



## Weakening Concealed Carry Permitting Schemes 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:

Despite evidence that states with permissive concealed weapon (“CCW”) permitting schemes repeatedly arm dangerous individuals, the gun lobby persists in its relentless campaign to weaken concealed weapon laws across the country.

### The facts:

Research shows that:

- No credible statistical evidence exists showing that permissive CCW laws reduce crime, while there is evidence suggesting that permissive CCW laws may actually *increase* crime.<sup>i</sup>
- An analysis of Texas’ CCW law found that between January 1, 1996 and August 31, 2001, Texas license holders were arrested for 5,314 crimes, including murder, rape, kidnapping and theft.<sup>ii</sup>
- Florida’s CCW system had, just in the first half of 2006, licensed more than 1,400 individuals who had pleaded guilty or no contest to felonies, 216 individuals with outstanding warrants, 128 people with active domestic violence injunctions against them, and 6 registered sex offenders.<sup>iii</sup>

### Current law:

Thirty-four states currently are “shall issue” states—meaning law enforcement officials are required to issue a permit to anyone who meets minimal statutory requirements. Twelve states are “may issue” states, and give discretion to the issuing official to grant or deny a permit based on statutory factors such as a justifiable need to carry a weapon. Illinois, Wisconsin, and the District of Columbia prohibit the carrying of concealed weapons, and no permit is required to carry a concealed weapon in Alaska or Vermont. For more information on CCW permitting schemes, please see LCAV’s publication [America Caught in the Crossfire: How Concealed Carry Laws Threaten Public Safety](#).

### Legislation:

#### Allowing Concealed Carry Without a Permit

These bills would allow individuals to carry a concealed weapon without a permit:

Arizona	SB 1108/HB 2347 <sup>iv</sup>	SB 1108 signed by Governor on 4/16/10; HB 2347 failed.
Iowa	HB 2241 <sup>v</sup>	Failed
Ohio	HB 129 (must qualify for CCW permit and be eligible to purchase handgun)	

Failed Legislation<sup>vi</sup>

### Removing Some or All Discretion from Issuing Authority

The bills below would remove some or all discretion from authorities charged with granting or denying CCW permit applications:

California	AB 357 <sup>vii</sup>	Failed
Hawaii	SB 2495 <sup>viii</sup>	Failed
Iowa	HB 2255/SB 2379 <sup>ix</sup>	SB 2379 signed by Governor 4/29/10; HB 2255 failed.
Maryland	HB 683	Failed
New Jersey	AB 1384 <sup>x</sup>	
New York	AB 6187 <sup>xi</sup>	
Utah	HB 2014	Signed by Governor 3/22/10

### Allowing Concealed Carry Where Not Currently Permitted

The following bills would allow carrying a concealed weapon with a permit in states that currently prohibit carrying concealed weapons:

Illinois            HB 5221<sup>xii</sup>

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<sup>i</sup> 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).

<sup>ii</sup> Violence Policy Center, *License to Kill IV: More Guns, More Crime 1-2* (June 2002), at <http://www.vpc.org/graphics/ltk4.pdf>.

<sup>iii</sup> Megan O’Matz, *In Florida, It’s Easy to Get a License to Carry a Gun*, South Florida Sun-Sentinel, Jan. 28, 2007, at 1A.

<sup>iv</sup> Also see Arizona SB 1102 (failed).

<sup>v</sup> Also see Iowa HB 596 and SB 473, (both failed).

<sup>vi</sup> Also note that Wyoming HB 113 died in committee.

<sup>vii</sup> Also see California AB 2053 (failed) which provides that if an applicant states one of several specified needs for carrying a firearm, including “self defense,” no further establishment of good cause is required. In addition, CA AB 2115 would remove the good cause requirement for veterans.

<sup>viii</sup> Also see Hawaii SB 327.

<sup>ix</sup> Also see Iowa HB 88, HB 746 and SB 258 (all failed).

<sup>x</sup> Also see New Jersey SB 69 and SB 1784.

<sup>xi</sup> Also see New York SB 3478.

<sup>xii</sup> Also see Illinois HB 6249, HB 462, HB 2257, HB 245, HB 367, S 1976, S 3292 (two-year pilot program in Peoria only).