



Concealed Carry Reciprocity: Overriding State Public Safety Laws

- ❑ **Bottom Line:** Senator John Cornyn's (R-TX) concealed carry reciprocity legislation (S.498, 114th Congress), would force each state to recognize concealed carry permits from every other state, overriding each state's core public safety laws on who is too dangerous to carry guns in public or even to possess guns at all. Law enforcement overwhelmingly opposes this legislation, which would put police in danger of being sued for doing their jobs.
 - Reciprocity would force states to let violent offenders and people with no firearm safety training carry hidden, loaded handguns—even if those people could not otherwise *legally purchase* a gun in the state.
 - Sen. Cornyn's bill would even force states to allow concealed carry by many people **with no permit whatsoever**—allowing people who have never been screened by a background check to carry throughout the country.
 - Three in four Americans live in states that have rejected the idea of concealed carry reciprocity—by refusing to recognize some or all out-of-state permits.
- ❑ **S.498 would be an extraordinary encroachment on states' rights.**
 - **State concealed carry permitting standards vary dramatically.** Each state sets its own requirements for carrying concealed, loaded guns in public. For example, some states require extensive firearms training, while others issue permits to people with no training. And some state systems are so ineffectively run that they issue permits to convicted felons.
 - **Three in four Americans live in a state that refuses to recognize all out-of-state carry permits.** For nearly one in three Americans, their home state does not recognize *any* out-of-state permits.¹ In most other US states, only *some* out-of-state permits are recognized—typically those with equivalent or higher standards.²
 - **Concealed carry reciprocity overrides these state public safety decisions.** S.498 would force every state to recognize concealed carry permits from every other state—even if the out-of-state permit holder would otherwise not be allowed to possess a gun.
- ❑ **S.498 would have a profound impact on state public safety laws, making the state with the weakest permitting standards the law of the land, and letting criminals and other dangerous people carry concealed guns in every state in the country.**
 - **No Training:** Thirty-nine states and Washington DC require gun safety training before a person can obtain a concealed carry permit,³ and 25 of those states and DC require live-fire training experience.⁴ Under this legislation, all states would be forced to allow out-of-state residents to carry hidden guns without any training whatsoever.
 - **Certain Domestic Abusers:** At least 30 states and DC will not issue permits to abusive boyfriends convicted of abuse and/or subject to domestic violence restraining orders.⁵ S.498 would allow out-of-state domestic abusers to carry hidden weapons in those states.
 - **People Who Pose a Danger:** Thirty-one states and DC enable law enforcement to deny applicants who pose a danger to the public.⁶ Local authorities may know a person has a red



flag in their history—for example, domestic disturbances, assault arrests, or severe mental health issues. In several of those 31 states, the law requires an applicant to demonstrate “good cause” (or make a similar showing) in order to get a permit.

- **Violent Criminals:** Twenty-nine states and DC deny permits to people convicted of crimes of violence.⁷ This legislation would allow violent criminals to carry across the country, even if they are barred from possessing guns at all in a given state.
 - **Convicted Stalkers:** Twenty-seven states and DC will not grant permits to convicted stalkers.⁸ Reciprocity would override those states’ laws and force them to allow out-of-state residents with stalking convictions to carry hidden, loaded guns.
 - **Teenagers:** Thirty-six states and DC will only issue concealed carry permits to people 21 and older,⁹ and for good reason: 18- to 20-year-olds are nearly four times more likely to commit gun homicides than adults over the age of 20. But S.498 would force all of these states to allow out-of-state 18-, 19-, and 20-year-olds to carry concealed weapons.
 - **Felons and Other Prohibited People:** States also vary widely in the *quality and effectiveness* of their permitting systems. Some states have such poorly administered systems that they have granted permits to (or failed to revoke permits from) people prohibited from owning guns under federal law.¹⁰ Under reciprocity, states across the country would have to rely on permits from states that inadvertently issue them to felons.
- ❑ **Sen. Cornyn’s legislation would even allow people from several states *with no permit whatsoever* to carry firearms across the country.**
- Several states have effectively dismantled their permit systems, dramatically lowering their standards to carry in public and removing any permitting or background check requirement. Unlike earlier versions of this legislation, Sen. Cornyn’s proposal would force all states to allow residents from those “permitless” states to carry *with no permit whatsoever*.
- ❑ **This legislation would present serious risks to law enforcement and would even put officers in danger of being sued for trying to confirm the validity of an out-of-state permit.**
- Unlike with driver’s licenses, police often have no way to verify the validity of an out-of-state permit—meaning they would be unable to confirm if a person presenting a carry permit is a law-abiding gun owner. And because Cornyn’s bill even allows concealed carry by people from states *with no permit whatsoever*, out-of-state visitors would be armed without being screened by a background check—and law enforcement would have no permit to evaluate.
 - Law enforcement organizations have denounced concealed carry reciprocity—including the International Association of Chiefs of Police and the Police Foundation to the Major Cities Chiefs Association, which includes the Chiefs of Police and Sheriffs of the sixty-six largest law enforcement organizations in the country.
- ❑ **The gun lobby has been trying to pass reciprocity legislation for over two decades.**
- In more than two dozen separate vehicles since 1995,¹¹ gun lobby-backed Congress members have introduced legislation to override state laws on who is too dangerous to carry concealed weapons on their streets. Mayors Against Illegal Guns, now part of Everytown, has led the fight to defeat these bills—including when 58 senators voted for it in 2009¹² and when it passed the House in 2011.¹³



¹ 32.5% of Americans live in CA, CT, DC, HI, IL, MA, MD, NJ, NY, OR, or RI, states that do not recognize any out-of-state permits. 2015 Census estimates.

² 75.1% of Americans live in either a state that does not recognize *any* out-of-state permits or else one of the following states that do not recognize *all* out-of-state permits: AZ, CO, DE, FL, GA, KS, LA, ME, MN, MT, NE, NV, NH, NM, ND, PA, SC, TX, VA, WA, WV, WI, and WY. 2015 Census estimates.

³ AK, AZ, AR, CA, CO, CT, DE, DC, FL, HI, IL, IA, KS, KY, LA, ME, MD, MA, MI, MN, MO, MT, NE, NV, NJ, NM, NC, ND, OH, OK, OR, RI, SC, TN, TX, UT, VA, WV, WI, and WY

⁴ AK, AR, CT, DE, DC, FL, IL, KS, KY, LA, MD, MI, MO, MN, NE, NV, NJ, NM, NC, OH, OK, RI, SC, TN, TX, and WV

⁵ AZ, CA, CT, DE, DC, HI, IL, IN, KY, LA, ME, MD, MA, MI, MN, MO, NE, NV, NH, NJ, NM, NY, NC, OK, OR, TN, TX, VA, WA, WI, and WV

⁶ AL, AK, CA, CO, CT, DC, DE, GA, HI, IL, IN, IA, KS, LA, ME, MD, MA, MN, MO, MT, NH, NJ, NY, ND, OK, OR, PA, RI, SD, UT, VA, and WY

⁷ AK, CA, CT, DE, DC, FL, HI, IL, IA, KY, LA, MD, MA, MI, MN, MO, MT, NE, NV, NJ, NM, NC, ND, OH, OK, OR, TX, UT, VA, and WV

⁸ AZ, CA, CO, DE, DC, HI, IL, IN, IA, LA, MD, MA, MI, MN, NV, NJ, NY, NC, OH, OK, OR, PA, RI, SC, TN, TX, VA, and WI

⁹ AK, AZ, AR, CO, CT, DC, FL, GA, HI, IL, IA, KY, KS, LA, MA, MI, MN, MS, NE, NV, NJ, NM, NY, NC, OH, OK, OR, PA, RI, SC, TN, TX, UT, VA, WA, WI, and WY

¹⁰ <http://every.tw/1jGKyXL>

¹¹ H.R. 2634 (1995); H.R. 3838 (1996); H.R. 2722 (1997); H.R. 407 (1997); H.R. 950 (2001); S.514 (2001); H.R. 990 (2003); H.R. 1243 (2005); H.R. 226 (2007); S.388 (2007); H.R. 861 (2007); H.R. 5782 (2008); S.3207 (2008); H.R. 197 (2009); S.371 (2009); S.Amdt.579 to S.160 (2009); H.R. 1620 (2009); S.Amdt.1618 to S.1390 (2009), H.R. 822 (2011); S.2188 (2012); S.2213 (2013); H.R. 578 (2013); H.R. 2959 (2013); H.R. 986 (2015); S.498 (2015); H.R. 402 (2015)

¹² S.Amdt.1618 to S.1390 (2009). <http://bit.ly/2fGBD7G>

¹³ H.R. 822 (2011)