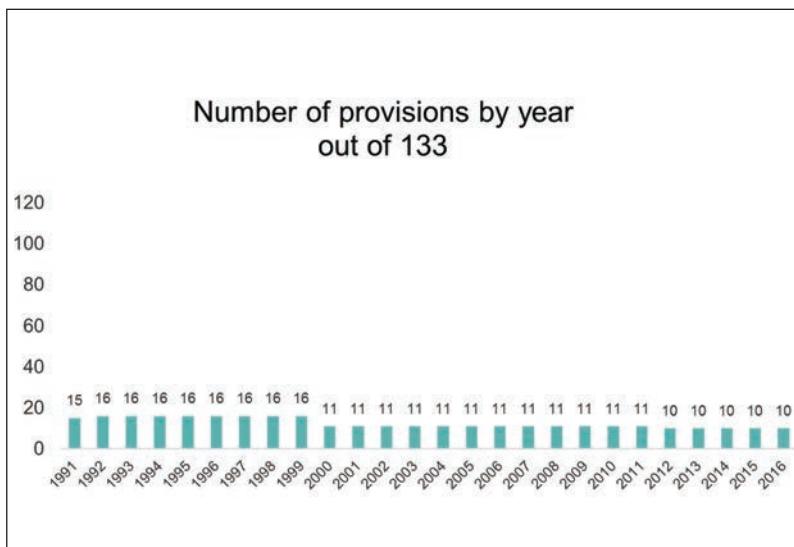
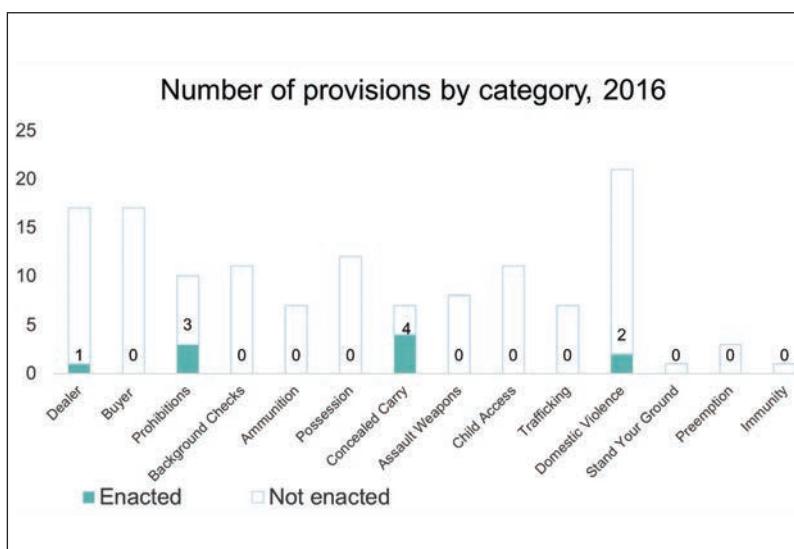
8.43
per 100,000
firearm homicide rate
2015

10.34
per 100,000
firearm suicide rate
2015

17.33
per 100,000
nonfatal firearm injury rate
2013

4,858,979
population
2015

Trends



Alaska

State Statistics

4
firearm laws
2016

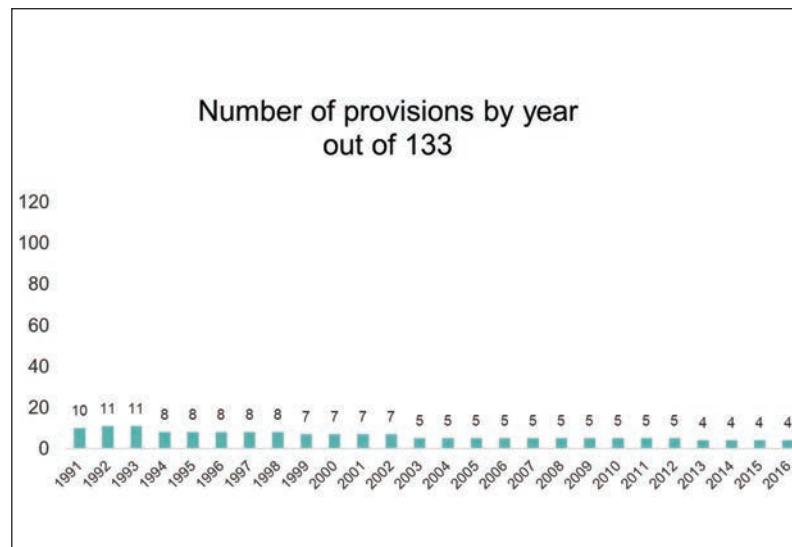
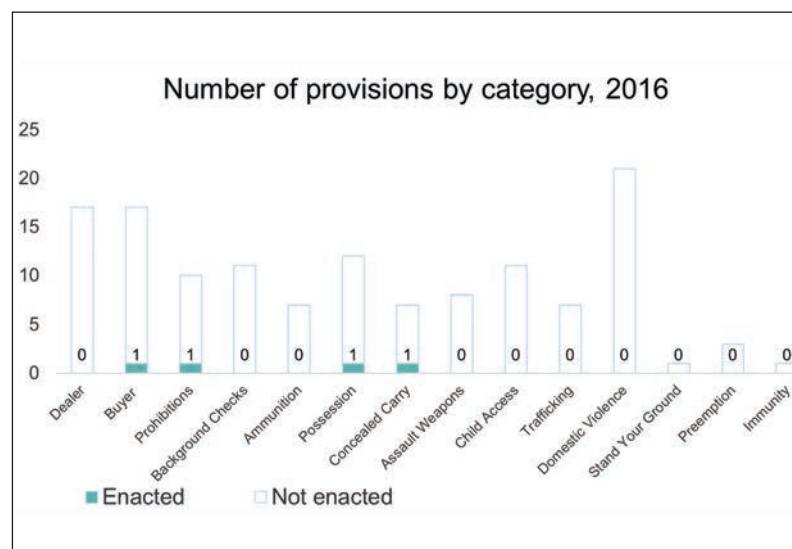
5.22
per 100,000
firearm homicide rate
2015

16.49
per 100,000
firearm suicide rate
2015

5.74
per 100,000
nonfatal firearm injury rate
2013

738,432
population
2015

Trends



Arizona

State Statistics

11
firearm laws
2016

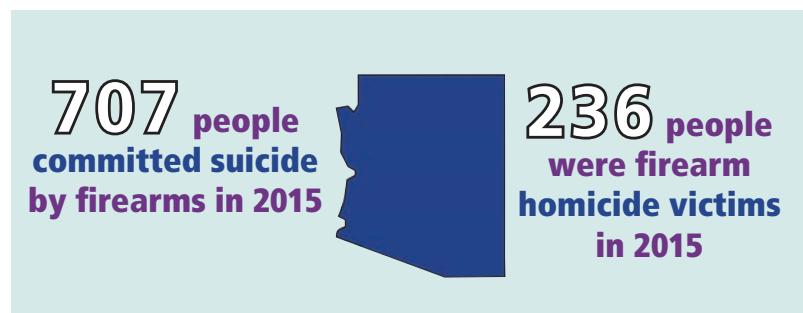
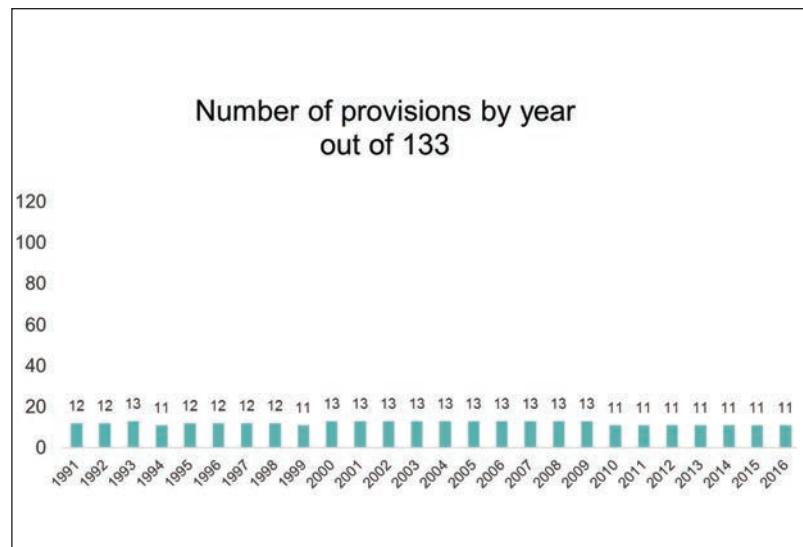
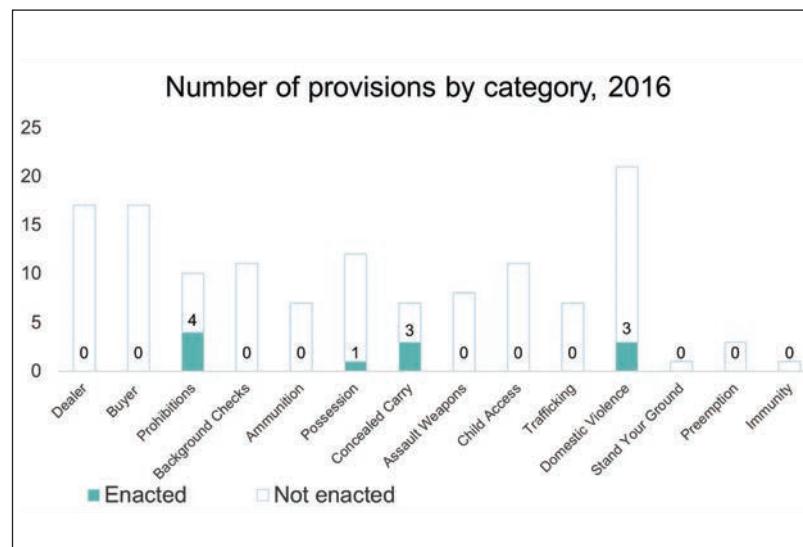
3.56
per 100,000
firearm homicide rate
2015

9.82
per 100,000
firearm suicide rate
2015

9.69
per 100,000
nonfatal firearm injury rate
2013

6,828,065
population
2015

Trends



Arkansas

State Statistics

10
firearm laws
2016

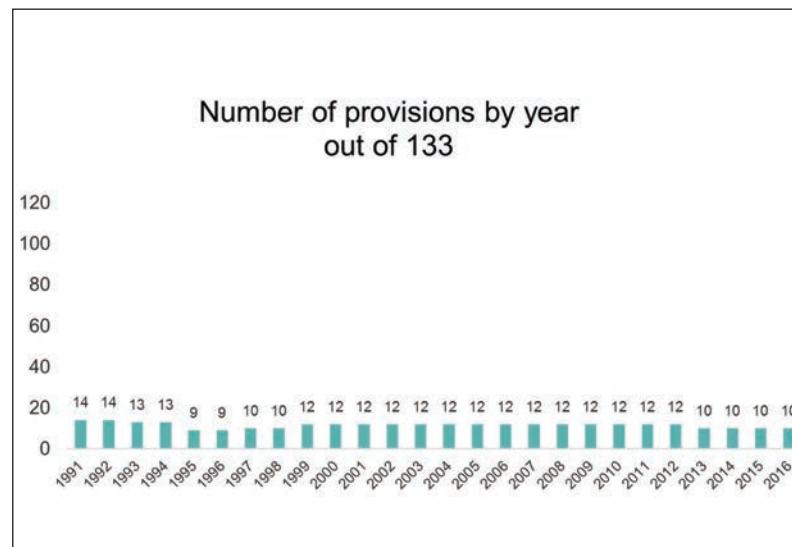
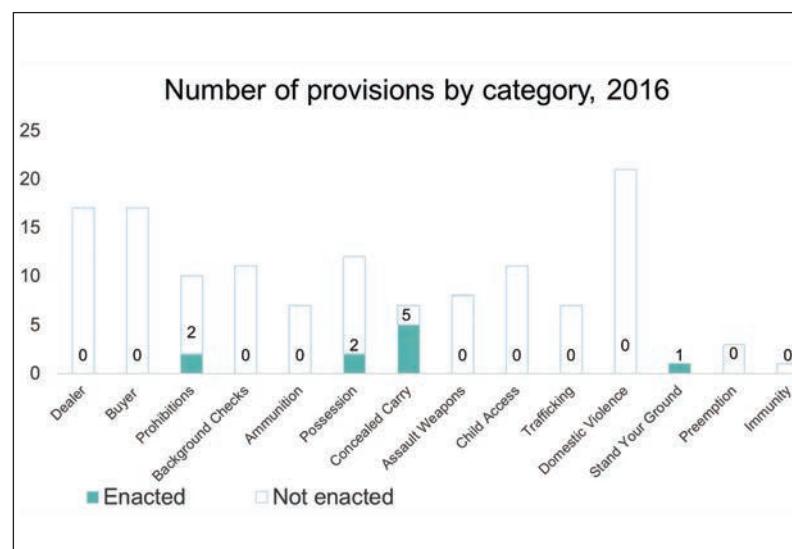
5.34
per 100,000
firearm homicide rate
2015

10.78
per 100,000
firearm suicide rate
2015

13.38
per 100,000
nonfatal firearm injury rate
2013

2,978,204
population
2015

Trends



California

State Statistics

104
firearm laws
2016

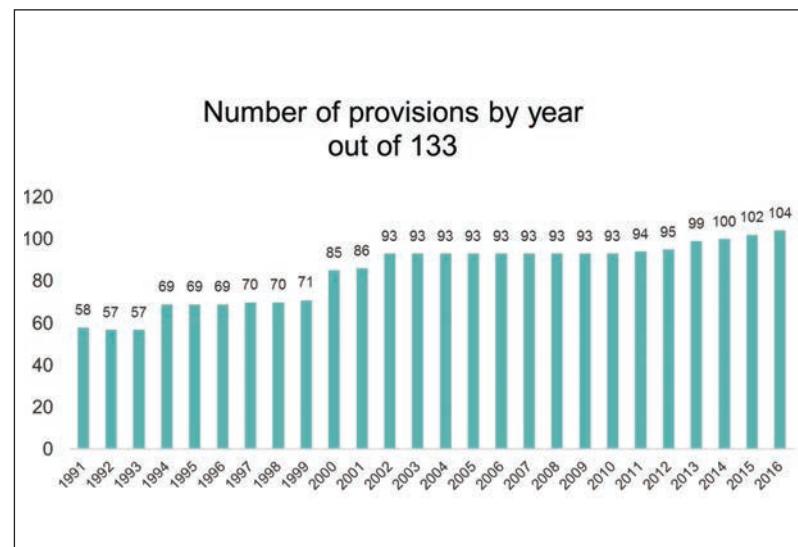
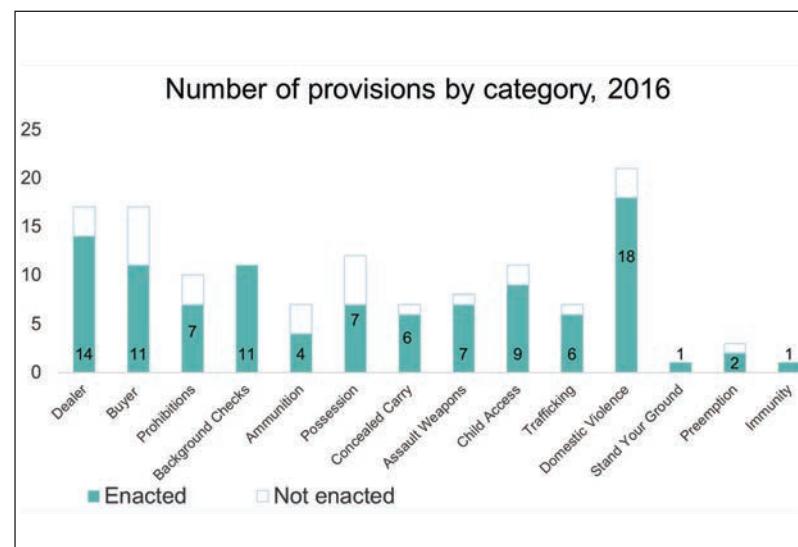
3.52
per 100,000
firearm homicide rate
2015

3.78
per 100,000
firearm suicide rate
2015

8.48
per 100,000
nonfatal firearm injury rate
2013

39,144,818
population
2015

Trends



As of July 1, 2017, all persons who possess a large-capacity ammunition magazine must relinquish it, and all gun owners are required to report the loss or theft of a firearm to a law enforcement agency.

Colorado

State Statistics

30
firearm laws
2016

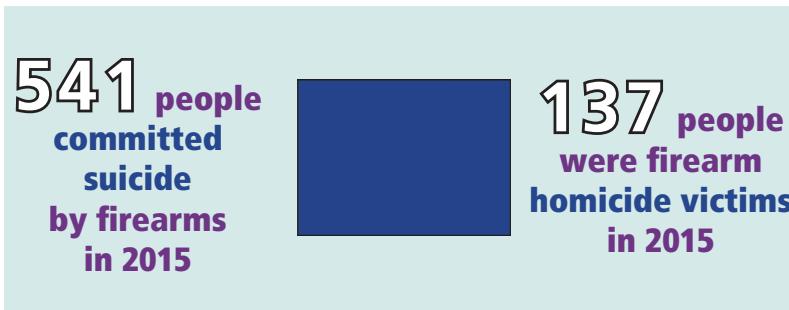
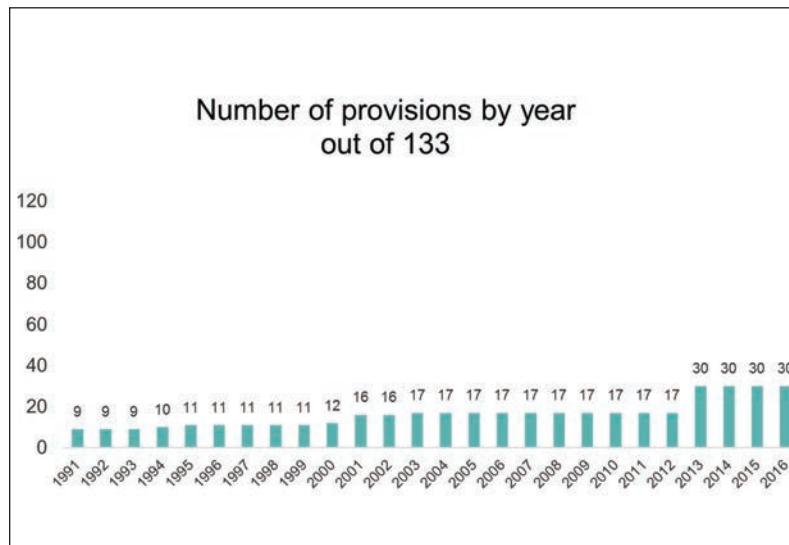
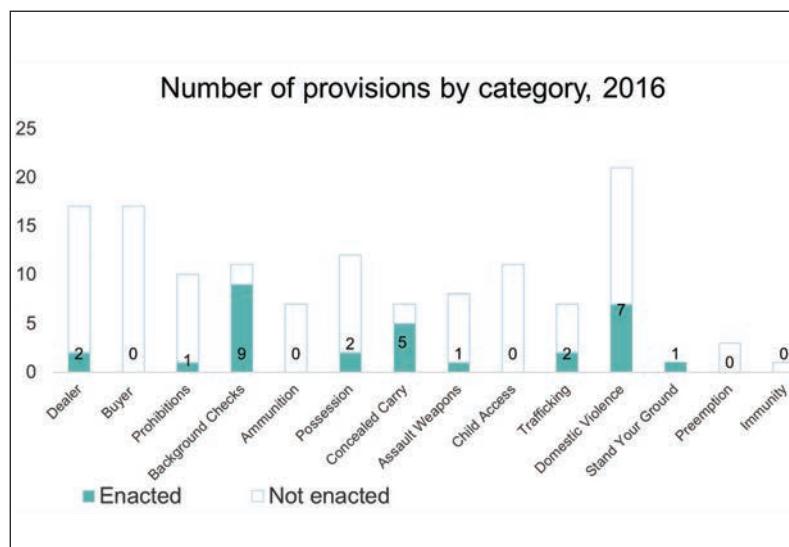
2.46
per 100,000
firearm homicide rate
2015

9.65
per 100,000
firearm suicide rate
2015

5.03
per 100,000
nonfatal firearm injury rate
2013

5,456,574
population
2015

Trends



Connecticut

State Statistics

89
firearm laws
2016

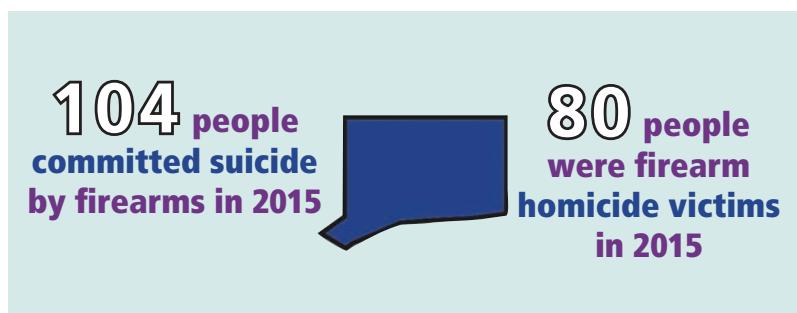
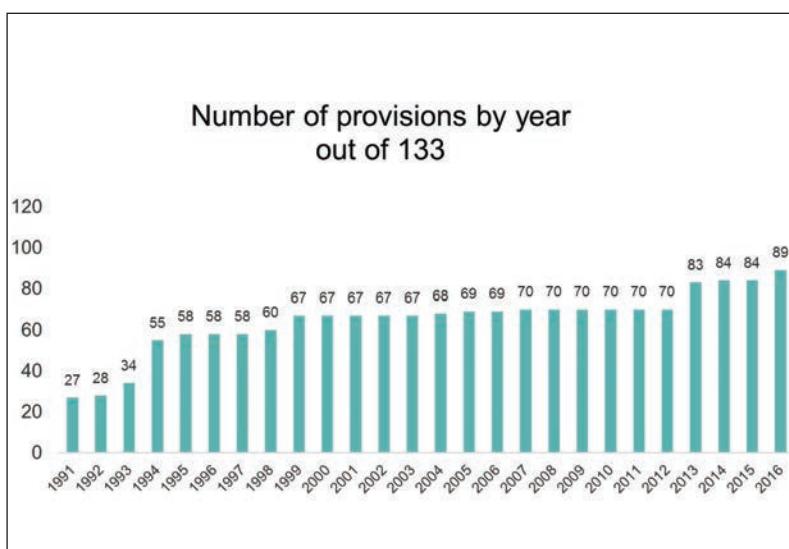
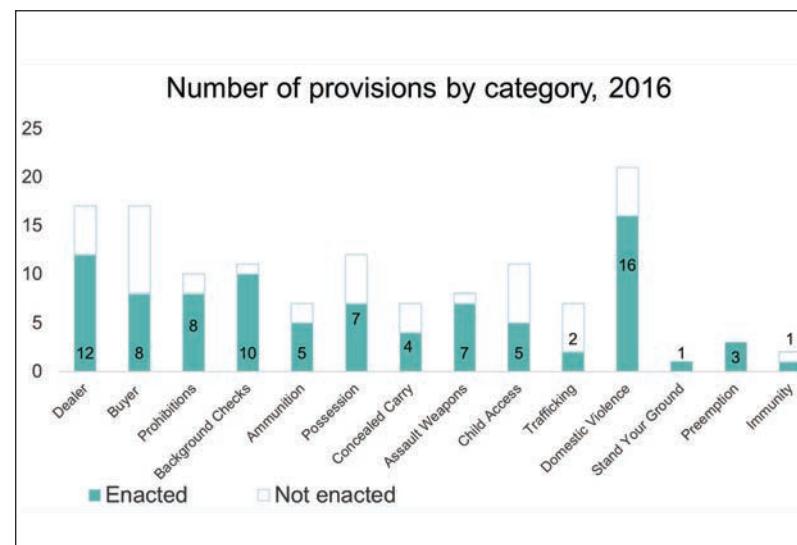
2.43
per 100,000
firearm homicide rate
2015

2.72
per 100,000
firearm suicide rate
2015

4.81
per 100,000
nonfatal firearm injury rate
2013

3,590,886
population
2015

Trends



Delaware

State Statistics

39
firearm laws
2016

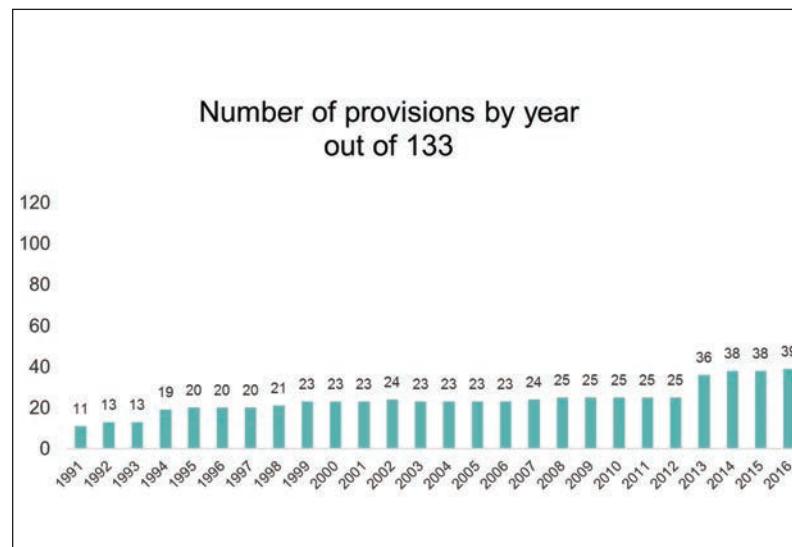
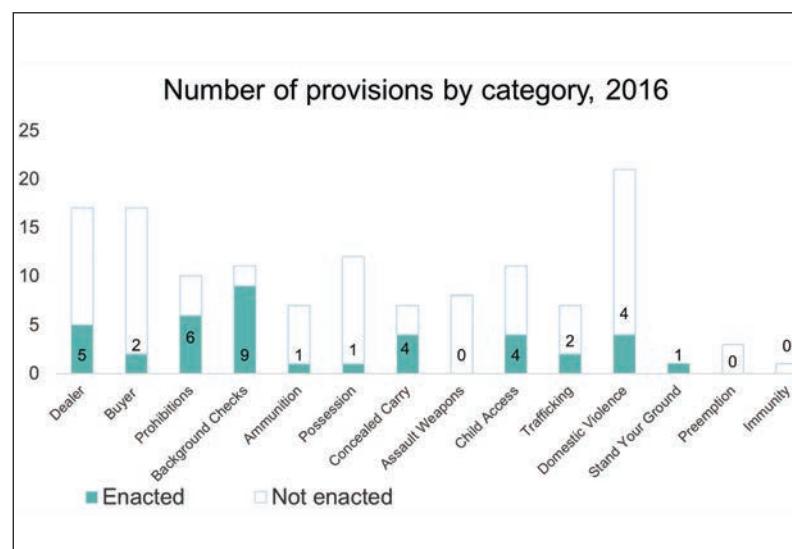
6.12
per 100,000
firearm homicide rate
2015

5.50
per 100,000
firearm suicide rate
2015

10.88
per 100,000
nonfatal firearm injury rate
2013

945,934
population
2015

Trends



As of January 1, 2017, people who are convicted of a misdemeanor crime of domestic violence against a dating partner are prohibited from possessing firearms.

Florida

State Statistics

21
firearm laws
2016

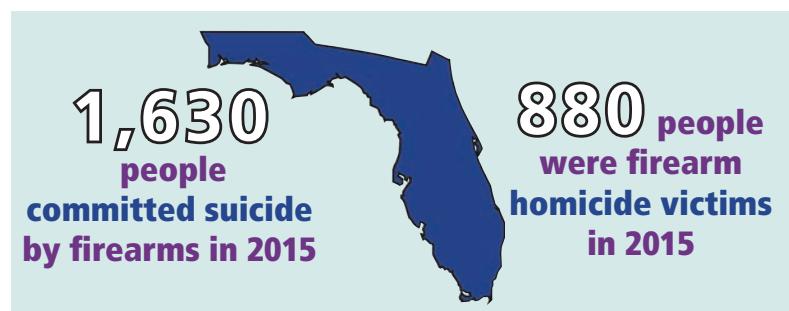
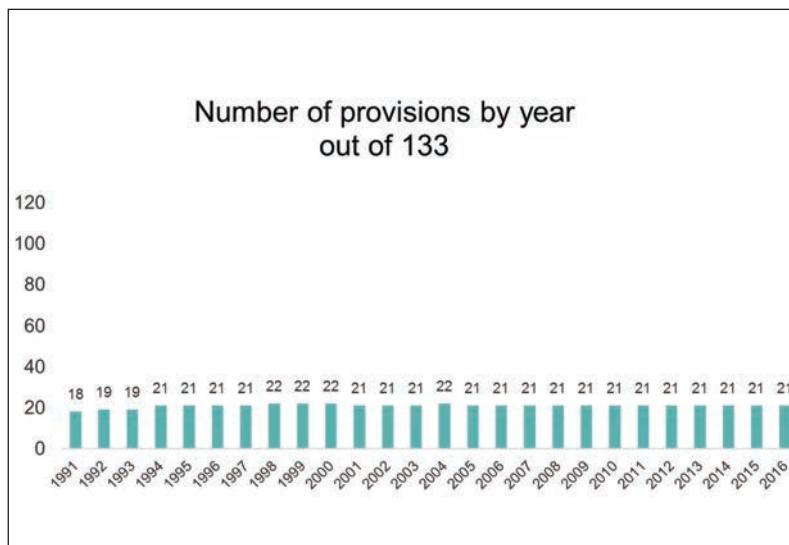
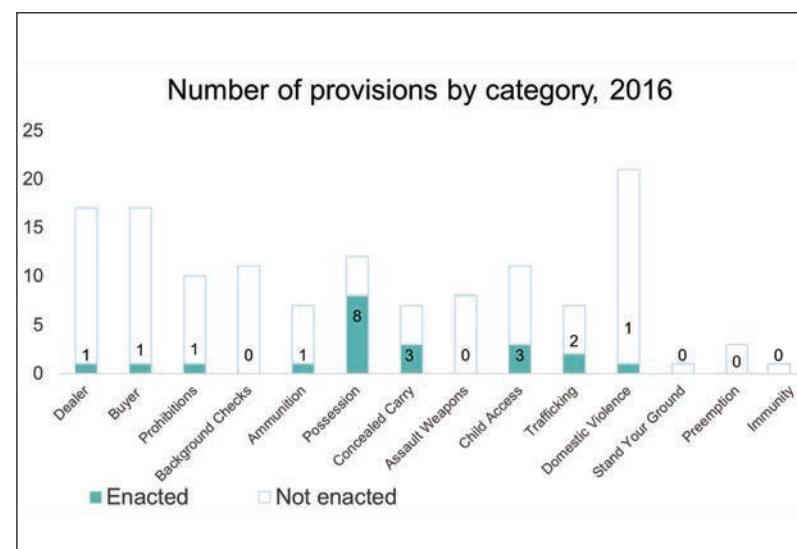
4.66
per 100,000
firearm homicide rate
2015

7.03
per 100,000
firearm suicide rate
2015

11.23
per 100,000
nonfatal firearm injury rate
2013

20,271,272
population
2015

Trends



Georgia

State Statistics

6
firearm laws
2016

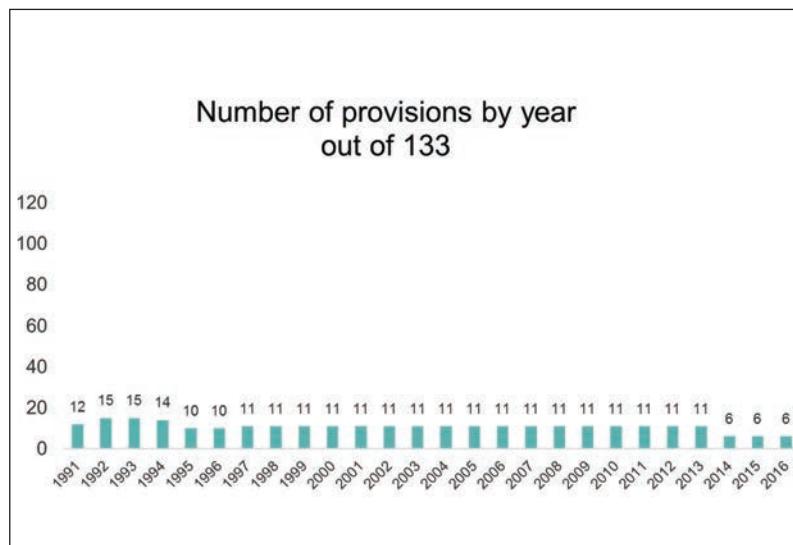
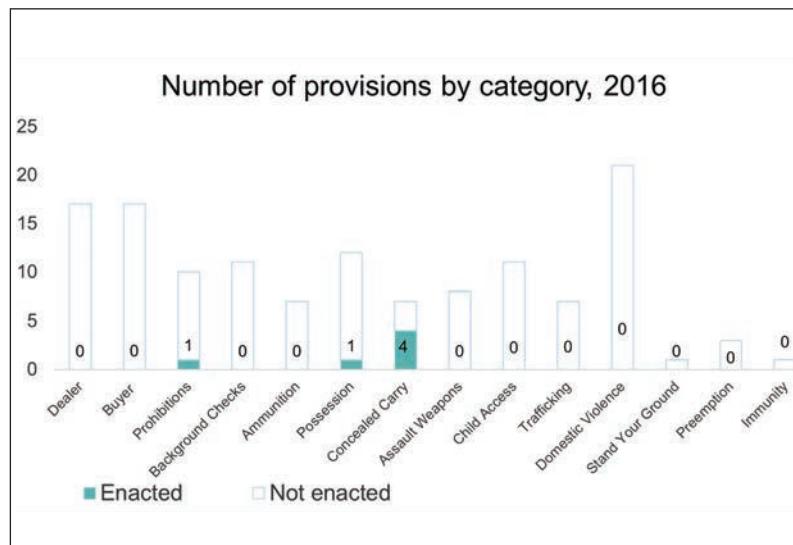
5.73
per 100,000
firearm homicide rate
2015

7.93
per 100,000
firearm suicide rate
2015

12.02
per 100,000
nonfatal firearm injury rate
2013

10,214,860
population
2015

Trends



As of July 1, 2017, persons with concealed carry permits may carry concealed weapons on college campuses.

Hawaii

State Statistics

78
firearm laws
2016

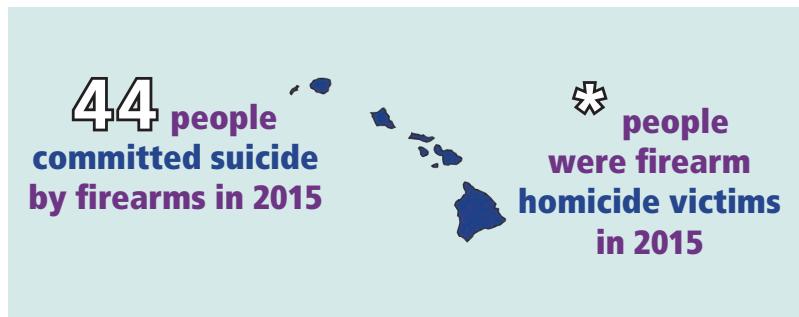
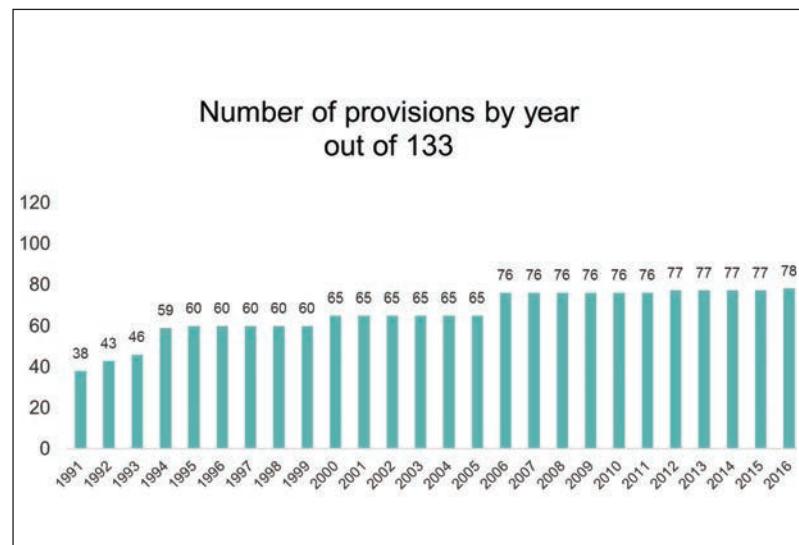
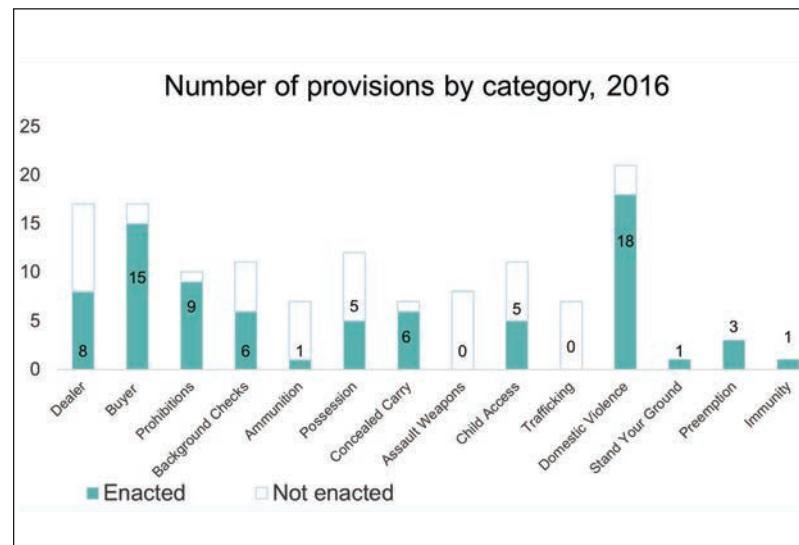
*
per 100,000
firearm homicide rate
2015

2.77
per 100,000
firearm suicide rate
2015

*
per 100,000
nonfatal firearm injury rate
2013

1,431,603
population
2015

Trends



* too low to report

Idaho

State Statistics

4
firearm laws
2016

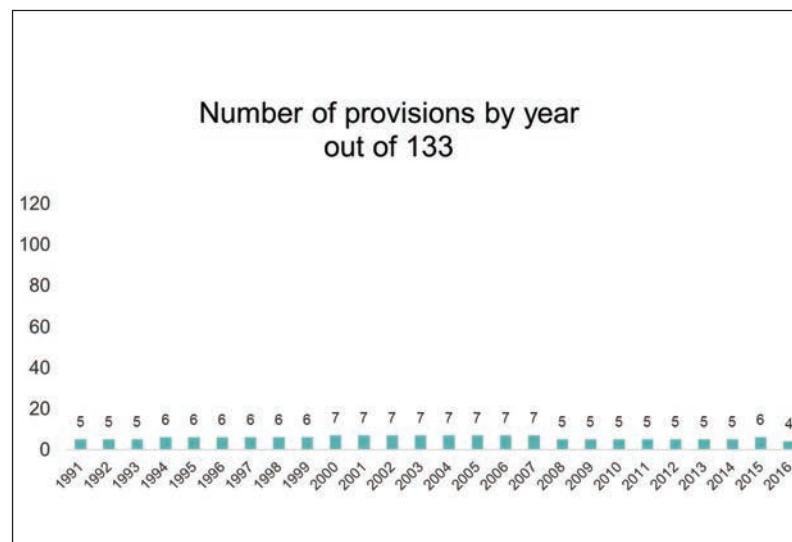
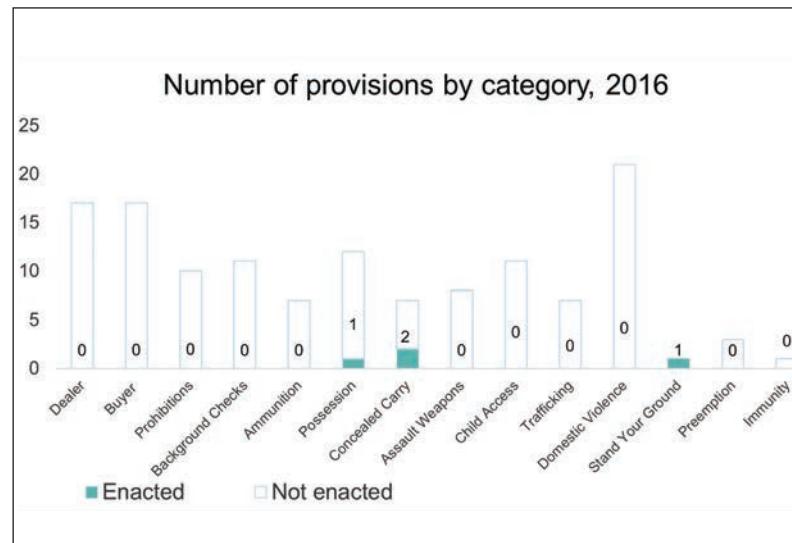
1.29
per 100,000
firearm homicide rate
2015

12.92
per 100,000
firearm suicide rate
2015

2.30
per 100,000
nonfatal firearm injury rate
2013

1,654,930
population
2015

Trends



Illinois

State Statistics

64
firearm laws
2016

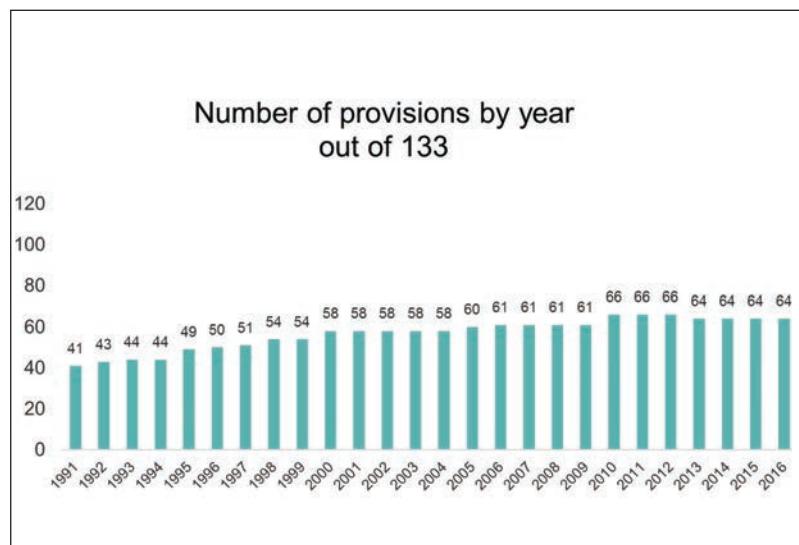
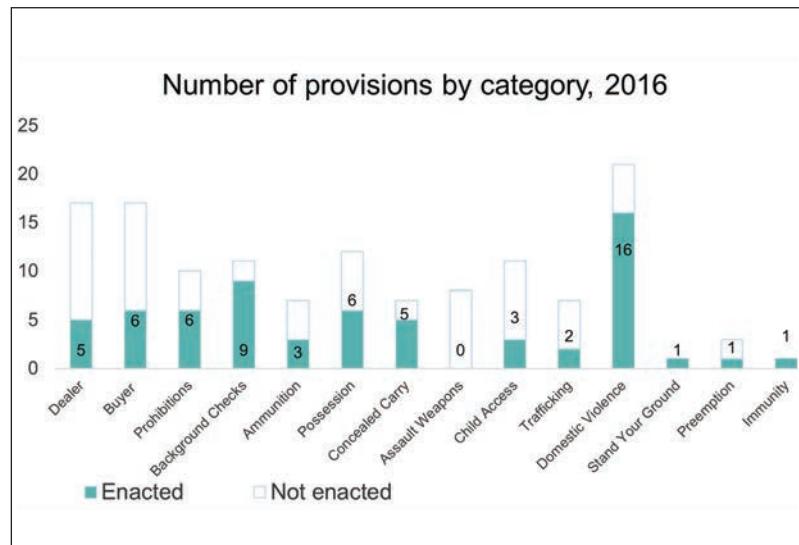
5.45
per 100,000
firearm homicide rate
2015

3.68
per 100,000
firearm suicide rate
2015

11.49
per 100,000
nonfatal firearm injury rate
2013

12,859,995
population
2015

Trends



Indiana

State Statistics

12
firearm laws
2016

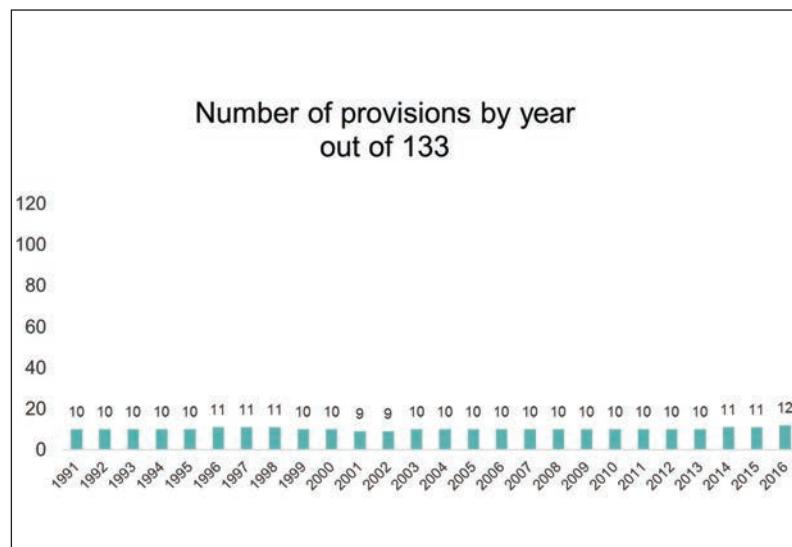
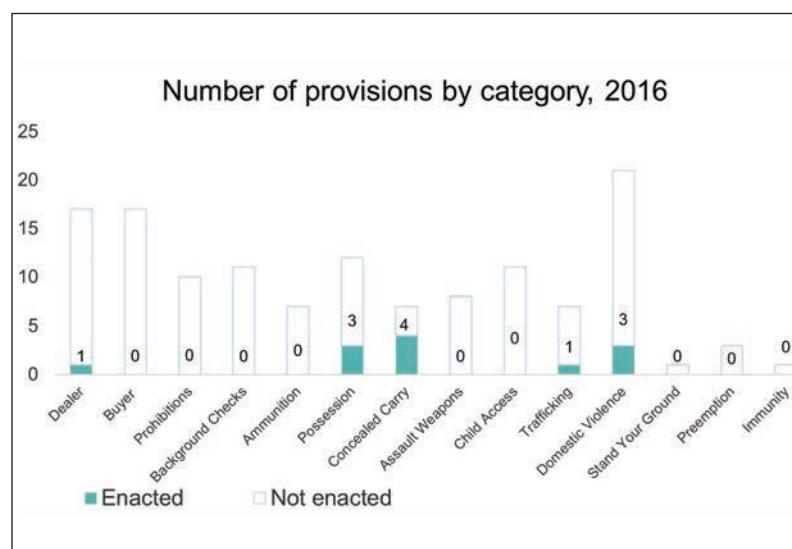
4.61
per 100,000
firearm homicide rate
2015

7.57
per 100,000
firearm suicide rate
2015

11.87
per 100,000
nonfatal firearm injury rate
2013

6,619,680
population
2015

Trends



Iowa

State Statistics

25
firearm laws
2016

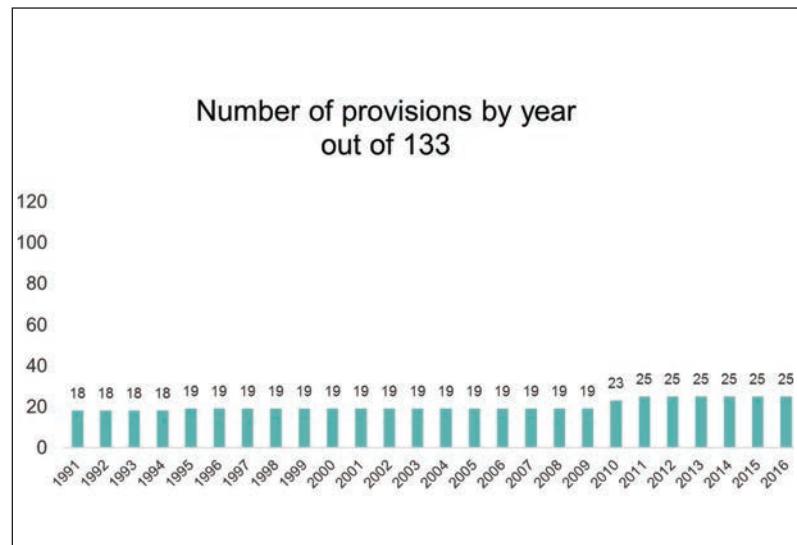
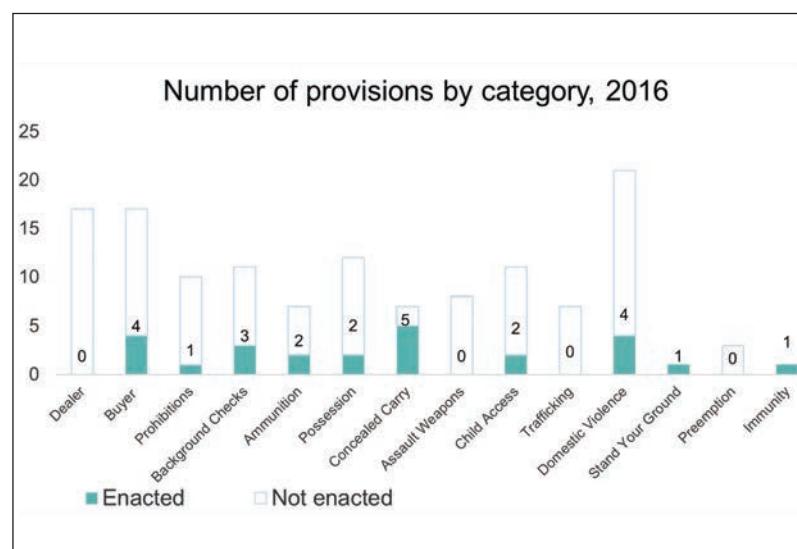
1.62
per 100,000
firearm homicide rate
2015

5.84
per 100,000
firearm suicide rate
2015

2.30
per 100,000
nonfatal firearm injury rate
2013

3,123,899
population
2015

Trends



As of January 1, 2017, people who are convicted of a misdemeanor crime of domestic violence against a dating partner are prohibited from possessing firearms.

Kansas

State Statistics

7
firearm laws
2016

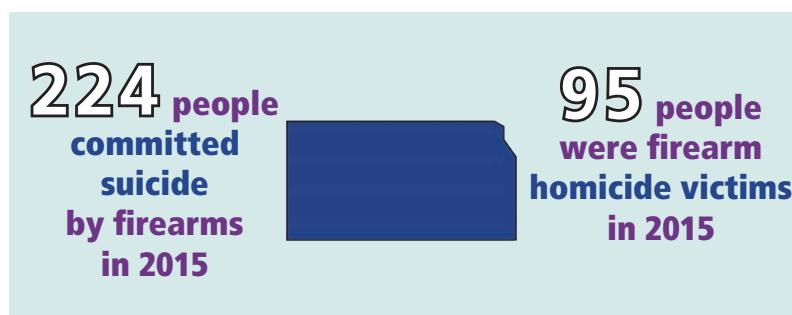
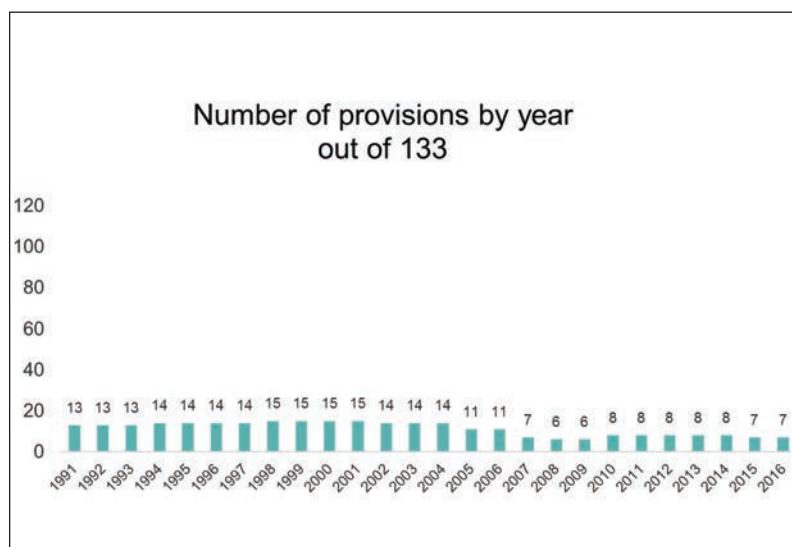
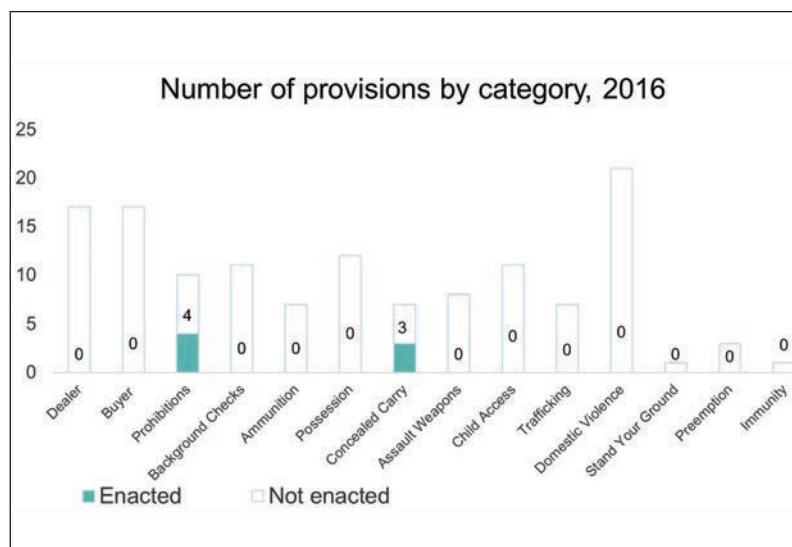
3.35
per 100,000
firearm homicide rate
2015

7.59
per 100,000
firearm suicide rate
2015

7.06
per 100,000
nonfatal firearm injury rate
2013

2,911,641
population
2015

Trends



Kentucky

State Statistics

7
firearm laws
2016

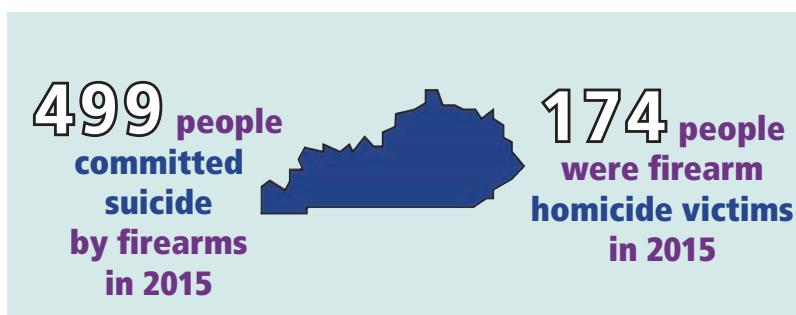
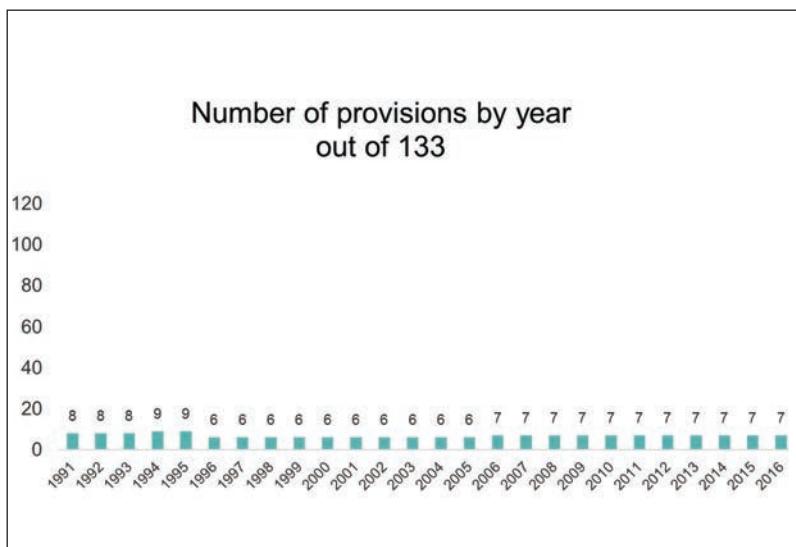
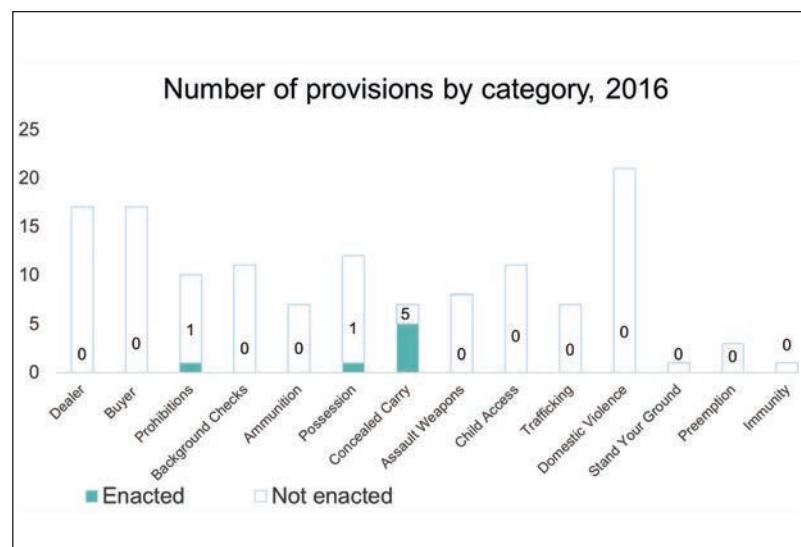
3.96
per 100,000
firearm homicide rate
2015

10.70
per 100,000
firearm suicide rate
2015

8.12
per 100,000
nonfatal firearm injury rate
2013

4,425,092
population
2015

Trends



Louisiana

State Statistics

12
firearm laws
2016

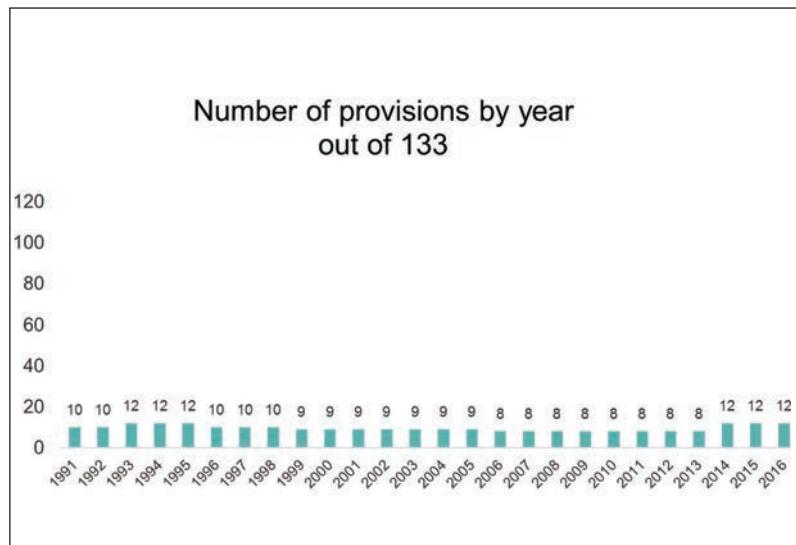
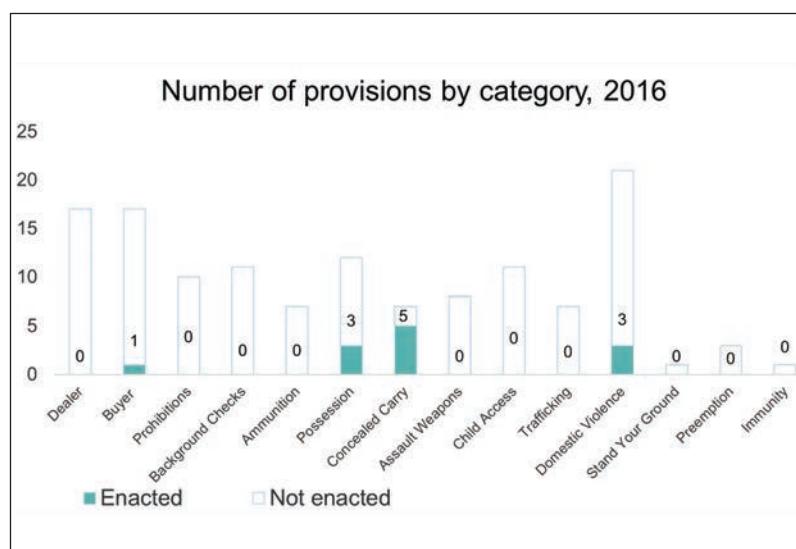
9.96
per 100,000
firearm homicide rate
2015

9.77
per 100,000
firearm suicide rate
2015

24.64
per 100,000
nonfatal firearm injury rate
2013

4,670,724
population
2015

Trends



Maine

State Statistics

12
firearm laws
2016

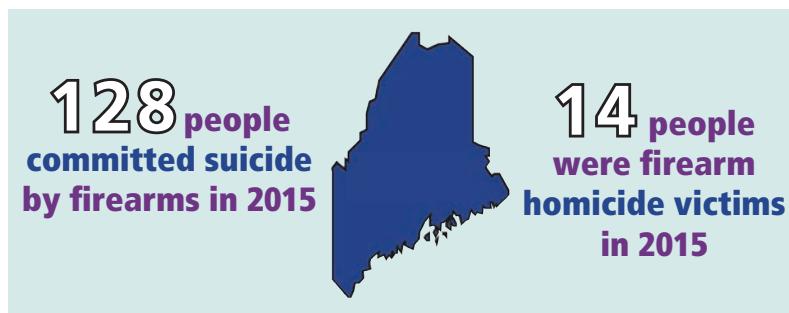
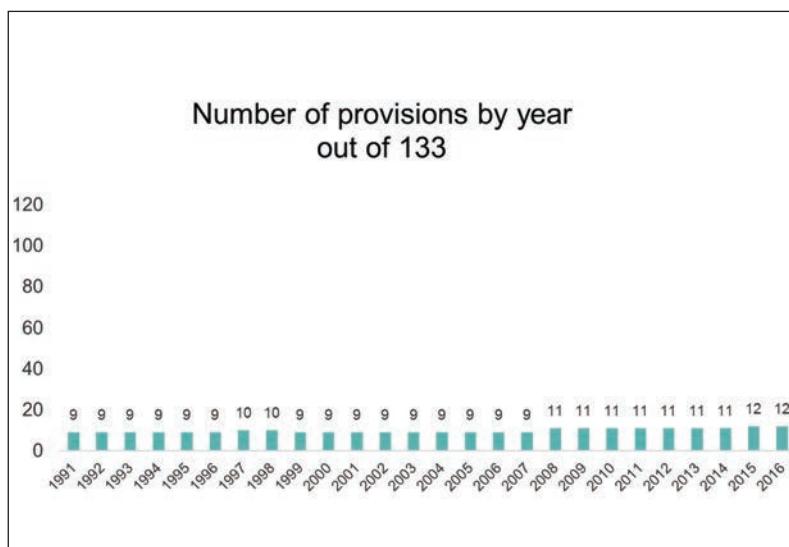
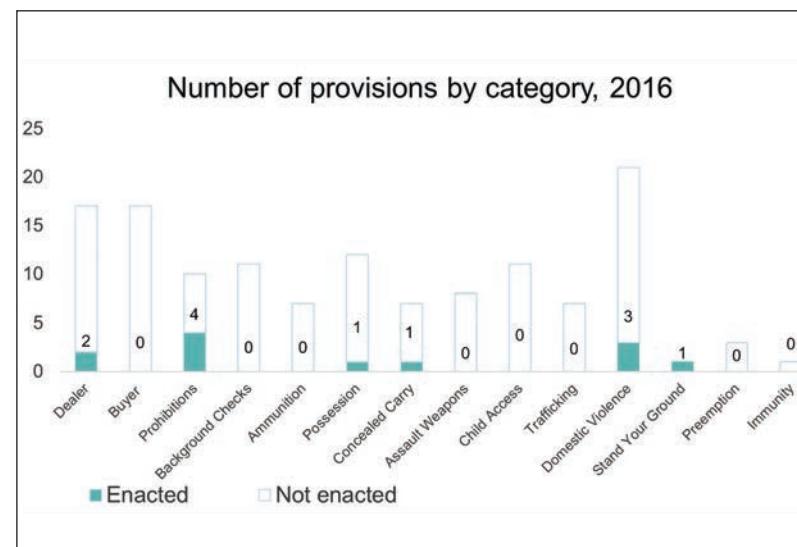
1.14
per 100,000
firearm homicide rate
2015

8.64
per 100,000
firearm suicide rate
2015

2.10
per 100,000
nonfatal firearm injury rate
2013

1,329,328
population
2015

Trends



Maryland

State Statistics

64
firearm laws
2016

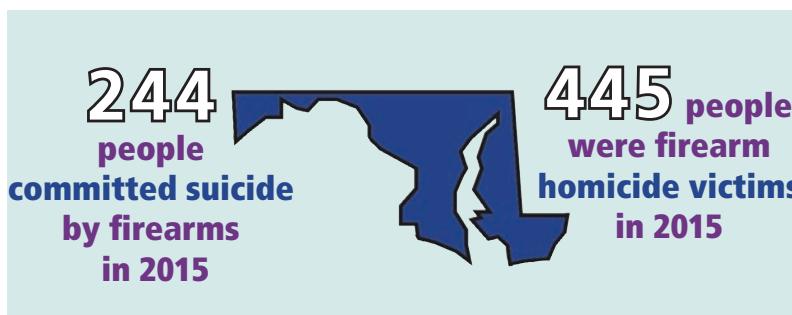
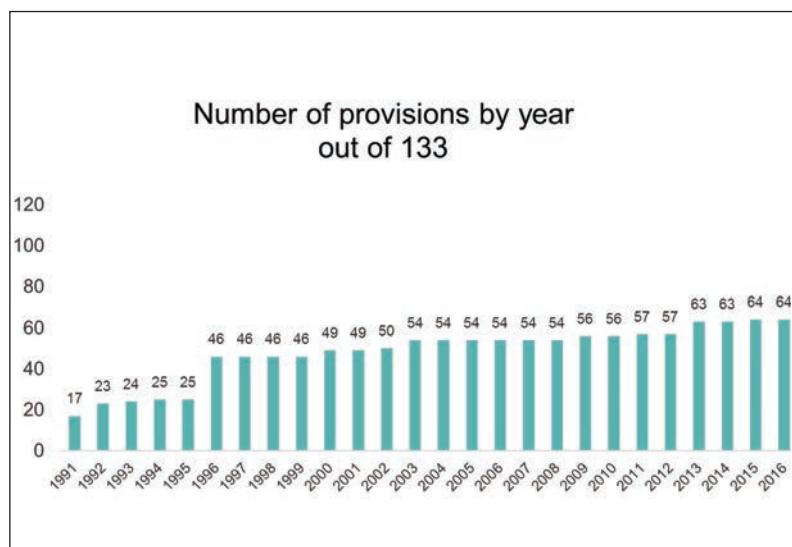
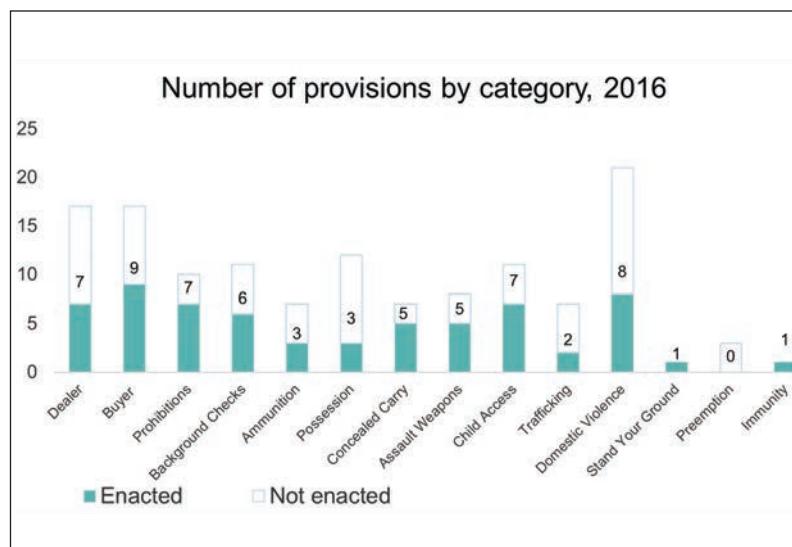
7.69
per 100,000
firearm homicide rate
2015

3.83
per 100,000
firearm suicide rate
2015

13.03
per 100,000
nonfatal firearm injury rate
2013

6,006,401
population
2015

Trends



Massachusetts

State Statistics

100
firearm laws
2016

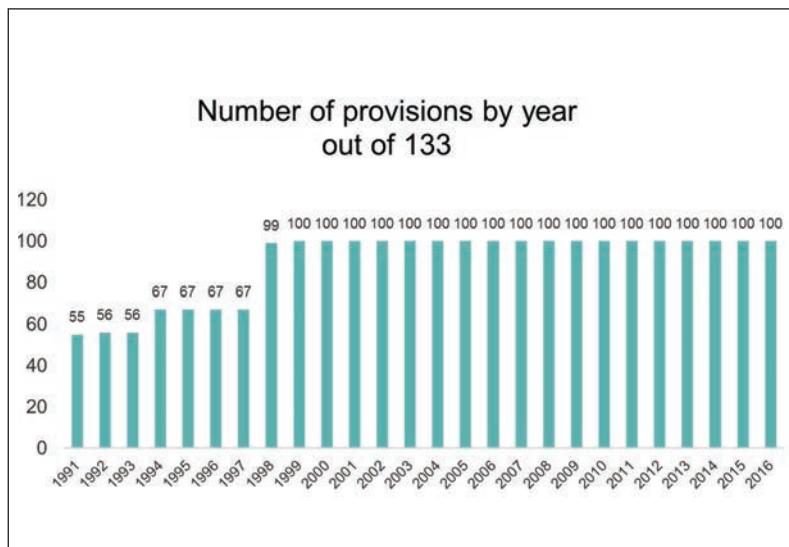
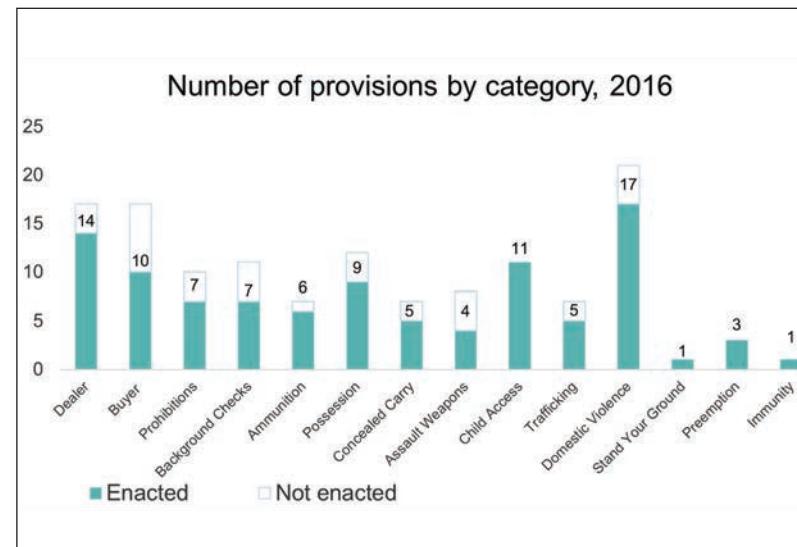
1.26
per 100,000
firearm homicide rate
2015

1.59
per 100,000
firearm suicide rate
2015

3.16
per 100,000
nonfatal firearm injury rate
2013

6,794,422
population
2015

Trends



Michigan

State Statistics

21
firearm laws
2016

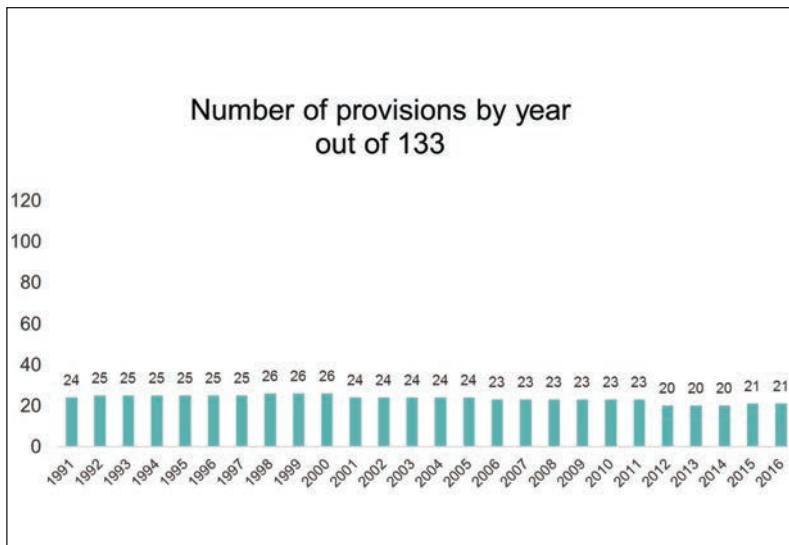
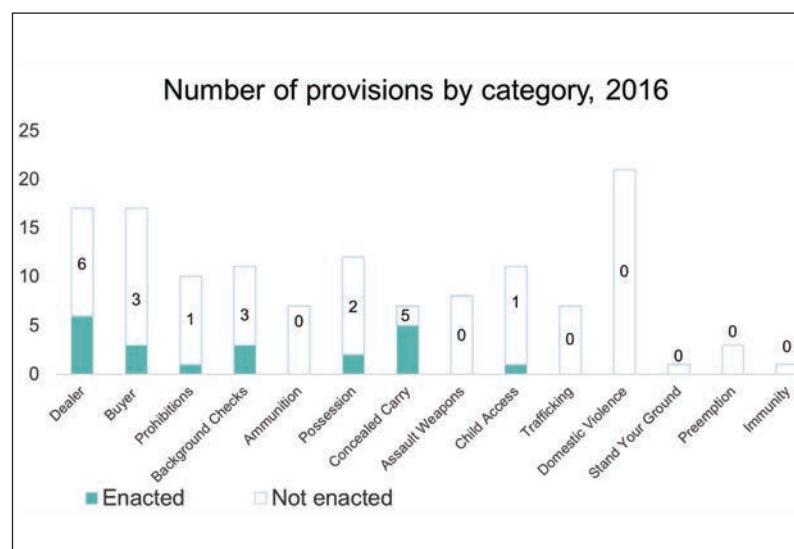
4.74
per 100,000
firearm homicide rate
2015

6.55
per 100,000
firearm suicide rate
2015

13.33
per 100,000
nonfatal firearm injury rate
2013

9,922,576
population
2015

Trends



Minnesota

State Statistics

41
firearm laws
2016

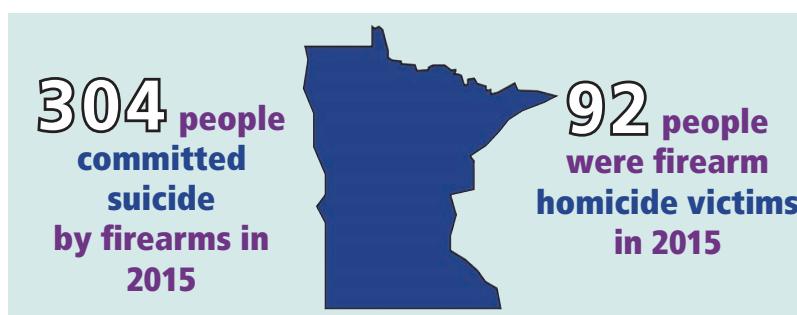
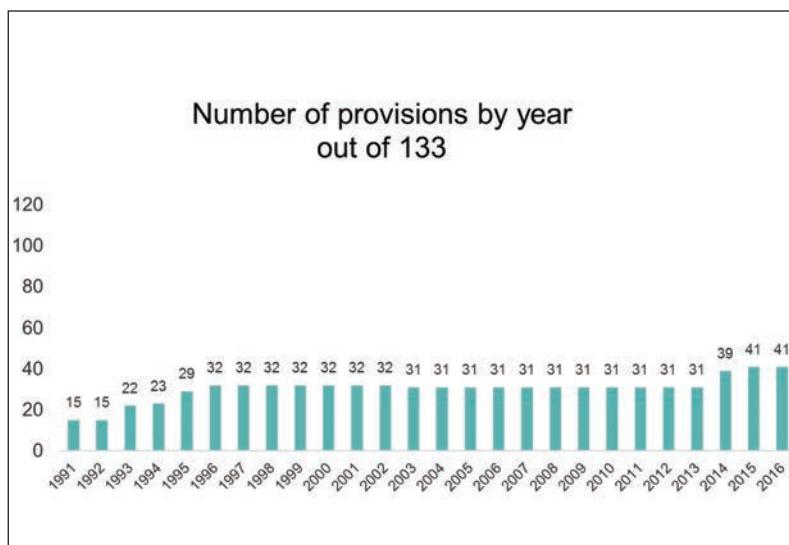
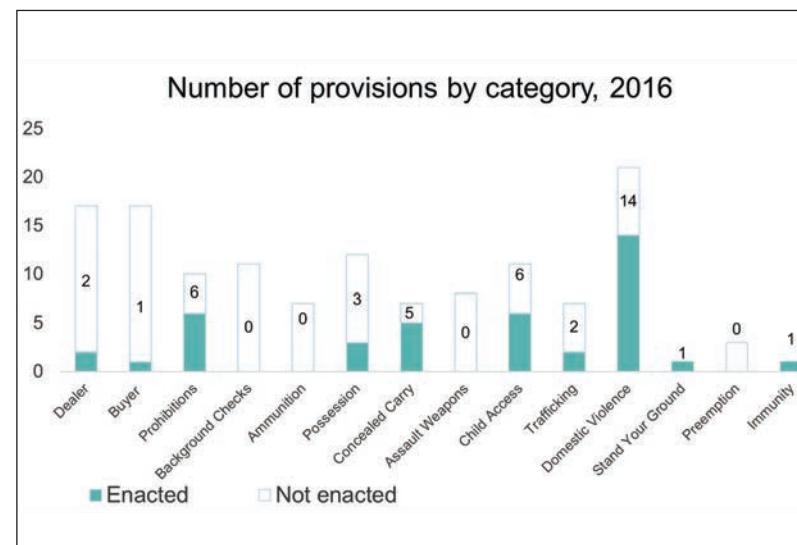
1.77
per 100,000
firearm homicide rate
2015

5.41
per 100,000
firearm suicide rate
2015

3.54
per 100,000
nonfatal firearm injury rate
2013

5,489,594
population
2015

Trends



Mississippi

State Statistics

5
firearm laws
2016

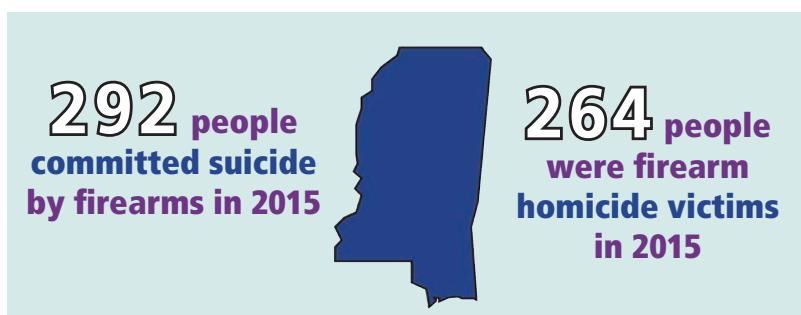
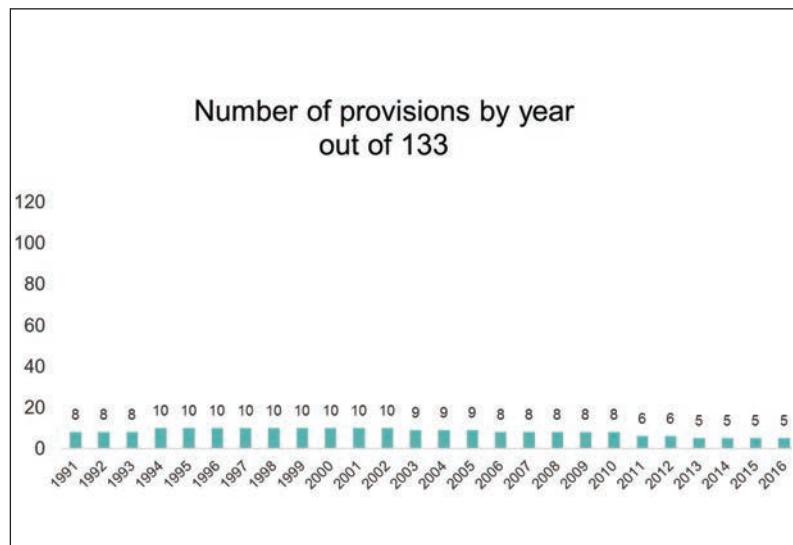
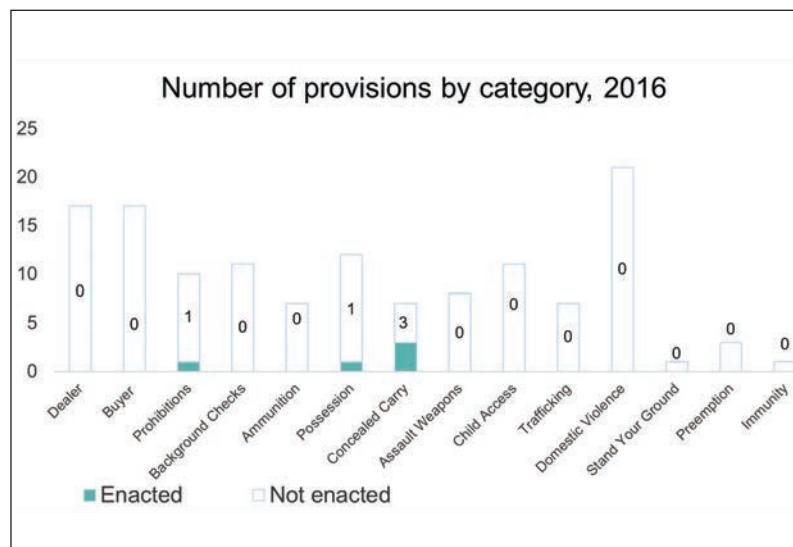
9.11
per 100,000
firearm homicide rate
2015

9.30
per 100,000
firearm suicide rate
2015

18.75
per 100,000
nonfatal firearm injury rate
2013

2,992,333
population
2015

Trends



Missouri

State Statistics

7
firearm laws
2016

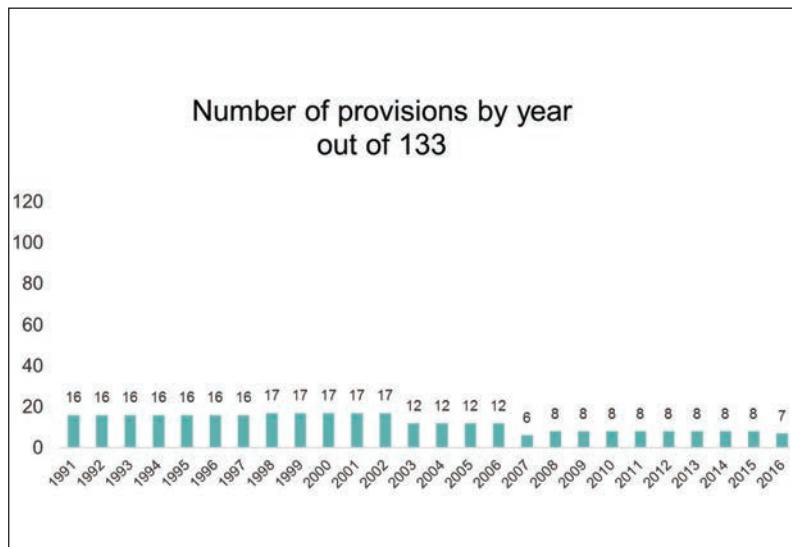
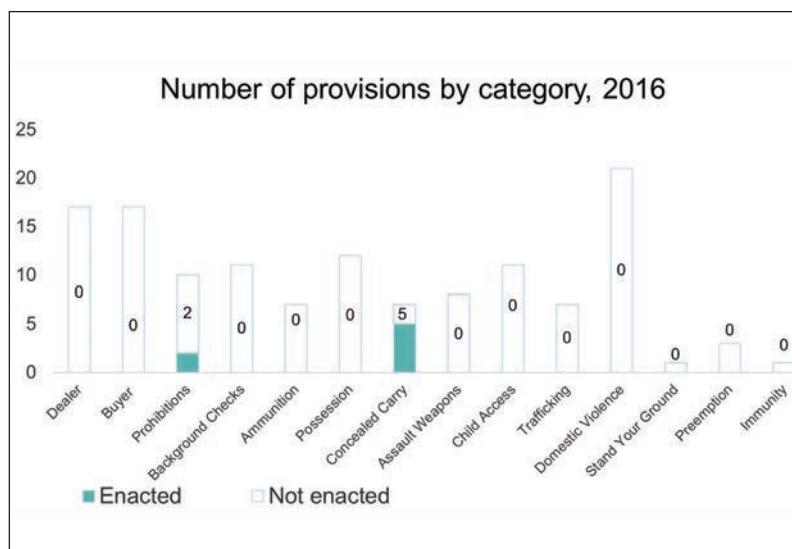
7.92
per 100,000
firearm homicide rate
2015

9.50
per 100,000
firearm suicide rate
2015

12.83
per 100,000
nonfatal firearm injury rate
2013

6,083,672
population
2015

Trends



As of January 1, 2017, a permit is no longer required to carry a concealed firearm.

Montana

State Statistics

4
firearm laws
2016

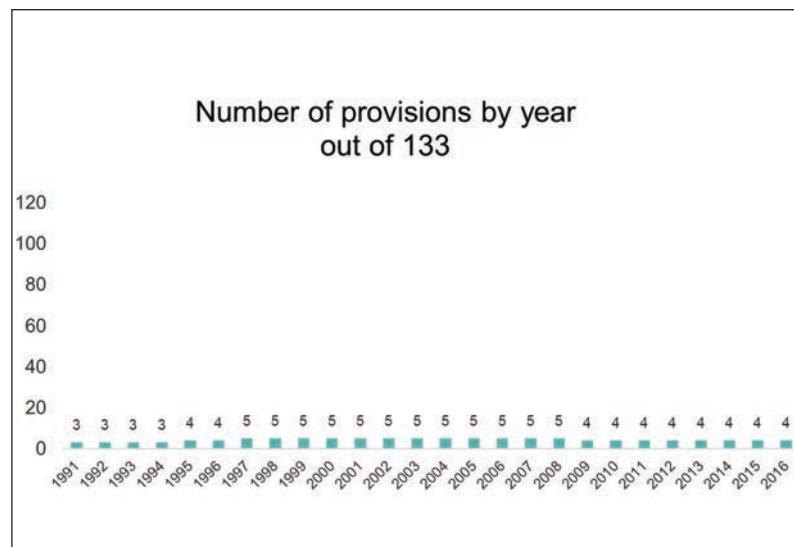
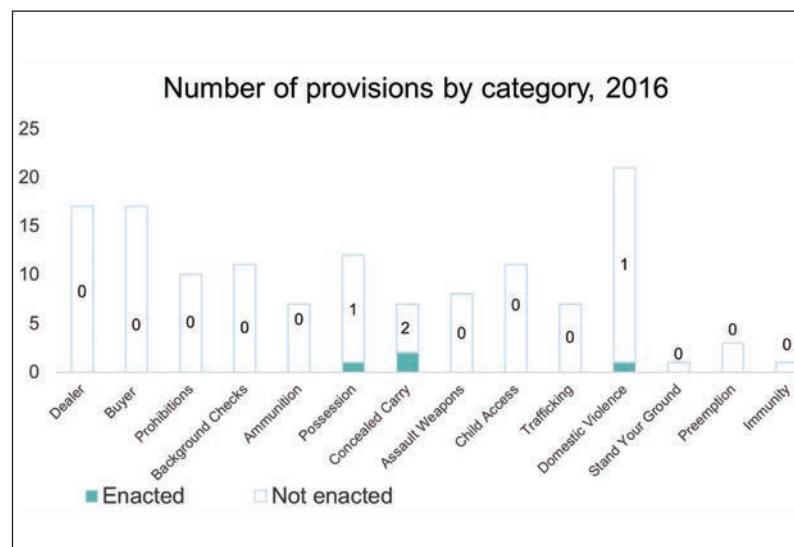
2.17
per 100,000
firearm homicide rate
2015

16.07
per 100,000
firearm suicide rate
2015

4.10
per 100,000
nonfatal firearm injury rate
2013

1,032,949
population
2015

Trends



Nebraska

State Statistics

22
firearm laws
2016

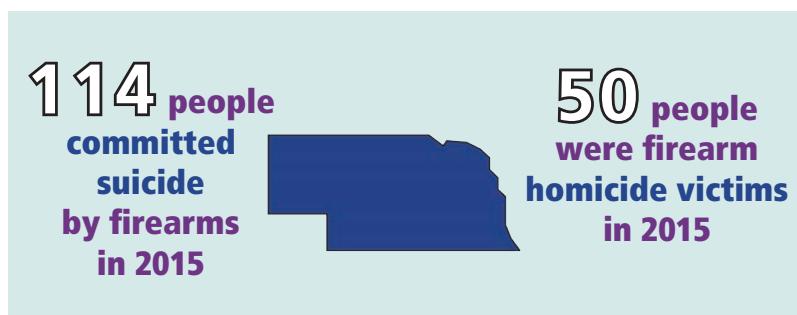
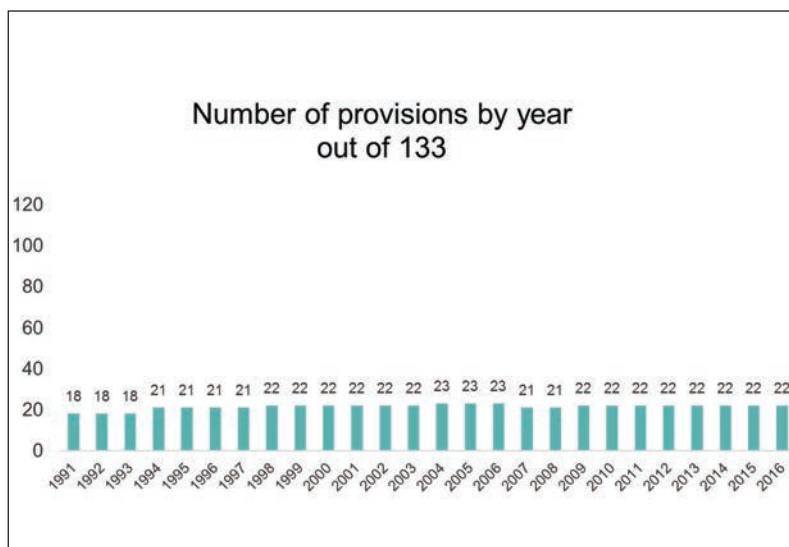
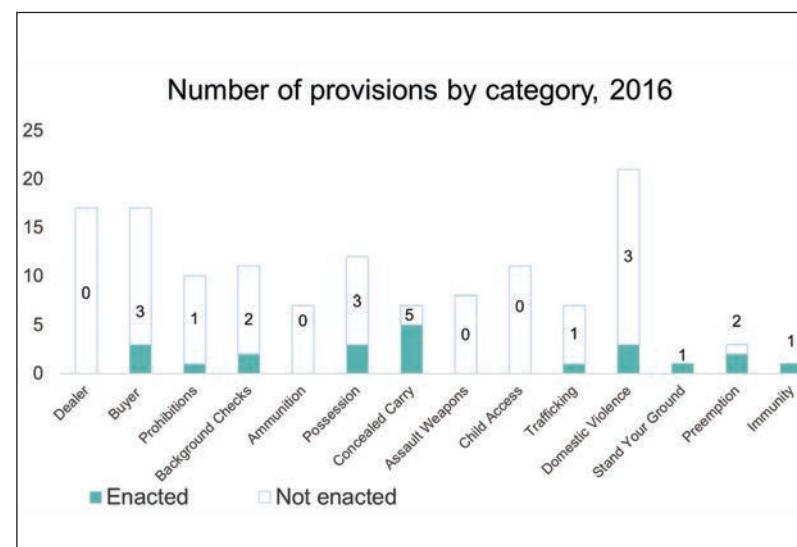
2.67
per 100,000
firearm homicide rate
2015

5.90
per 100,000
firearm suicide rate
2015

7.06
per 100,000
nonfatal firearm injury rate
2013

1,896,190
population
2015

Trends



Nevada

State Statistics

15
firearm laws
2016

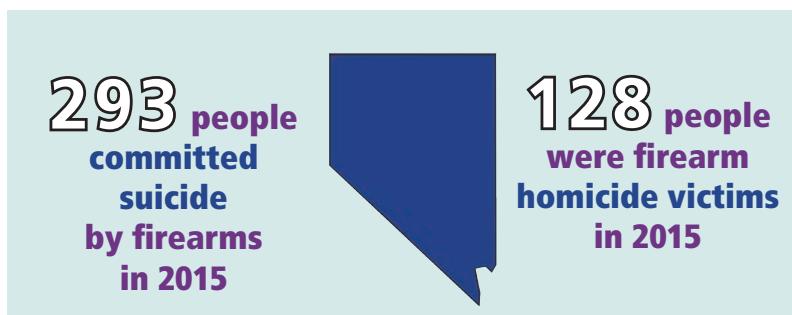
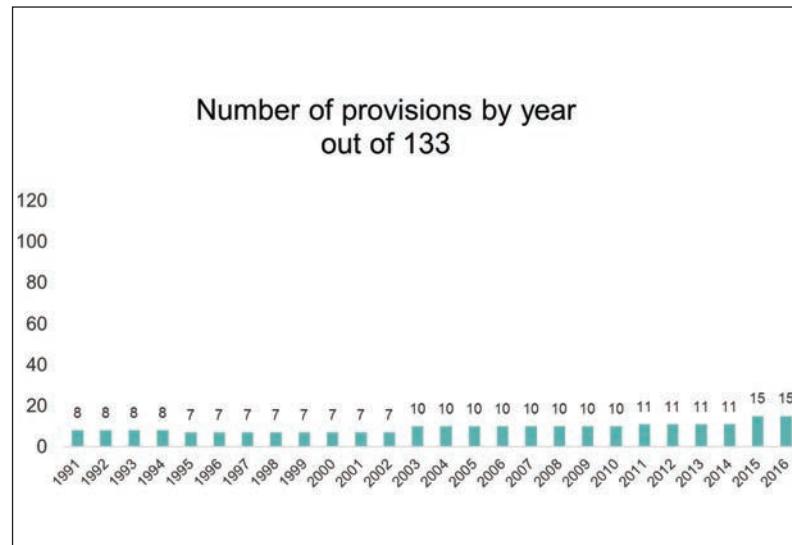
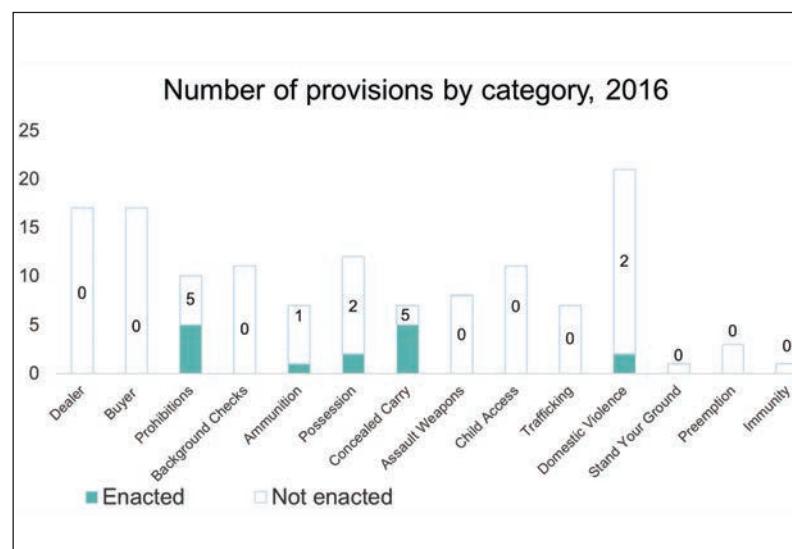
4.49
per 100,000
firearm homicide rate
2015

9.48
per 100,000
firearm suicide rate
2015

8.07
per 100,000
nonfatal firearm injury rate
2013

2,890,845
population
2015

Trends



As of January 1, 2017, a background check is required for the sale of all firearms, even from unlicensed sellers.

New Hampshire

State Statistics

10
firearm laws
2016

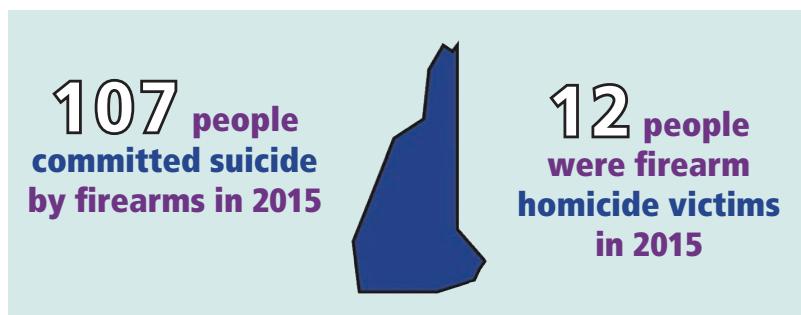
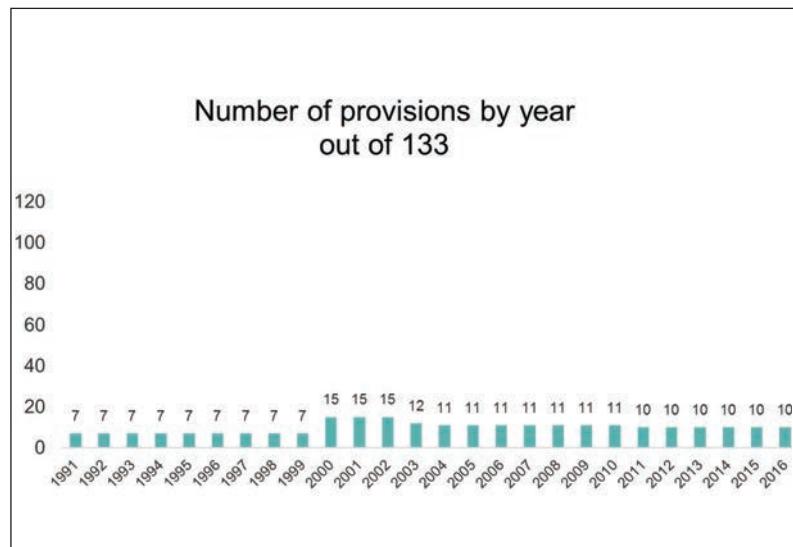
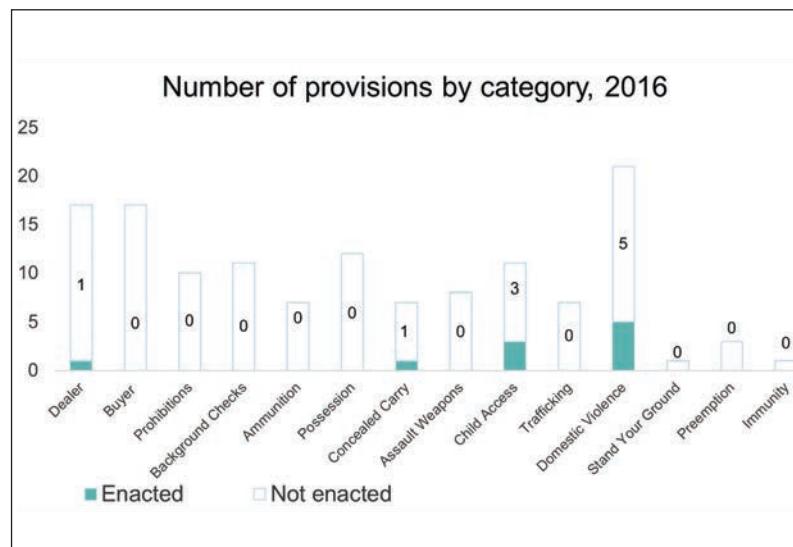
0.96
per 100,000
firearm homicide rate
2015

7.79
per 100,000
firearm suicide rate
2015

per 100,000
nonfatal firearm injury rate
2013

1,330,608
population
2015

Trends



As of February 22, 2017, a permit is no longer required to carry a concealed firearm.

* too low to report

New Jersey

State Statistics

67
firearm laws
2016

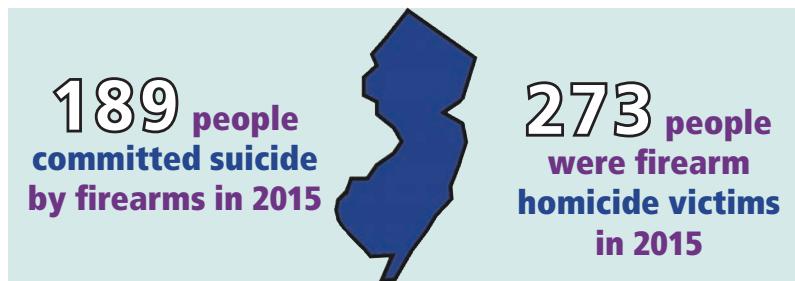
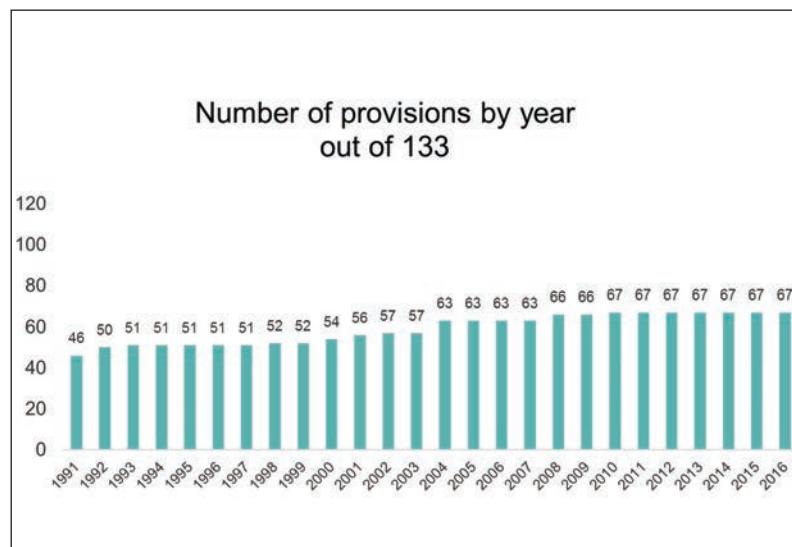
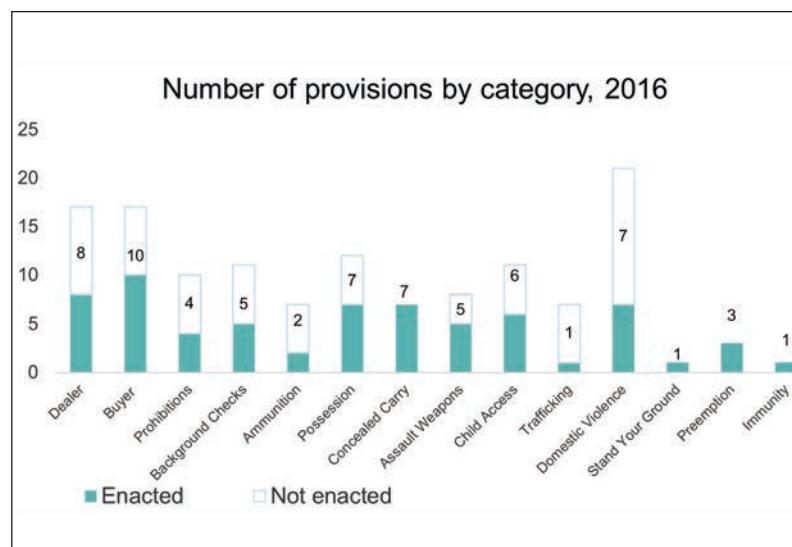
3.22
per 100,000
firearm homicide rate
2015

1.95
per 100,000
firearm suicide rate
2015

8.93
per 100,000
nonfatal firearm injury rate
2013

8,958,013
population
2015

Trends



As of August 1, 2017, people convicted of a misdemeanor crime of domestic violence or subject to a permanent domestic violence-related restraining order must surrender their firearms, and law enforcement authorities are authorized to confiscate these weapons.

New Mexico

State Statistics

10
firearm laws
2016

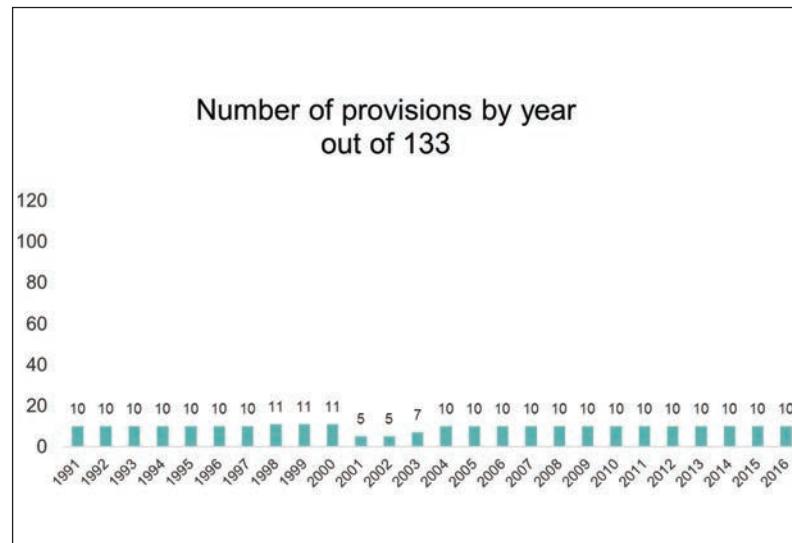
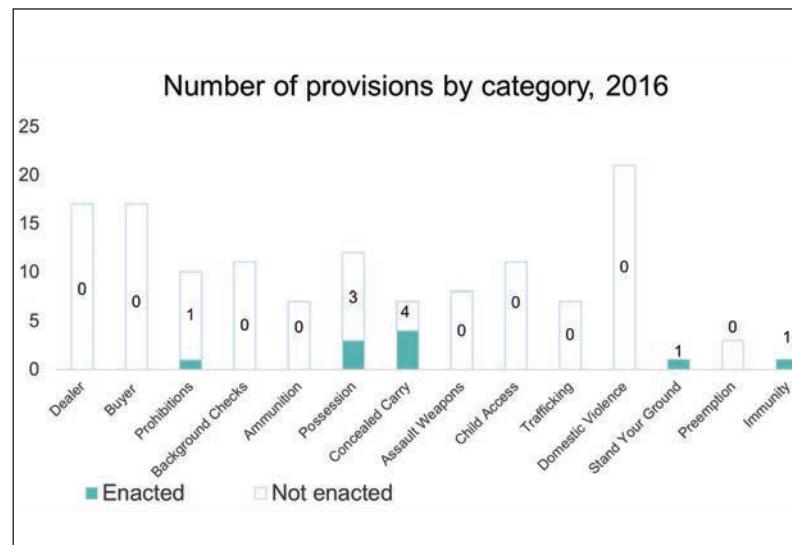
4.79
per 100,000
firearm homicide rate
2015

12.49
per 100,000
firearm suicide rate
2015

10.27
per 100,000
nonfatal firearm injury rate
2013

2,085,109
population
2015

Trends



New York

State Statistics

75
firearm laws
2016

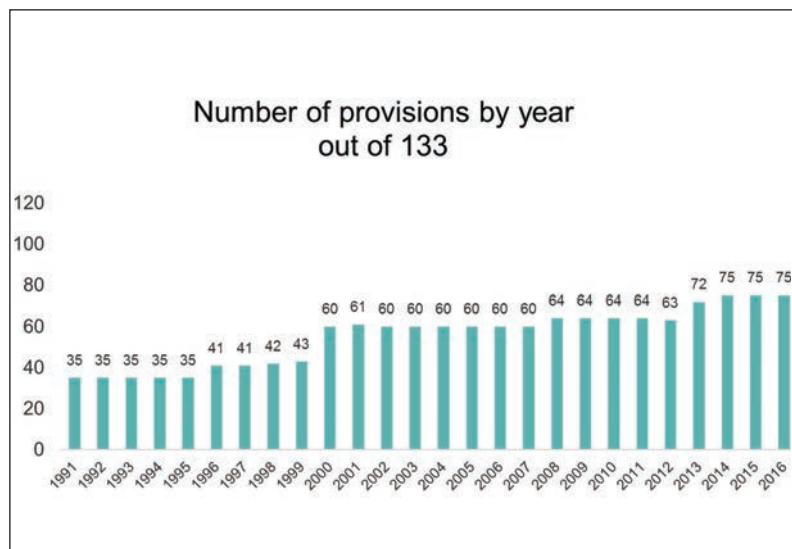
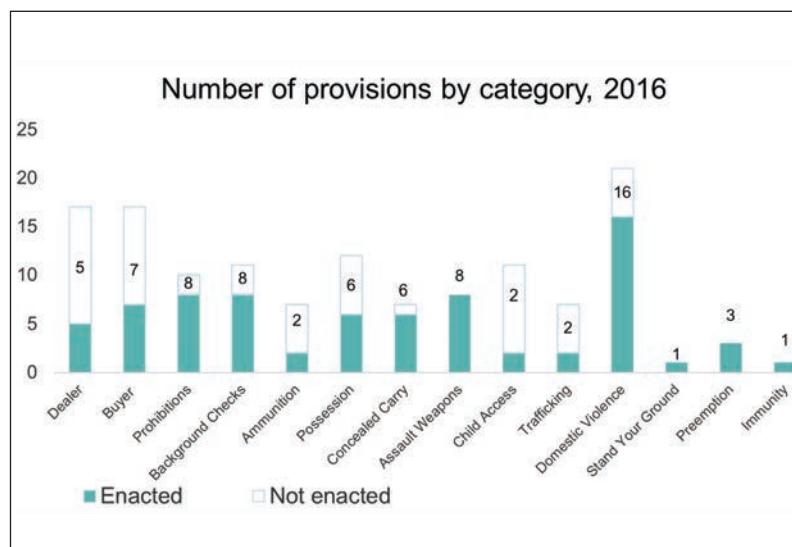
2.07
per 100,000
firearm homicide rate
2015

1.95
per 100,000
firearm suicide rate
2015

4.83
per 100,000
nonfatal firearm injury rate
2013

19,795,791
population
2015

Trends



North Carolina

State Statistics

30
firearm laws
2016

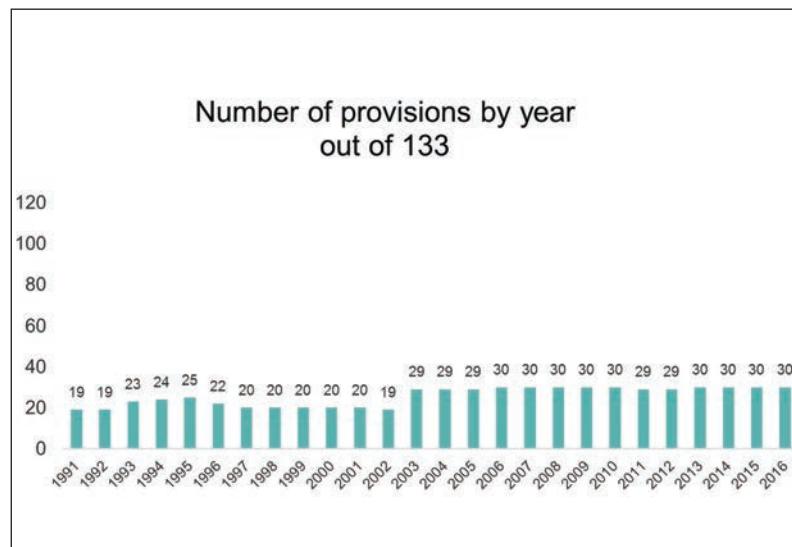
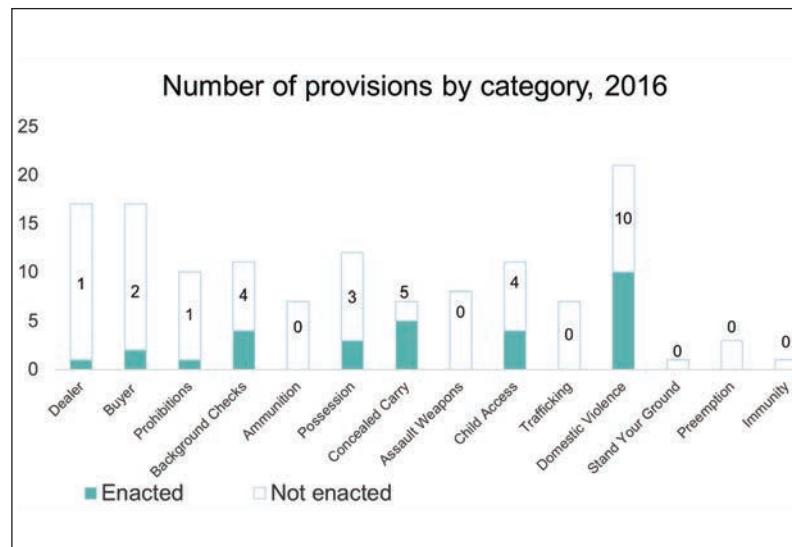
4.54
per 100,000
firearm homicide rate
2015

7.30
per 100,000
firearm suicide rate
2015

10.80
per 100,000
nonfatal firearm injury rate
2013

10,042,802
population
2015

Trends



North Dakota

State Statistics

14
firearm laws
2016

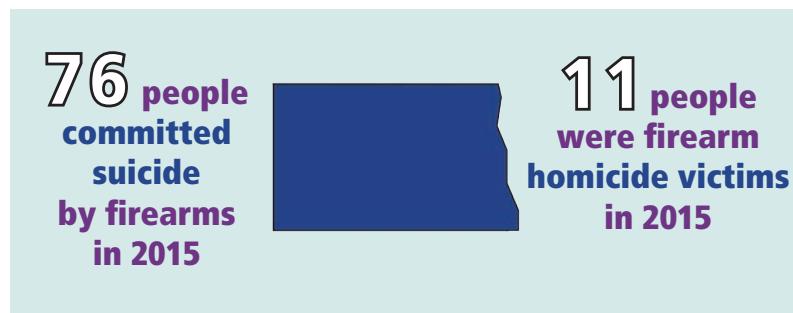
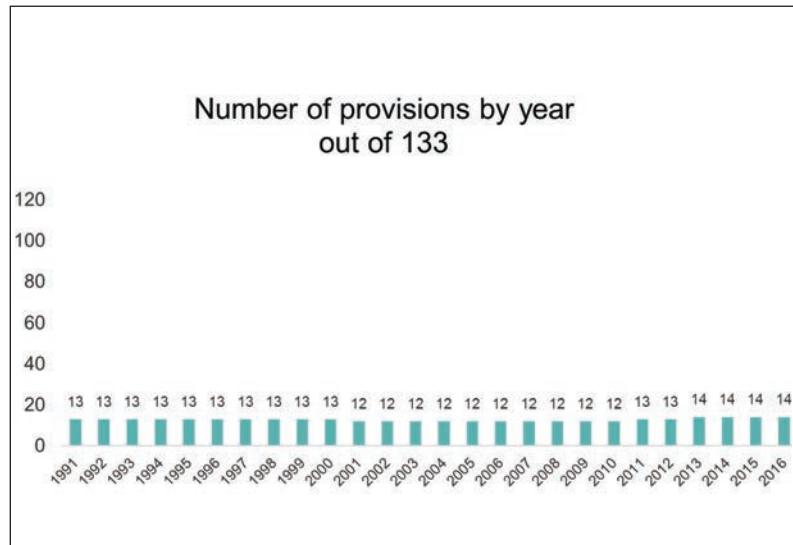
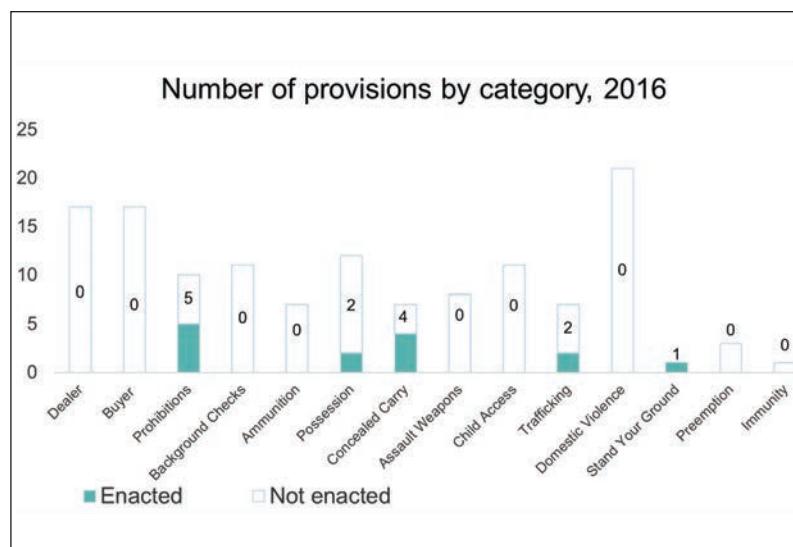
1.69
per 100,000
firearm homicide rate
2015

10.24
per 100,000
firearm suicide rate
2015

per 100,000
nonfatal firearm injury rate
2013

756,927
population
2015

Trends



As of February 22, 2017, a permit is no longer required to carry a concealed firearm.

* too low to report

Ohio

State Statistics

16
firearm laws
2016

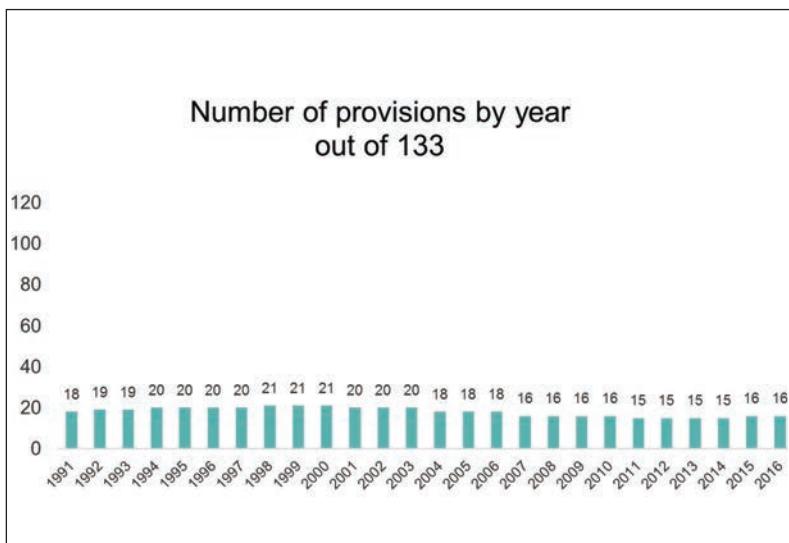
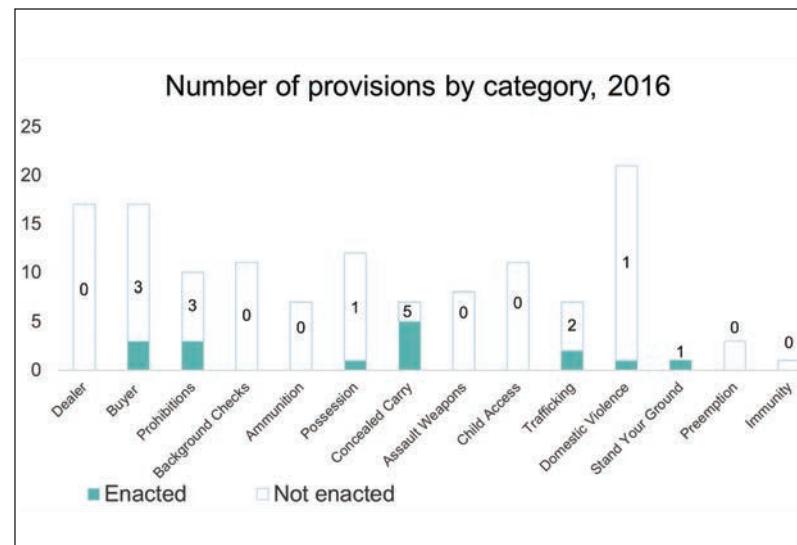
4.38
per 100,000
firearm homicide rate
2015

7.09
per 100,000
firearm suicide rate
2015

10.32
per 100,000
nonfatal firearm injury rate
2013

11,613,423
population
2015

Trends



As of March 21, 2017, the concealed carry of handguns is no longer banned on college campuses, as long as the institution authorizes it.

Oklahoma

State Statistics

9
firearm laws
2016

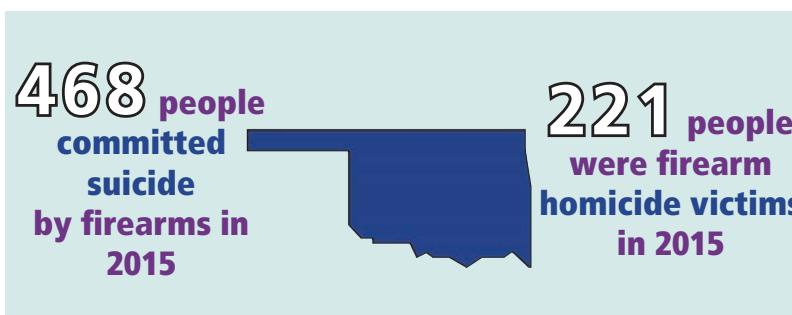
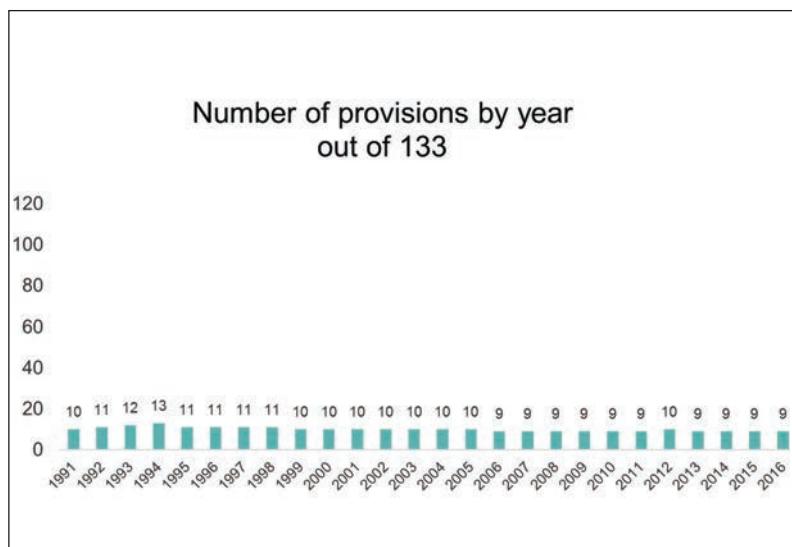
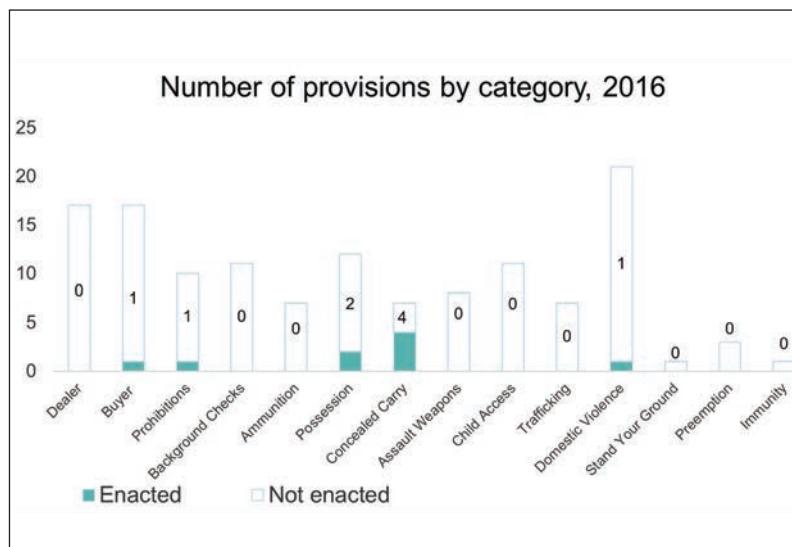
5.87
per 100,000
firearm homicide rate
2015

11.66
per 100,000
firearm suicide rate
2015

12.19
per 100,000
nonfatal firearm injury rate
2013

3,911,338
population
2015

Trends



Oregon

State Statistics

35
firearm laws
2016

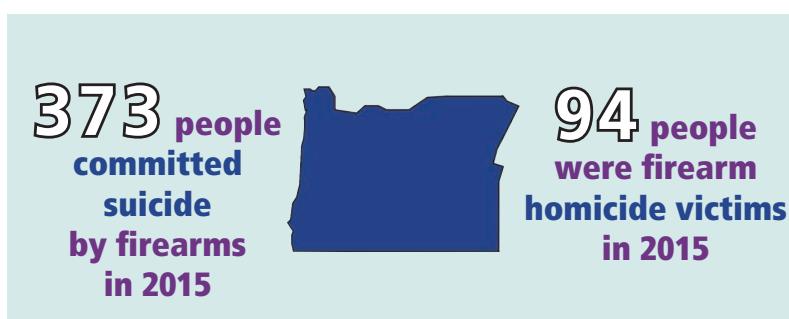
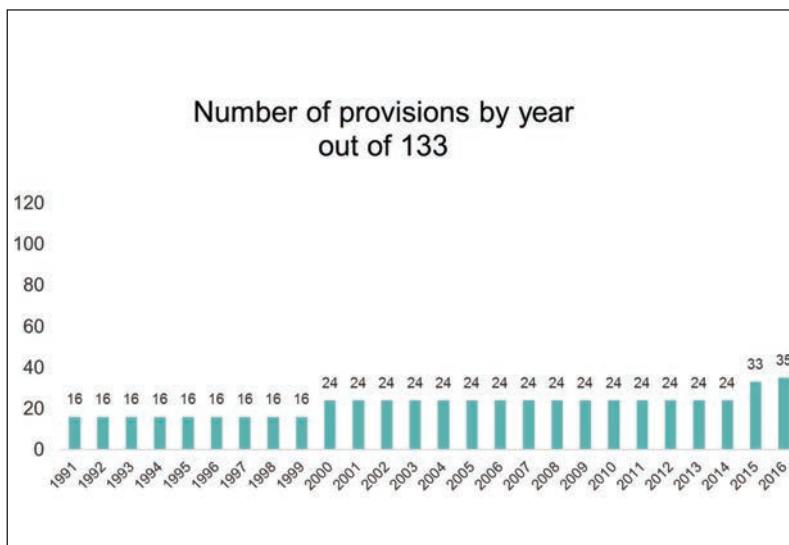
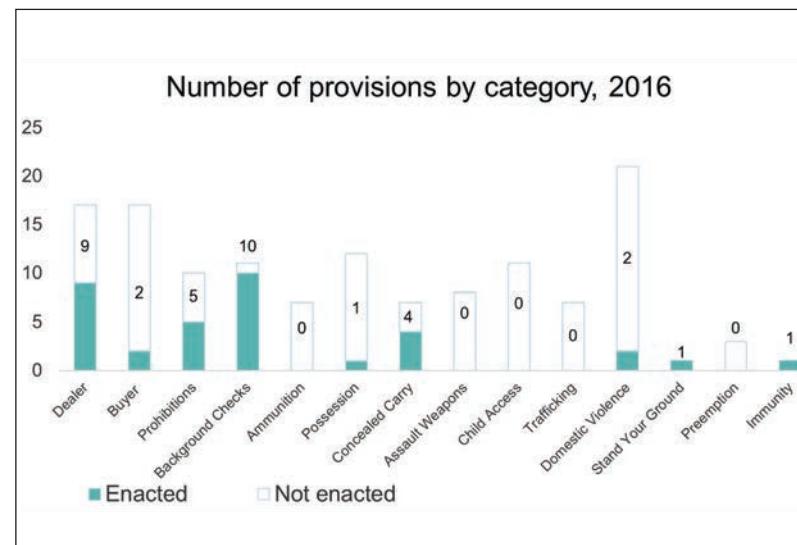
2.35
per 100,000
firearm homicide rate
2015

8.52
per 100,000
firearm suicide rate
2015

3.52
per 100,000
nonfatal firearm injury rate
2013

4,028,977
population
2015

Trends



Pennsylvania

State Statistics

36
firearm laws
2016

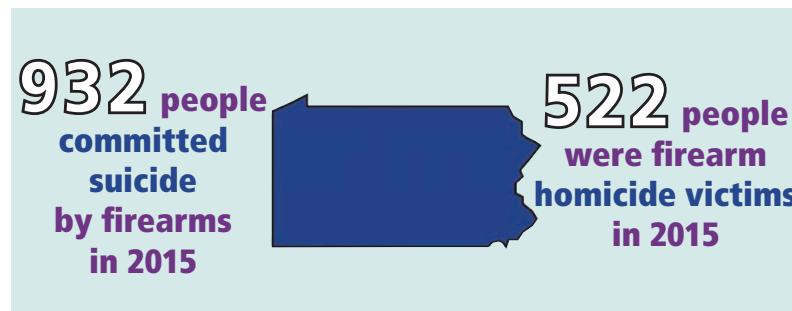
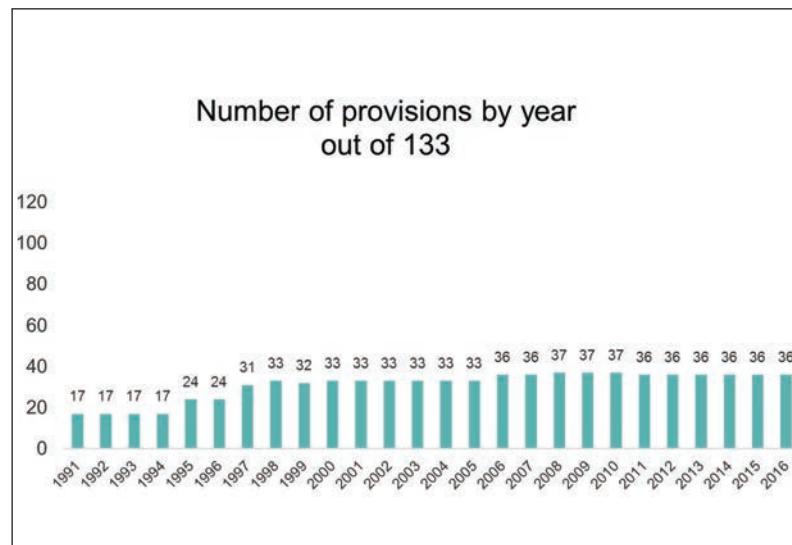
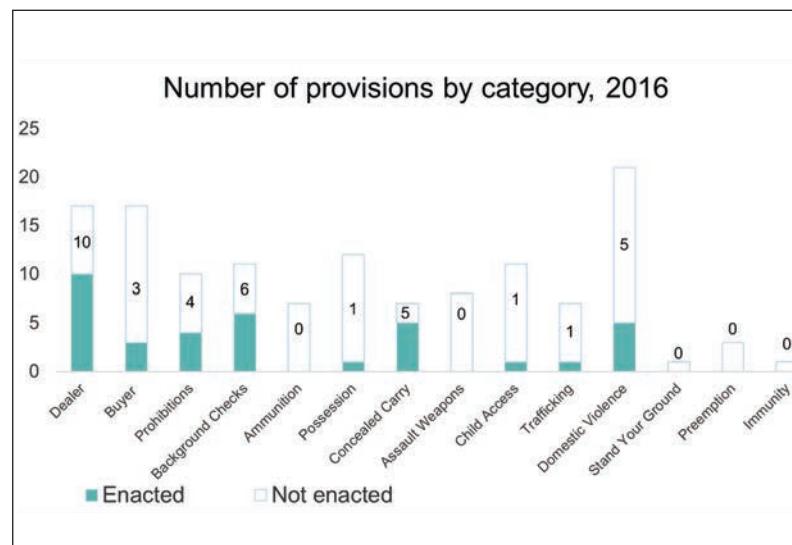
4.34
per 100,000
firearm homicide rate
2015

6.70
per 100,000
firearm suicide rate
2015

10.35
per 100,000
nonfatal firearm injury rate
2013

12,802,503
population
2015

Trends



Rhode Island

State Statistics

43
firearm laws
2016

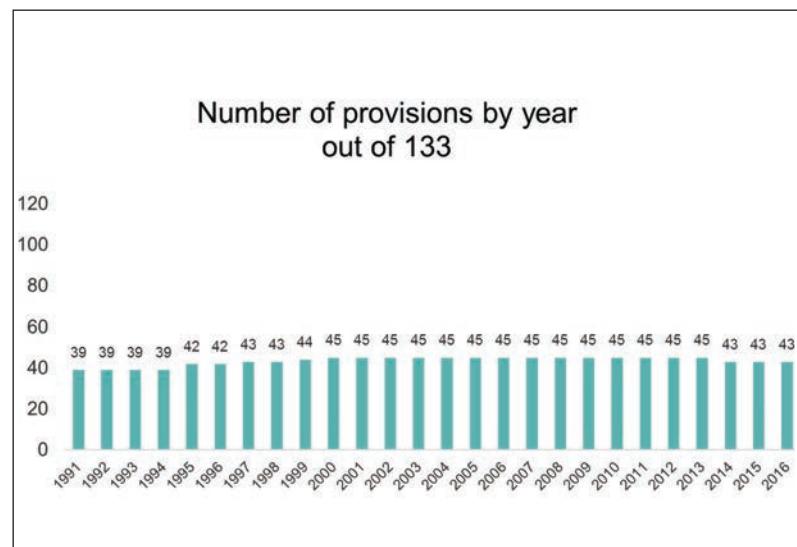
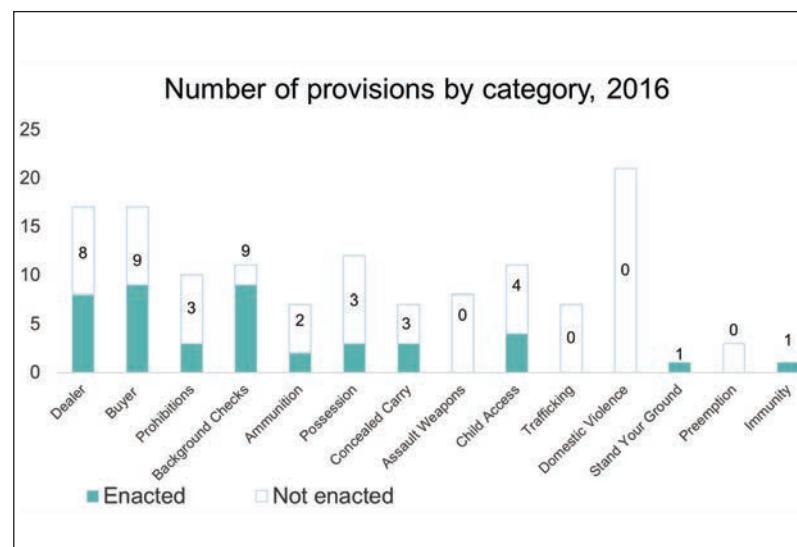
0.99
per 100,000
firearm homicide rate
2015

3.60
per 100,000
firearm suicide rate
2015

4.28
per 100,000
nonfatal firearm injury rate
2013

1,056,298
population
2015

Trends



40 people
committed suicide
by firearms in 2015



10 people
were firearm
homicide victims
in 2015

South Carolina

State Statistics

12
firearm laws
2016

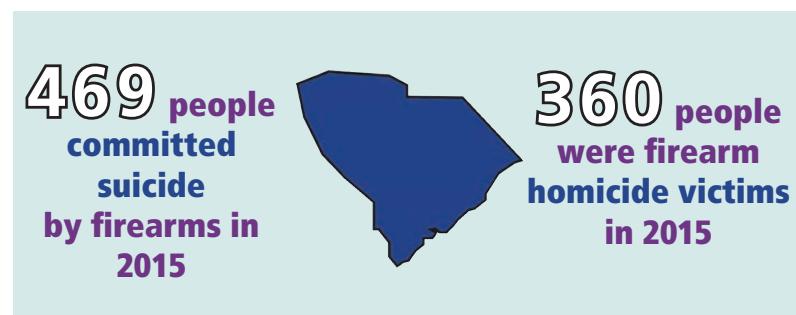
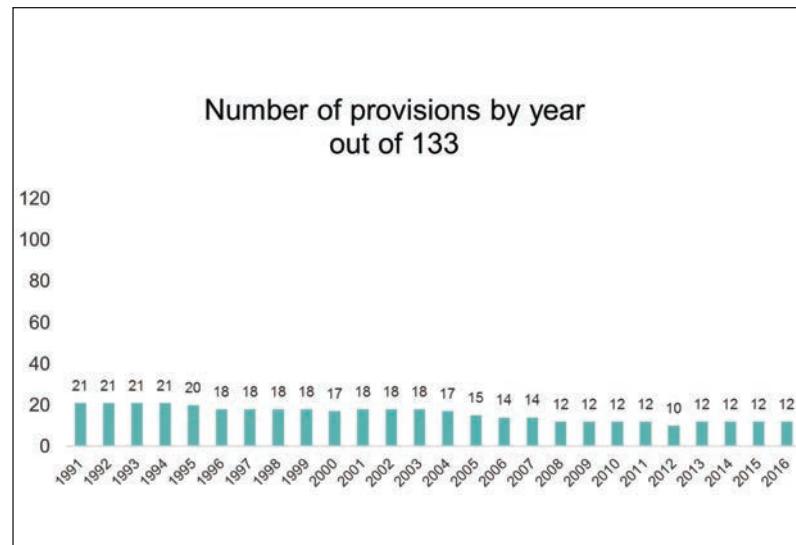
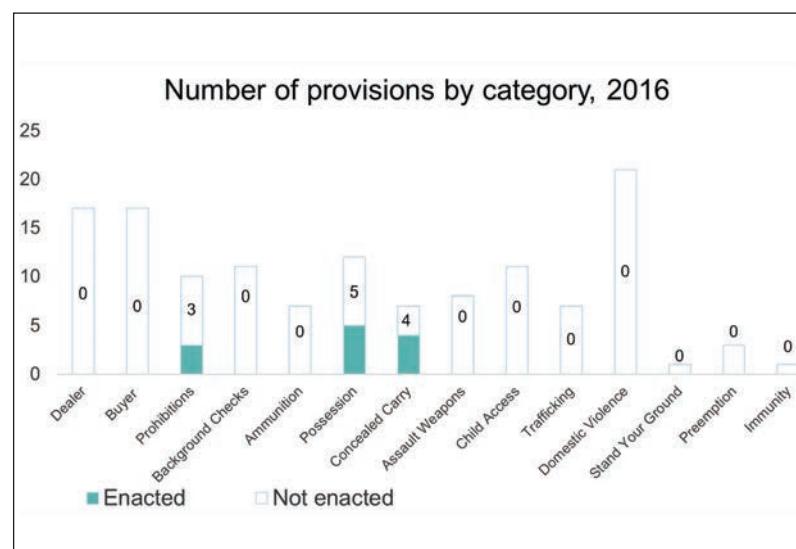
7.55
per 100,000
firearm homicide rate
2015

9.17
per 100,000
firearm suicide rate
2015

13.43
per 100,000
nonfatal firearm injury rate
2013

4,896,145
population
2015

Trends



South Dakota

State Statistics

5
firearm laws
2016

1.97
per 100,000
firearm homicide rate
2015

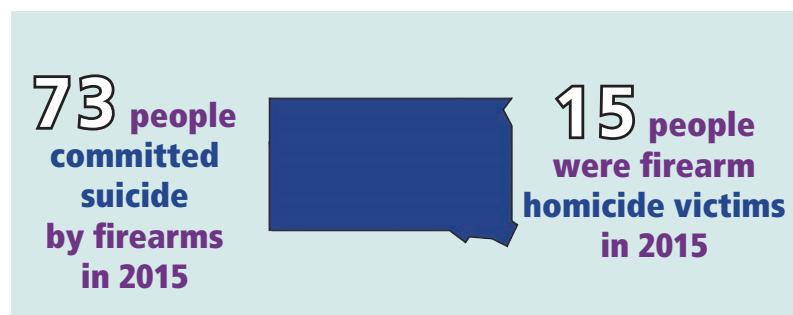
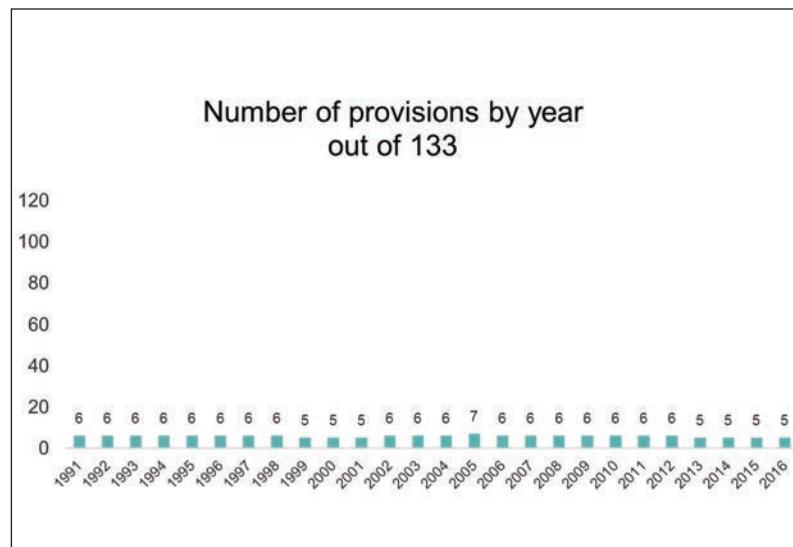
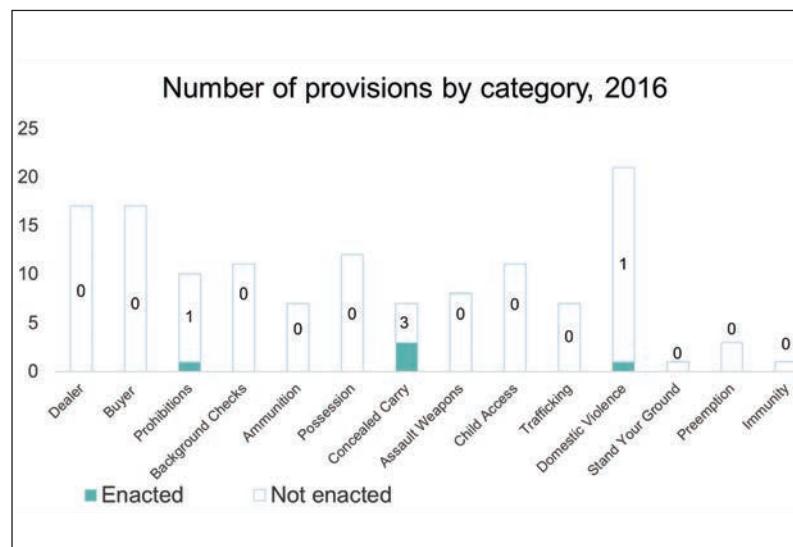
8.22
per 100,000
firearm suicide rate
2015

*

per 100,000
nonfatal firearm injury rate
2013

858,469
population
2015

Trends



* too low to report

Tennessee

State Statistics

22
firearm laws
2016

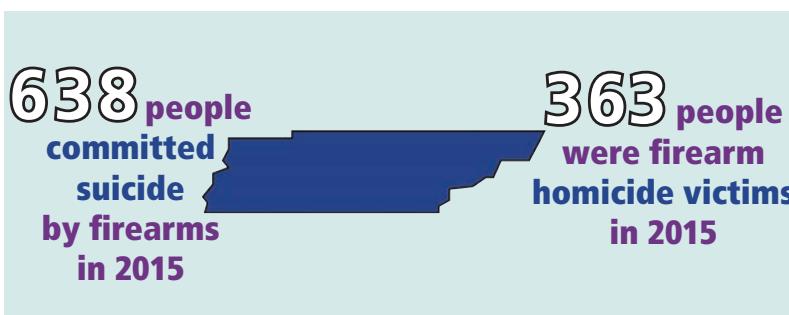
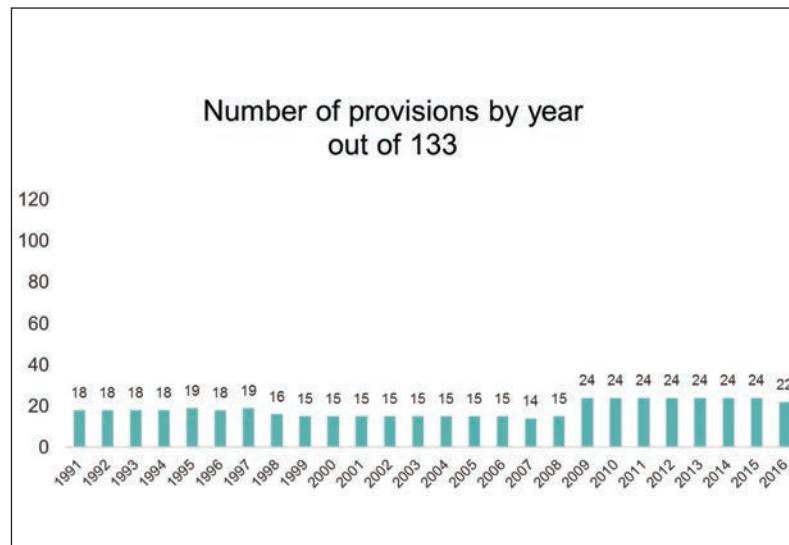
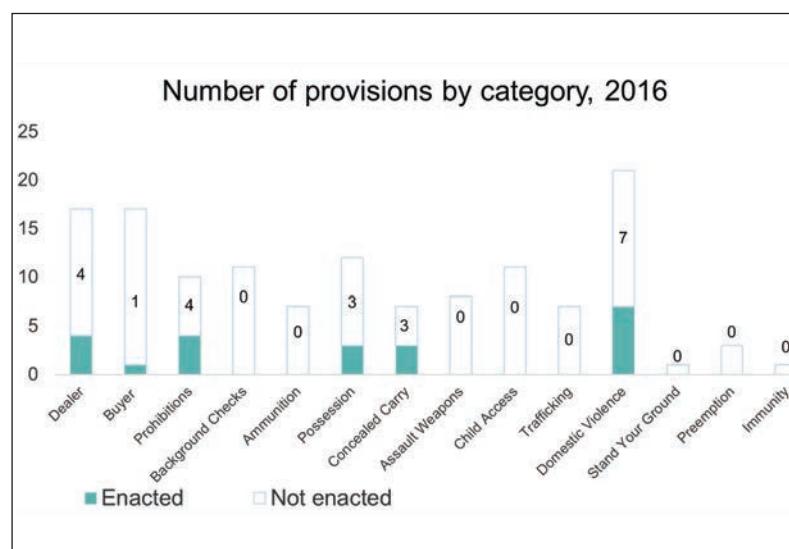
5.71
per 100,000
firearm homicide rate
2015

9.12
per 100,000
firearm suicide rate
2015

12.37
per 100,000
nonfatal firearm injury rate
2013

6,600,299
population
2015

Trends



Texas

State Statistics

18
firearm laws
2016

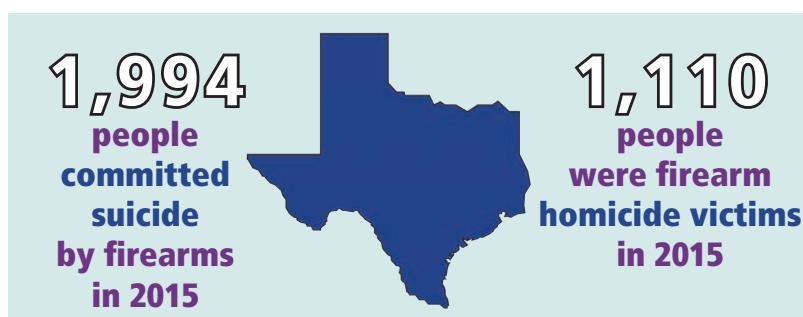
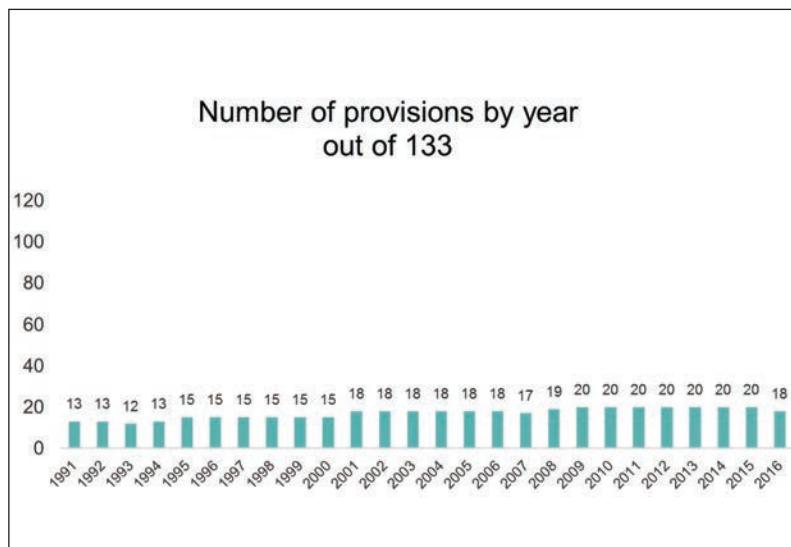
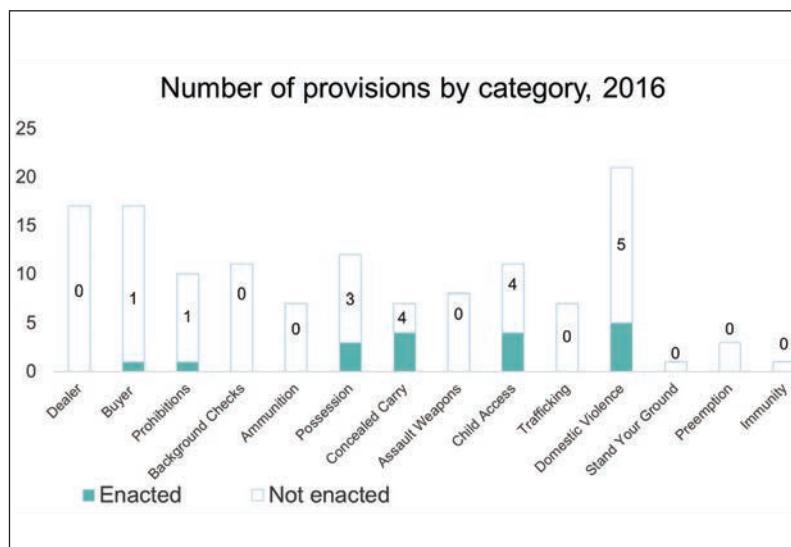
4.04
per 100,000
firearm homicide rate
2015

7.31
per 100,000
firearm suicide rate
2015

8.68
per 100,000
nonfatal firearm injury rate
2013

27,469,114
population
2015

Trends



Utah

State Statistics

11
firearm laws
2016

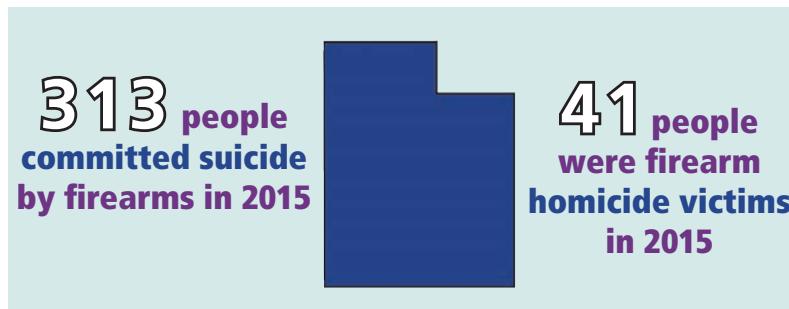
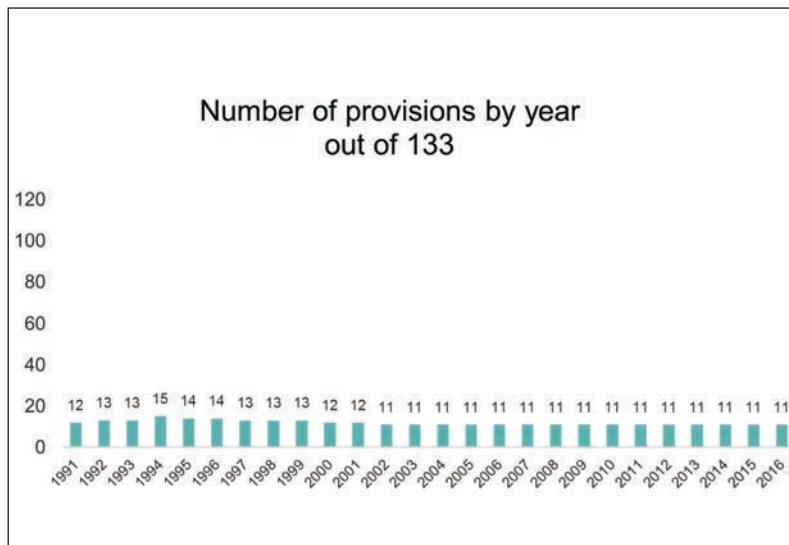
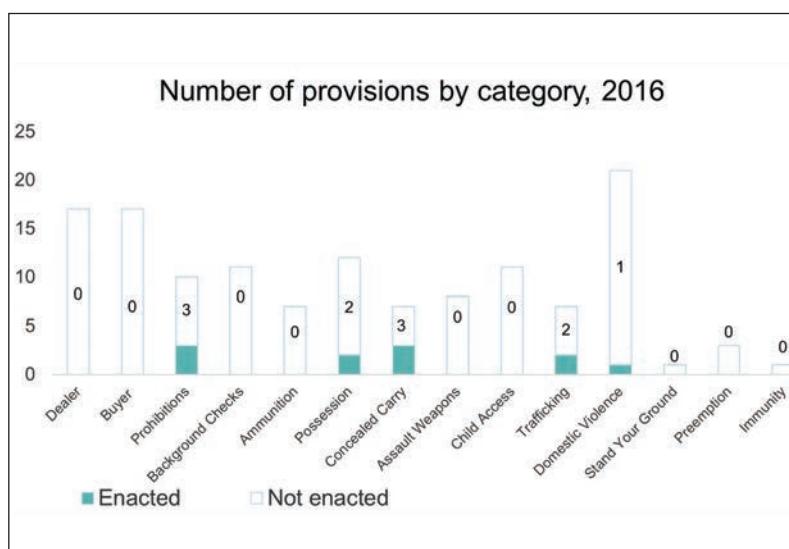
1.29
per 100,000
firearm homicide rate
2015

11.05
per 100,000
firearm suicide rate
2015

3.01
per 100,000
nonfatal firearm injury rate
2013

2,995,919
population
2015

Trends



As of March 23, 2017, people convicted of a misdemeanor crime of domestic violence or subject to a permanent domestic violence-related restraining order are not allowed to possess firearms.

Vermont

State Statistics

6
firearm laws
2016

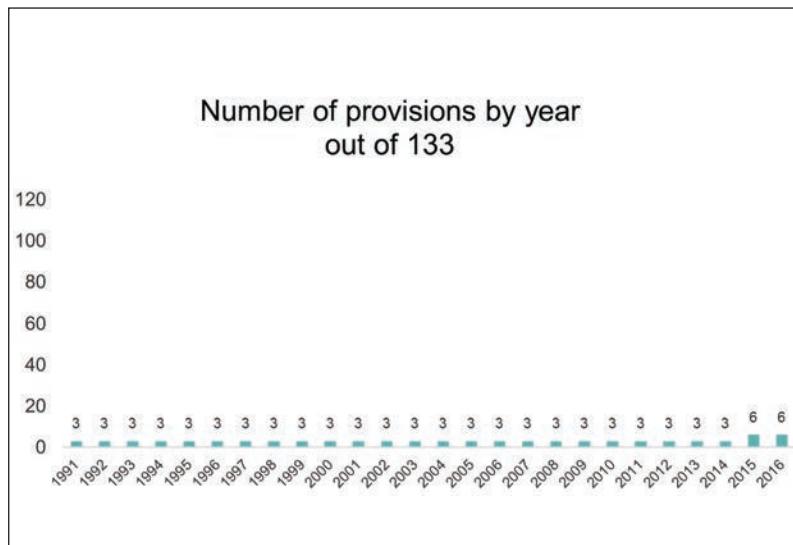
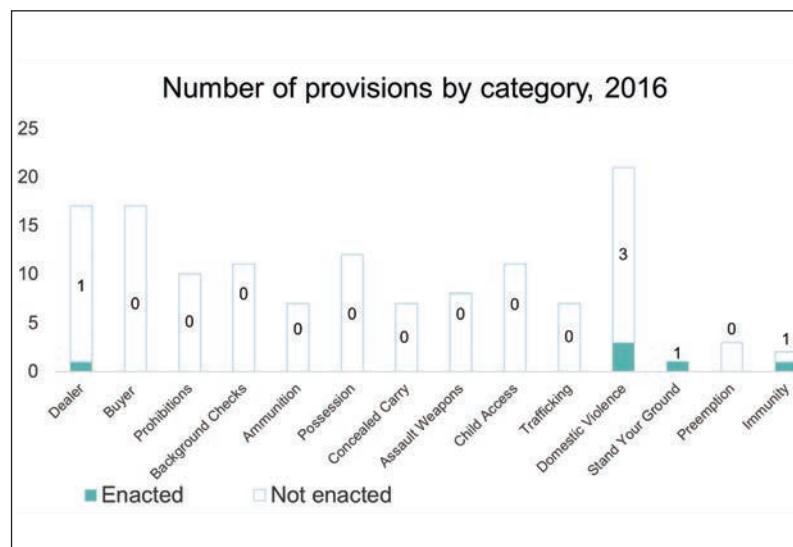
1.76
per 100,000
firearm homicide rate
2015

7.91
per 100,000
firearm suicide rate
2015

per 100,000
nonfatal firearm injury rate
2013

626,042
population
2015

Trends



* too low to report

Virginia

State Statistics

13
firearm laws
2016

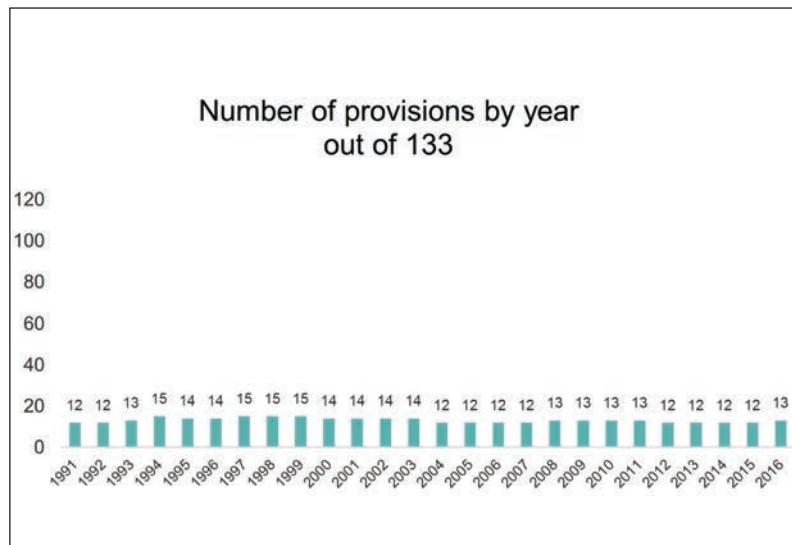
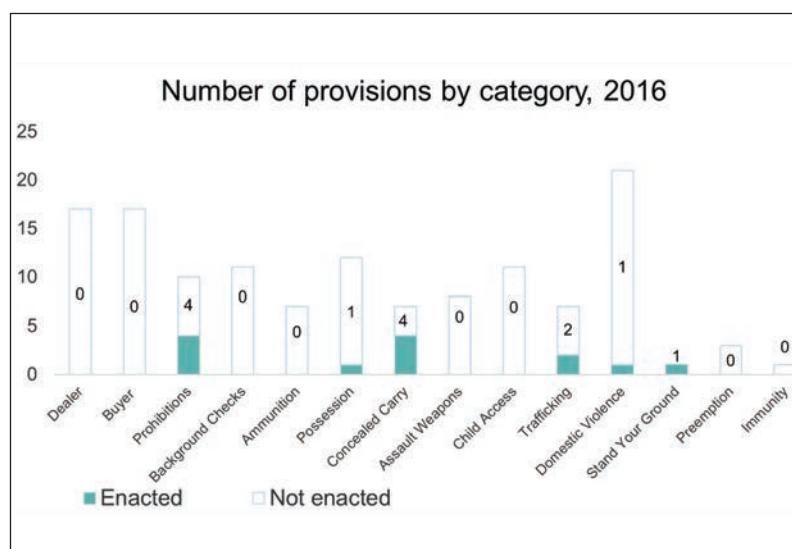
3.29
per 100,000
firearm homicide rate
2015

7.06
per 100,000
firearm suicide rate
2015

7.08
per 100,000
nonfatal firearm injury rate
2013

8,382,993
population
2015

Trends



Washington

State Statistics

43
firearm laws
2016

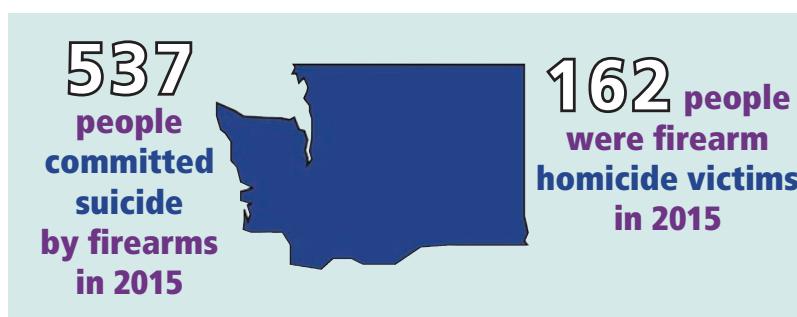
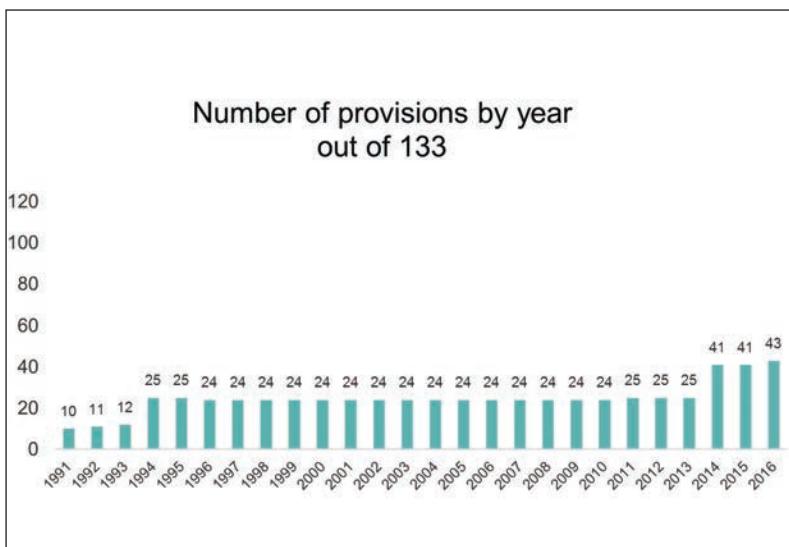
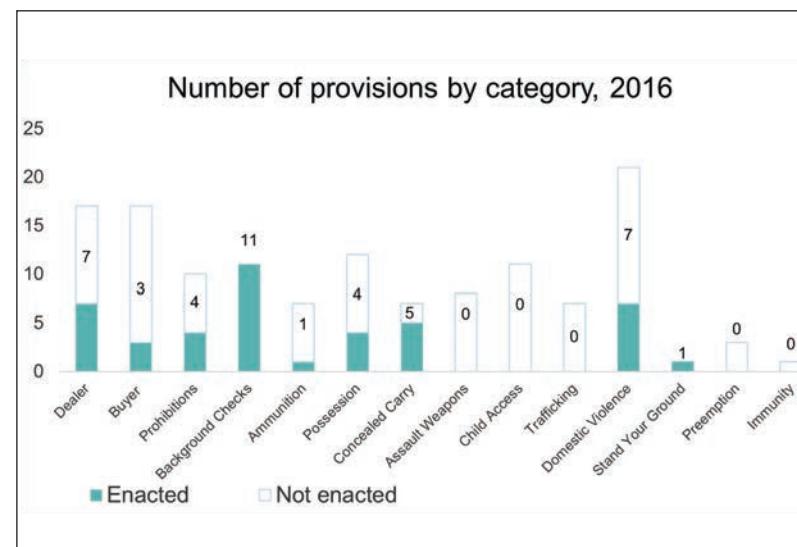
2.32
per 100,000
firearm homicide rate
2015

7.22
per 100,000
firearm suicide rate
2015

4.15
per 100,000
nonfatal firearm injury rate
2013

7,170,351
population
2015

Trends



West Virginia

State Statistics

21
firearm laws
2016

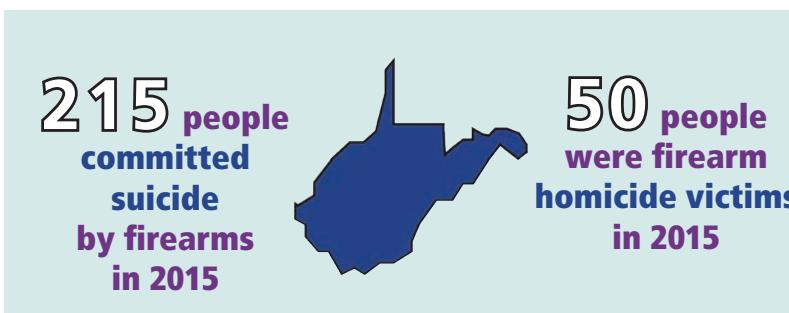
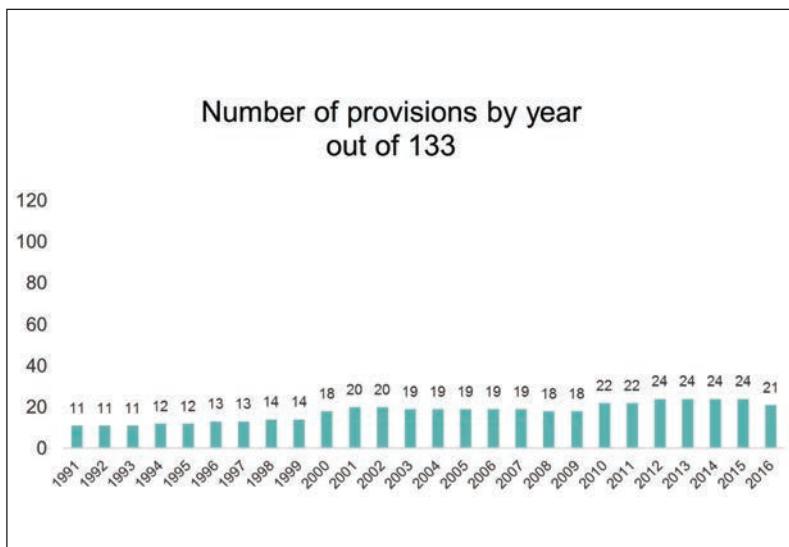
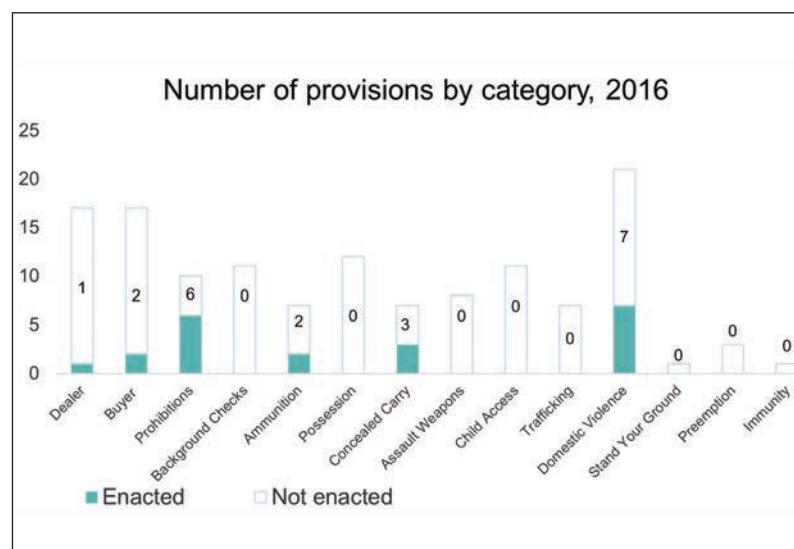
2.89
per 100,000
firearm homicide rate
2015

10.39
per 100,000
firearm suicide rate
2015

5.92
per 100,000
nonfatal firearm injury rate
2013

1,844,128
population
2015

Trends



Wisconsin

State Statistics

23
firearm laws
2016

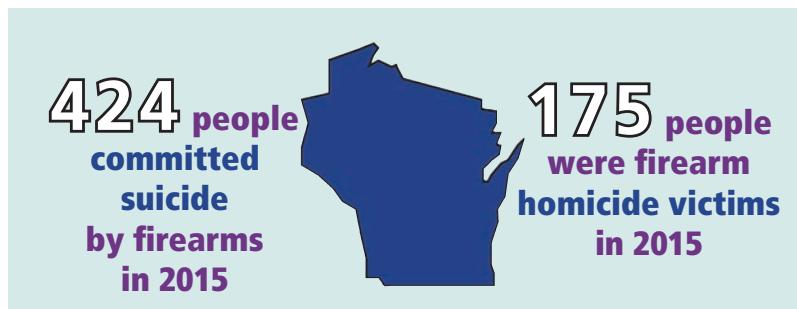
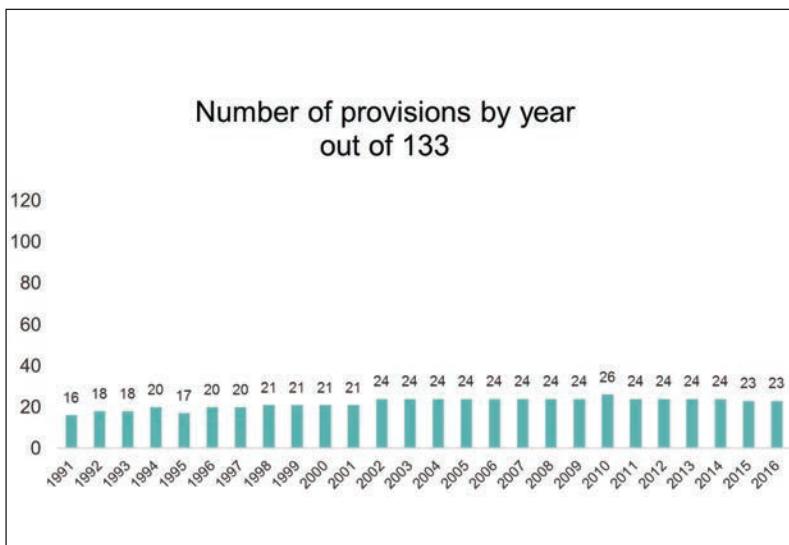
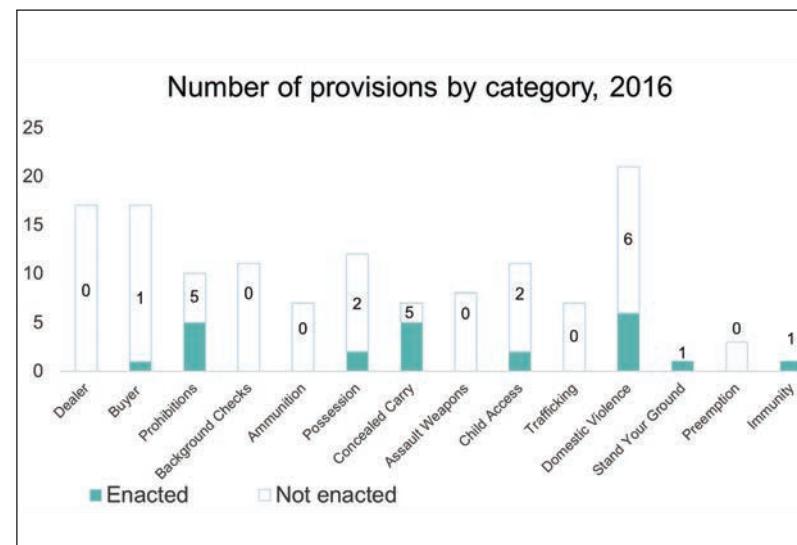
3.18
per 100,000
firearm homicide rate
2015

6.90
per 100,000
firearm suicide rate
2015

5.24
per 100,000
nonfatal firearm injury rate
2013

5,771,337
population
2015

Trends



Wyoming

State Statistics

9
firearm laws
2016

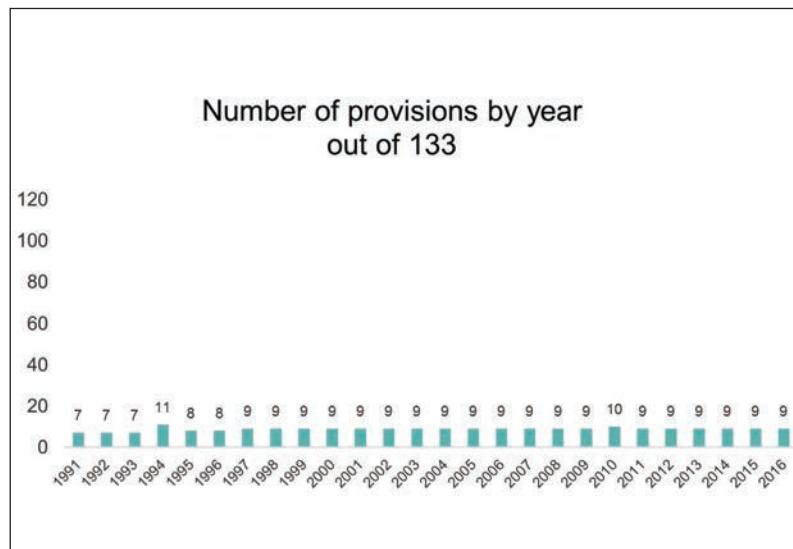
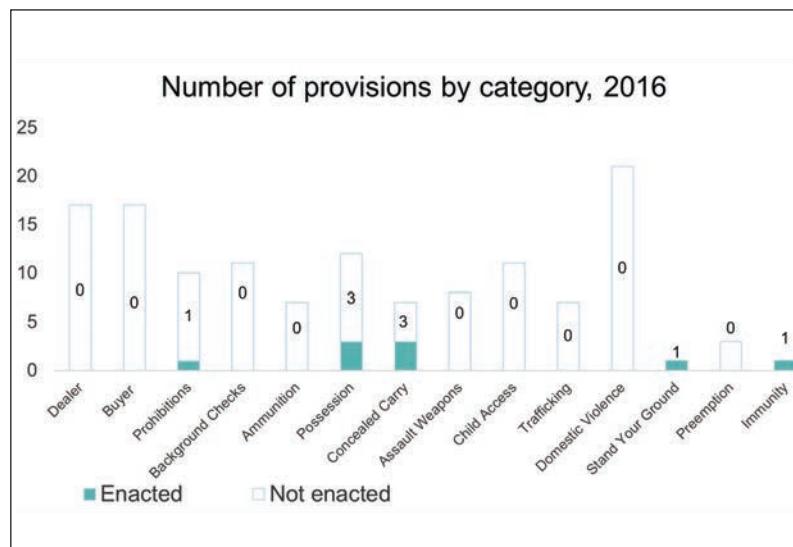
2.16
per 100,000
firearm homicide rate
2015

16.58
per 100,000
firearm suicide rate
2015

*
per 100,000
nonfatal firearm injury rate
2013

586,107
population
2015

Trends



95 people
committed
suicide
by firearms
in 2015

13 people
were firearm
homicide victims
in 2015

* too low to report