



Guns on Campus Legislative Summary

The bills listed below reflect all relevant state legislation posted to the State Net service as of August 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.

The issue:

Pro-gun activists are engaged in a nationwide campaign to remove the authority of public colleges and universities to restrict firearm possession on their property.

The facts:

Research shows that:

- Gun-owning college students have a greater propensity for engaging in risky, sometimes violent, behavior than non-gun owning students.ⁱ
- Offering young people easy access to firearms likely will lead to more campus suicides.ⁱⁱ
- Campuses generally are much safer than off-campus areas in large part because guns are, in the vast majority of states, prohibited on school property.ⁱⁱⁱ
- No credible statistical evidence exists to suggest that the presence of firearms will reduce violence on our college campuses.^{iv}

Current law:

Twenty-six states currently prohibit the possession of firearms in colleges, universities and other post-secondary educational institutions. In every state but Utah, the governing bodies of public colleges and universities have authority to prohibit or significantly restrict gun possession in school buildings and on school property.

Legislation:

Requiring Schools to Allow Guns on Campus

These bills would restrict the ability of colleges and/or universities to regulate firearms on some or all school property:

Arizona ^v	SB 1011	(would force schools to allow faculty to carry firearms) Failed
Michigan	HB 5474	
Oklahoma ^{vi}	SB 2230	(would force technology center schools to allow firearms in parking lots) Failed
Tennessee ^{vii}	HB 2726/SB 3756	(would force schools to allow firearms in parking lots) Both failed
Failed legislation ^{viii}		

Allowing Guns on Campus

The bills below would remove or weaken current restrictions on the carrying of firearms on college and university campuses.

Georgia ^{ix}	SB 308	Signed by Governor 6/4/10 (applies to parking areas only)
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Kansas	HB 2685	Failed
Michigan ^x	HB 4334	
Ohio	HB 129	
SC	SB 347	Failed

Failed legislation^{xi}

Restricting Guns on Campus

The following bills would prohibit firearms on college and university property or allow administrators to decide whether to allow firearms.

Hawaii	SB 2495	
Indiana	HB 1065 ^{xii}	Signed by Governor March 18, 2010
Maryland	SB 191	Failed
New York	AB 7237	
Tennessee	SB 1622 ^{xiii}	Failed
Failed legislation ^{xiv}		

Note that several state bills pending across the country would prohibit all property owners or all employers from restricting firearms in designated parking areas. Bills that are not specifically targeted at colleges and universities will be summarized in a separate factsheet.

ⁱ Matthew Miller, David Hemenway & Henry Wechsler, *Guns and Gun Threats at College*, 51 J. Am. Coll. Health 57, 63 (Sept. 2002) (study focused on gun ownership and gun threats on college or university campuses, regardless of whether those schools allowed firearms on campus).

ⁱⁱ Between 9% and 11% of college students seriously considered suicide in the previous school year according to American College Health Ass'n, National College Health Assessment, *Data Highlights*, at http://www.achacha.org/data/PHYSMENTAL_3_all.html (providing data from Spring 2000 – Spring 2006). When a gun enters the picture, the suicide attempt becomes considerably more lethal, as over 90% of gun suicide attempts are fatal. Matthew Miller et al., *Household Firearm Ownership and Rates of Suicide Across the 50 United States*, 62 J. Trauma 1029, 1029 (Apr. 2007).

ⁱⁱⁱ See Katrina Baum & Patsy Klaus, Office of Justice Programs, U.S. Dept. of Justice, Bureau of Justice Statistics Special Report, *National Crime Victimization Survey – Violent Victimization of College Students, 1995-2002* 1 (Jan. 2005), at <http://bjs.ojp.usdoj.gov/content/pub/pdf/vvcs02.pdf>.

^{iv} In fact, the evidence suggests that permissive concealed gun carrying generally will *increase* crime. See, e.g., Ian Ayres & John J. Donohue III, *Shooting Down the “More Guns, Less Crime” Hypothesis*, 55 Stan. L. Rev. 1193, 1285, 1296 (Apr. 2003); and Ian Ayres & John J. Donohue III, *The Latest Misfires in Support of the “More Guns, Less Crime” Hypothesis*, 55 Stan. L. Rev. 1371, 1397 (Apr. 2003).

^v Also see Arizona SB 1014 (failed) which would force community colleges and universities to allow faculty to carry firearms.

^{vi} Also see Oklahoma HB 1083 (failed) which would force schools to allow faculty to carry firearms.

^{vii} Additional Tennessee bills in this category are: HB 798 and SB 1261 (both would allow faculty and staff to carry firearms); HB 521, HB 724, SB 245, SB 1129 and SB 1273. All have failed.

^{viii} Also note that Virginia HB 32 died in committee.

^{ix} Additional Georgia bills in this category are: HB 819 and HB 615 (both failed).

^x Additional Michigan bills in this category are: HB 4348, HB 5474 and SB 747.

^{xi} Also note that Mississippi HB 393 and HB 1502 died in committee.

^{xii} This bill prohibits regulating guns in certain parking lots but create an exception for postsecondary educational institutions.

^{xiii} This bill would limit non-student adults who may carry a gun in a vehicle onto college and university campuses to concealed weapon licensees.

^{xiv} Also note that Nebraska L 145 was indefinitely postponed and Virginia HB 1271 died in committee.