

THE CONCEALED CARRY RECIPROCITY ACT OF 2019

BACKGROUND

Under existing law, states have authority over issuing permits to qualified firearms owners allowing them to carry their legal firearms in a concealed manner. Each state, and certain local governments, sets different rules regarding whether a concealed carry permit or license is required and under what qualifications and terms and condition apply. There is no federal law governing the issuing of concealed carry permits.

CONFUSING PATCHWORK

The problem facing law-abiding gun owners is that, unlike other fundamental Constitutional rights, and unlike driver's licenses, the permit the permit of one state is not necessarily valid in another state. Some states have entered into reciprocity agreements with other states that allow for permits to be acknowledged in each of those states.

The combination of conflicting state and local laws with these agreements has created a confusing patchwork of ever-changing rules for firearms owners to comply with when traveling across state lines. For example, a North Carolina resident cannot drive to Delaware without having to go out of his way to avoid driving through Maryland. If a Pennsylvania resident legally carrying a firearm accidentally crosses into bordering New York, he is breaking the law and can be arrested and criminally prosecuted.

As a result, firearms owners are frequently subjected to onerous

- The Concealed Carry Reciprocity Act of 2019 (S. 69, H.R. 38) would allow handgun owners who are legally permitted and authorized in and by their home state to carry a concealed firearm in other states they must comply with the laws of each state.
- Currently, state and local regulations and a patchwork of reciprocity agreements serve as deterrents and obstacles to firearms owners seeking to abide by the law.
- There is no justification for individuals' Constitutional rights to end at the border of their states. Your rights to Free Speech or Due Process don't stop at the state border, neither should your Right to Keep and Bear Arms under the Second Amendment.

civil suits or criminal prosecution for failing to correctly decode the tangle of regulations based on the state and locality they may travel to or find themselves in.

In one such case, Philadelphia resident Shaneen Allen faced up to five years in prison for bringing a firearm into New Jersey. She held a valid license to carry in Pennsylvania, but not in neighboring New Jersey. The mother of two voluntarily told a law enforcement officer of the firearm during a traffic stop. Fortunately, after an 18 month legal ordeal, Governor Chris Christie pardoned Allen. Others are not so lucky.

THE SOLUTION: NATIONAL RECIPROCITY

Sen. John Cornyn (R-TX) and Rep. Richard Hudson (R-NC-08) have introduced legislation (S.69 / H.R. 38) which would address these problems by ensuring that concealed carry permits issued in one state are valid for carrying concealed handguns in other states. Residents of states that do

not require a permit to concealed carry (called constitutional carry states), would be allowed to carry in other states that allow their residents to concealed carry. S.69 was introduced on Jan. 9, 2019, with the support of 31 cosponsors. H.R. 38 was introduced on Jan. 3, 2019, with bipartisan support from 90 original cosponsors. Preventing citizens from unwittingly breaking the law by crossing a state border, while preserving the rights of states, the Concealed Carry Reciprocity Act would put the burden of proof on the state to show that an individual carrying concealed did not comply with the law and would provide legal protections against states that violate the intent of this bill. H.R. 38 would also allow individuals to carry concealed firearms in the National Park System, National Wildlife Refuge System, and on lands administered by the Bureau of Land Management, Army Corps of Engineers and Bureau of Reclamation.

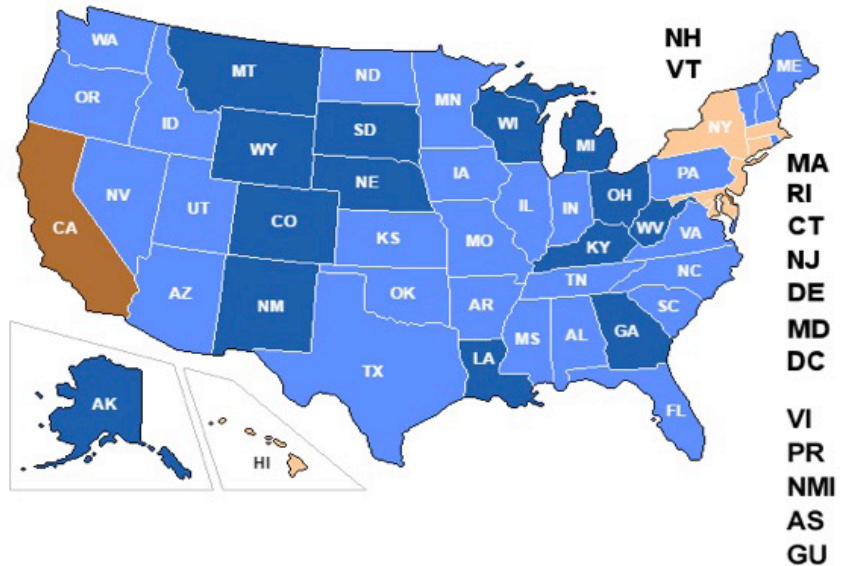
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STATES PRESERVE AUTHORITY

Contrary to the arguments of gun control advocates, the legislation does not preempt the authority of state governments to set the laws and regulations for carrying and for issuing permits within their state. Rather, it would allow individuals who hold a state-issued concealed carry license or permit to carry a concealed handgun in any other state that allows concealed carry, while following the laws of that state. Residents of Constitutional carry states would also be allowed to carry in other states that recognize their own residents' right to concealed carry.

Permits Honored by State



Shall Issue to Residents Only:

Alaska, Colorado, Georgia, Guam, Kentucky, Louisiana, Michigan, Montana, Nebraska, New Mexico, Ohio, South Dakota, West Virginia, Wisconsin, Wyoming

Shall Issue to Residents and Non-Residents:

Alabama, Arizona, Arkansas, Florida, Idaho, Illinois, Indiana, Iowa, Kansas, Maine, Minnesota, Mississippi, Missouri, Nevada, New Hampshire, North Carolina, North Dakota, Oklahoma, Oregon, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington

May Issue to Residents Only:

California, Delaware, New York City, Virgin Islands

May Issue to Residents and Non-Residents:

Connecticut, District of Columbia, Hawaii, Maryland, Massachusetts, New Jersey, New York

