



Carrying Firearms:

Guns in Bars and Other Sensitive Places

Legislative Summary

The bills listed below reflect all relevant state legislation posted to the State Net service as of September 23, 2010.

Legal Community Against Violence is tracking state firearms legislation in all fifty states and the District of Columbia in key policy areas related to firearms. For more information on state firearm legislation, see our other [factsheets](#).

The issue:

For the past several years, the gun lobby has attempted to weaken state laws that restrict the carrying of firearms in sensitive locations such as establishments where liquor is served, places of worship, and public parks.

The facts:

Allowing individuals to carry concealed firearms in locations where a large number of people congregate and at locations that are sensitive, e.g., places where children are present or where alcohol is served, is dangerous policy. An accident or argument could quickly lead to serious injury or death to an innocent person. In fact, 90% of people say they do not want guns to be allowed in locations such as restaurants, college campuses, sports stadiums, bars, hospitals and government buildings.ⁱ See [“America Caught in the Crossfire: How Concealed Carry Laws Threaten Public Safety”](#) for more information about concealed carry and [“Open Carrying: Provocative Conduct, Dangerous Consequences”](#) to learn more about the open carrying of firearms.

Current law:

Most states prohibit the possession of firearms on school property and in courthouses and other government buildings but significantly fewer prohibit guns in places where liquor is served, places of worship, parks or other sensitive areas.ⁱⁱ

Legislation:

Carrying Firearms Where Alcohol is Served

These bills would allow lawfully carried firearms in establishments that sell alcohol.

GA	SB 308	Signed by Governor 6/4/10.
OH	SB 239 ⁱⁱⁱ	
SC	SB 347	Failed
TN	SB 3012	Governor's veto overridden 6/4/10. ^{iv}
VA	HB 505/SB 334	HB 505 signed by Governor 4/13/10; SB 334 signed 4/11/10.

Failed Legislation^v

Note also Missouri HB 1692, signed into law 7/12/10, allows a person to carry a firearm on the person (openly or concealed) while intoxicated (this bill replaced Missouri H 1787, failed). Conversely, New York SB 6773 would criminalize possession of a firearm outside the home while impaired or intoxicated by use of alcohol or drugs.

Carrying Firearms in Houses of Worship

The following bills would specifically allow firearms in houses of worship if carried lawfully.

GA	SB 308	Amended to require houses of worship to allow firearms in parking areas. Signed by Governor 6/4/10.
KS	HB 2391	Failed
LA	HB 68	Failed
OH	HB 129	

Failed Legislation^{vi}

Carrying Firearms in Other Sensitive Places

These bills would repeal limitations on the lawful carrying of firearms in additional locations such as parks, government buildings and near schools.

GA	SB 308	Signed by Governor 6/4/10. Allows firearms in state parks.
KS	HB 2685 ^{vii}	Failed
LA	HB 556/S 81 ^{viii}	Both bills remove gun-free zones surrounding schools; HB 556 was signed by Governor 7/2/10; S 81 failed.
MI	HB 4334 ^{ix}	
MS	SB 2862	Signed by Governor 4/1/10. Allows firearms in public parks.
OH	HB 129	
SC	SB 347	Failed
TN	HB 2719/S 3753	Both bills allow firearms in certain areas of parks. HB 2719 signed by Governor 6/3/10; S 3753 failed.

Failed Legislation^x

ⁱ In a 1999 survey, respondents opposed individuals being allowed to carry in restaurants (88% opposed), college campuses (94%), sports stadiums (94%), bars (93%), hospitals (91%), and government buildings (92%). David Hemenway, Deborah Azrael, Matthew Miller, *National Attitudes Concerning Gun Carrying in the United States*, 7 *Inj. Prevention* 282, 283 (2001), at <http://www.pubmedcentral.nih.gov/picrender.fcgi?artid=1730790&blobtype=pdf>.

ⁱⁱ LCAV, *Regulating Guns in America: An Evaluation and Comparative Analysis of Federal, State and Selected Local Gun Laws* 211 (2008), available at http://www.lcav.org/publications-briefs/regulating_guns.asp.

ⁱⁱⁱ Also see Ohio HB 203.

^{iv} Repeals and re-enacts an amended version of the provision that was enacted last year allowing CCW permit holders to carry firearms in certain establishments that serve alcohol. The repeal and re-enactment was in response to a November 4th ruling by Chancellor Claudia Bonnyman holding that language distinguishing different types of establishments was unconstitutionally vague.

^v Mississippi HB 1502, New Mexico HB 83, Tennessee HB 2694 and SB 3735.

^{vi} Georgia HB 860 and SB 281, Mississippi HB 1381, HB 1502, and SB 2020.

^{vii} Also see Kansas HB 2674 (failed).

^{viii} Also see Louisiana SB 534, signed by Governor 6/3/10, allows firearms in state parks and wildlife areas.

^{ix} Also see Michigan HB 4348.

^x Georgia SB 291 (passed the Senate), HB 615, and HB 819, Mississippi HB 393, 446, 801, 1502, and SB 2019, North Carolina HB 1241, Virginia HB 54, West Virginia HB 4325, and SB 164.