



AJR-24 Concealed carry reciprocity. (2017-2018)

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Assembly Joint Resolution No. 24

CHAPTER 214

Relative to concealed carry reciprocity.

[Filed with Secretary of State September 28, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

AJR 24, Santiago. Concealed carry reciprocity.

This measure would urge the Congress of the United States to not enact S. 446, H.R. 38, or any other similar "concealed carry reciprocity" legislation that would require the State of California to recognize the concealed carry standards of every other state.

Fiscal Committee: no

WHEREAS, The concealed carry of a loaded handgun with a permit is legal in the State of California and in all 50 states, and each state has set its own standards for who may carry a firearm in public, making independent decisions tailored to its own public safety needs; and

WHEREAS, Since 1917, the State of California has allowed the concealed carry of firearms and in that hundred years has always applied its own standards for who is too dangerous or irresponsible to carry, including by authorizing issuers to deny permits to people who lack the good moral character or good cause to carry concealed handguns on California streets; and

WHEREAS, While the State of California requires safety training for every concealed carry permit applicant, 19 states allow concealed carry by people who have never had any safety training whatsoever; and

WHEREAS, Unlike the State of California, 25 states do not allow issuers to block concealed carry by people with dangerous red flags—for example, a history of domestic disturbances or mental health crises; and

WHEREAS, While the State of California bars concealed carry by a wide variety of people with recent violent misdemeanor convictions, including assault and battery, threatening crimes, and a variety of weapons crimes, 23 states allow concealed carry by people with these violent criminal records; and

WHEREAS, While the State of California blocks anyone with a stalking conviction from getting a concealed carry permit, 22 states allow concealed carry by some convicted stalkers; and

WHEREAS, While the State of California blocks concealed carry by abusive domestic partners subject to restraining orders or with domestic violence convictions, 34 states allow concealed carry by some of these abusers; and

WHEREAS, While the State of California requires renewal of a concealed carry permit and a new criminal background check every two years, many states renew permits less frequently and routinely fail to revoke permits after holders become disqualified; and

WHEREAS, "Concealed carry reciprocity" would force the State of California to allow any of these individuals—people with no firearm safety training, people with dangerous histories, people with violent misdemeanor records, convicted stalkers, and abusive domestic partners—to carry concealed handguns on the streets of its towns and cities; and

WHEREAS, Twelve states do not require any permit, training, or criminal history check to carry a concealed firearm in public, including eight states that have repealed their permit requirement in the past three years, and "concealed carry reciprocity" would force the State of California to allow people with no permit whatsoever to carry concealed guns throughout the state; and

WHEREAS, The United States has a tradition of making public safety decisions on the local level and each state has always retained its own authority to determine which individuals are too dangerous or reckless to carry concealed firearms; and

WHEREAS, Concealed carry standards are not like driver's licenses because states set largely identical requirements for driving and uniformly require an eyesight test, a road test, and a written test, while concealed carry standards vary drastically by state and several states do not require permits at all; and

WHEREAS, Unlike with driver's licenses, there is often no way to confirm that an out-of-state concealed carry permit is valid, and in contrast with "concealed carry reciprocity," states have voluntarily recognized each other's driver's licenses through compact; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature opposes federal "concealed carry reciprocity" legislation filed to date (S. 446 and H.R. 38) and any other similar legislation because it would require the State of California to recognize the concealed carry standards of every other state, even those with low standards or no permit requirement whatsoever, and urges the 115th Congress of the United States to not enact that legislation; and be it further

Resolved, That the Legislature opposes "concealed carry reciprocity" legislation (S. 446 and H.R. 38) and any other legislation that would remove state and local police power to set public safety standards for who may carry a concealed firearm in public; and be it further

Resolved, That the Legislature opposes "concealed carry reciprocity" legislation (S. 446 and H.R. 38) and any other legislation that would put local law enforcement at risk when encountering an armed out-of-state visitor who may be carrying with no permit whatsoever—often leaving police and sheriffs with no means to verify whether the person is carrying lawfully; and be it further

Resolved, That the Legislature again reiterates its support for common-sense gun legislation to keep guns out of dangerous hands, including strong standards that ensure people cannot legally carry guns concealed in California communities without proper safety training or if they pose a danger to the public; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the United States Senate, and to each Senator and Representative from California in the Congress of the United States.