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**Summary of State Firearm Transfer Laws
December 31, 2013**

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Introduction

This report describes laws that regulate transfers of firearms and were in effect as of December 31, 2013. Summaries are included for the United States (federal law), the 50 states, and the District of Columbia. Topics covered include permits, background checks, waiting periods, prohibited persons, and other types of firearm transfer laws. A series of tables categorizes the laws in effect on December 31, 2013, and summarizes firearm transfer laws enacted in 2012 and 2013.

Information for this report was compiled by the Regional Justice Information Service (REJIS) as part of the Bureau of Justice Statistics' Firearm Inquiry Statistics (FIST) program. To ensure the accuracy of the information as of December 31, 2013, a draft of each jurisdiction's summary was sent to the agency that enforces or provides information on firearm laws for the jurisdiction. The final version of each summary, as contained in this report, was compiled after review by the appropriate agency.

The summaries prepared for this publication should be used for general informational and educational purposes only. These summaries do not (and are not intended to) constitute legal advice. As such, readers are on notice that they should not rely on the information in the summaries as an alternative to legal advice from a qualified attorney.

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Statistics on firearm background check activities conducted by federal, state, and local agencies may be found in the *Background Checks for Firearm Transfers* series (<http://www.bjs.gov/index.cfm?ty=pbse&sid=13>). Summaries of firearm transfer laws in effect between 1996 and 2005 may be found in the *Survey of State Procedures Related to Firearm Sales* series (<http://www.bjs.gov/index.cfm?ty=pbse&sid=53>).

Background

Prior to 1968, various state laws authorized firearm transfer permits and established categories of persons who were prohibited from receiving or possessing a firearm. In 1968, the federal Gun Control Act (GCA), 18 U.S.C. Chapter 44, established nationwide categories of prohibited persons. Over the next 25 years, several states enacted statutes that required a background check by a law enforcement agency on a person who attempted to obtain a firearm. In 1993, the permanent provisions of the Brady Handgun Violence Prevention Act (Brady Act), 18 U.S.C. 922(t), amended the GCA to provide a nationwide system for blocking transfers to prohibited persons. Existing state permit and background check laws remained in effect.

The Brady Act established the National Instant Criminal Background Check System (NICS), which began operations in 1998 and contains data on persons who are prohibited from receiving or possessing a firearm under federal or state law. Each state government determines the extent of its involvement in the NICS process. The NICS Improvement Amendments Act of 2007 (NIAA), Pub. L. 110-180, amended the Brady Act to enhance federal agency reporting of records to NICS and provide incentives to states to submit complete information on persons prohibited from receiving or possessing firearms. In addition, many states have enacted statutes that authorize state agencies to participate in and contribute records to the NICS.

Additional details on the GCA, the Brady Act, the NIAA, and similar state laws are provided in the jurisdictional summaries.

Glossary

Assault weapon A semiautomatic firearm with a large-capacity magazine and special features common to military weapons.

Antique firearm A firearm manufactured in or before 1898 or a replica thereof, provided it is not designed for using rimfire or conventional centerfire fixed ammunition; or any muzzle loading rifle, shotgun or pistol, which is designed to use black powder, or a black powder substitute, and which cannot use fixed ammunition.

Curio or relic A firearm manufactured at least 50 years prior to the current date or certified by the curator of a municipal, State, or Federal museum, or that derives a substantial part of its monetary value from the fact that it is novel, rare, bizarre, or associated with some historical figure, period, or event.

Firearm Any weapon that is designed to or may readily be converted to expel a projectile by the action of an explosive.

Handgun A firearm that has a short stock and is designed to be held and fired by the use of a single hand, such as a pistol or revolver.

Long gun A firearm with a barrel extended to about 30 inches to improve accuracy and range, and commonly with a shoulder butt, designed to be fired with two hands, such as a rifle or shotgun.

Machine gun (automatic firearm) A firearm that shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one bullet, without manual reloading, by a single function of the trigger.

NICS Index A computerized database used exclusively for NICS checks which contains records of persons who are prohibited by federal or state law from receiving or possessing a firearm.

Pistol A weapon originally designed, made, and intended to fire a projectile from a barrel when held in one hand, and having a chamber as an integral part of, or permanently aligned with, the bore, and a short stock designed to be gripped by one hand and at an angle to and extending below the line of the bore.

Revolver A projectile weapon, of the pistol type, having a breech loading chambered cylinder so arranged that the cocking of the hammer or movement of the trigger rotates it and brings the next cartridge in line with the barrel for firing.

Rifle A weapon, designed, made, and intended to be fired from the shoulder; and designed and made to use the energy of an explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

Semi-automatic firearm A firearm that utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round, and which requires a separate pull of the trigger to fire each cartridge.

Short-barreled rifle A rifle having one or more barrels less than 16 inches in length, and any weapon made from a rifle, whether by alteration, modification, or otherwise, if such weapon, as modified, has an overall length of less than 26 inches.

Short-barreled shotgun A shotgun having one or more barrels less than 18 inches in length, and any weapon made from a shotgun, whether altered or modified, if such weapon has an overall length of less

than 26 inches.

Shotgun A weapon designed, made, and intended to be fired from the shoulder, and designed and made to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each pull of the trigger.

Unsafe handgun (“Saturday night special” or “junk gun”) A handgun with a barrel length under 4 inches that is easily concealable and not effective for sporting or self-defense purposes due to its poor quality of construction, inaccuracy, and lack of essential safety features.

Definitions are from or adapted from Federal and State Codes (a jurisdiction’s laws should be consulted for its specific definitions)

Topics included in the summaries

Topics are listed below in the order of presentation used in the summaries. Laws that apply nationwide are included in the federal summary and are generally not repeated elsewhere. The extent of the jurisdiction's participation in the NICS is described in sub-headings for the summaries.

Transfer Permits Documents (such as a permit, license, or identification card) issued by a law enforcement agency after a background check, which are required for a firearm transfer or which may be used to obtain a firearm without a new background check. Includes types of firearms and transfers covered by a permit and whether a permit is an alternative to a NICS transfer check.

Background Checks Searches of government records conducted to determine an applicant's eligibility for a firearm transfer or permit. Types of transfers (licensed dealer, gun show, or private) and permits covered by checks are listed. NICS points of contact are noted.

Waiting Period A period of time after a firearm transfer application is filed with a seller or a permit application is filed with a law enforcement agency, which must expire before transfer of the firearm or issuance of the permit may be completed.

Transfer Permit and Background Check Fees The amounts charged to permit applicants or transferees for background checks or the issuance of documents.

Submission of False Information Laws that make it a crime to submit false information on a permit or transfer application.

Appeals of Denials Statutory or administrative procedures for appealing a denial of a firearm transfer or a permit that may be used for a transfer.

Retention of Records Data on allowed or denied transfer or permit transactions required by law to be retained by checking agencies or other agencies, and time limits on retention.

Registration Laws that require maintaining permanent records on firearms and firearms owners.

Other Transfer Regulations Includes handgun transfer limits, restrictions on out-of-state residents, and other regulations.

Prohibited Firearms Types of firearms that cannot be acquired or possessed by any person or that may only be acquired or possessed pursuant to a limited exception.

Prohibited Persons Categories of persons prohibited permanently or temporarily from acquiring or possessing a firearm or obtaining a permit that may be used to acquire a firearm.

Mental Health Disposition Reporting Laws that require reporting of mental health adjudications, commitments, and other dispositions to a state repository or to the NICS Index.

2012/2013 Legislation New or amended firearm transfer laws enacted in 2012 and 2013.

Relevant Laws Citations to statutes governing the transfer of firearms.

Reviewing Agency Agency that reviewed the summary.

Firearms Information Website Site with further information on a jurisdiction's firearms laws.

Federal System Summary of Firearm Transfer Laws December 31, 2013

FBI conducts federal NICS transfer checks

Transfer Permits Federal law does not require a permit to receive a firearm. A state permit qualified by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) may be used as an alternative to a National Instant Criminal Background Check System (NICS) point-of-transfer check. Qualifying permits are those which allow a transferee to possess, acquire, or carry a firearm, and were issued not more than five years earlier by the state in which the transfer is to take place, after verification by an authorized government official that possession of a firearm by the transferee would not be a violation of law. A permit issued after November 30, 1998, qualifies as an alternative only if the information available to the state authority includes the NICS.

Background Checks NICS checks are required on unlicensed persons who apply to receive a firearm or redeem a pawned firearm from a Federal Firearms Licensee (FFL). A licensee has the option of requesting a check when a firearm is pawned. A check is not required if the transferee presents a permit that is qualified as a NICS alternative. NICS checks are conducted by the Federal Bureau of Investigation (FBI) and state Point-of-Contact (POC) agencies. The FBI checks handgun and long gun transferees in 30 states (and six other U.S. jurisdictions), and only long gun transferees in seven additional states. A statewide or local POC conducts NICS permit or transfer checks on all transferees in 13 states and on only handgun transferees or handgun permit applicants in seven states. Licensees contact the NICS by telephone or other electronic means and receive an immediate response as to whether a transfer may proceed, is denied, or will be delayed pending further review. If the licensee does not receive a final determination within three business days of requesting the check, the firearm may legally transfer without a response from NICS. Some state laws may authorize a different time frame for a transfer to occur.

Waiting Period No federal requirement.

Transfer Permit and Background Check Fees NICS checks by the FBI are without charge. State laws establish POC fees.

Submission of False Information It is unlawful for any person in connection with the acquisition or attempted acquisition of any firearm to knowingly make any false or fictitious oral or written statement or to furnish or exhibit any false, fictitious, or misrepresented identification.

Appeals of Denials A person who is denied a firearm after a NICS check may appeal to the denying agency (FBI or POC) and may be required to contact the agency that originated the disqualifying record. As an alternative, the appellant may ask the FBI to review a POC denial. A further appeal of an FBI decision may be filed in federal district court.

Retention of Records Identifying information on transactions allowed by the FBI is purged within 24 hours. Open transaction information is purged within 90 days. Information on applicants denied by the FBI is retained indefinitely.

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Registration Short-barrel shotguns, short-barrel rifles, machine guns lawfully possessed before May 19, 1986, and any other weapons defined in 18 U.S.C. 5845(e) are required to be registered with ATF.

Other Transfer Regulations A handgun cannot be transferred by a licensee directly to a person who does not reside in the state where the licensee's business is located. A long gun may be transferred in person by a licensee to a nonresident if the transfer complies with the laws of the state where the licensee's place of business is located and the state where the transferee resides. An interstate transfer of a handgun or long gun between unlicensed persons is prohibited. ATF approval is required for a transfer of a registered firearm.

Prohibited Firearms It is unlawful to possess or transfer a machine gun except for a transfer to or possession by or under the authority of the United States, a state, or a political subdivision of a state, or any lawful transfer or possession of a machine gun that was lawfully possessed before the date the prohibition took effect. It is unlawful to possess or transfer a firearm that is not detectable by a metal detector or an airport security device.

Prohibited Persons A firearm shall not be transferred to or possessed by a person who: is under indictment for or convicted of a crime punishable by imprisonment for more than 1 year; is a fugitive from justice; is an unlawful user of or addicted to any controlled substance; has been adjudicated as a mental defective or committed to a mental institution; is an alien illegally or unlawfully in the U.S.; is an alien who has been admitted to the U.S. under a nonimmigrant visa (and is not within an exception); has been dishonorably discharged from the armed forces; has renounced U.S. citizenship; is subject to a court order that restrains the person from acts of domestic violence and meets certain requirements; or has been convicted in any court of a misdemeanor crime of domestic violence. These prohibitions shall not apply to a person who has been granted relief from disabilities. In addition, it is unlawful for a federally-licensed dealer to transfer a long gun to a person under the age of 18 or to transfer a handgun to a person under the age of 21. It is unlawful for any person to transfer a handgun to a juvenile (under the age of 18) or for a juvenile to possess a handgun, except in certain circumstances.

Mental Health Disposition Reporting Federal agencies are required to make records available, including mental health dispositions, to the NICS. States and tribes are not required to make records available to NICS but may be awarded financial assistance to improve information systems, contingent upon sharing of prohibited person records.

2012/2013 Legislation The ban on undetectable firearms was renewed for ten years.

Relevant Laws Gun Control Act, 18 U.S.C. Chapter 44; Arms Export Control Act, 22 U.S.C. 2278; National Firearms Act, 26 U.S.C. Chapter 53.

Reviewing Agency Federal Bureau of Investigation, NICS Section.

Firearms Information Websites <http://www.atf.gov/content/firearms/firearms-industry/permanent-brady-permit-chart>; <http://www.fbi.gov/about-us/cjis/nics>

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Alabama
Summary of Firearm Transfer Laws
December 31, 2013

FBI conducts NICS transfer checks

Transfer Permits No state requirement.

Background Checks State law provides that transfers of firearms conducted by a licensed dealer shall be subject to a NICS check. Since the state is not a NICS point of contact, the FBI must be contacted for all NICS checks.

Waiting Period No state requirement.

Transfer Permit and Background Check Fees No state requirement.

Submission of False Information A person who provides to a licensed dealer or private seller of firearms or ammunition what the person knows to be materially false information with intent to deceive the dealer or seller about the legality of the transfer of a firearm or ammunition is guilty of a felony. (§ 13A-11-58.1 4-C)

Appeals of Denials A person who is denied a firearm by the FBI may appeal pursuant to federal law. A denial or revocation of a permit to carry a pistol may be appealed pursuant to § 13A-11-75. The sheriff may revoke a permit issued for any reason that could lead to a denial of a permit. The sheriff shall provide a written statement of the reasons for the revocation and the evidence upon which it is based must be disclosed to the applicant, unless disclosure would interfere with a criminal investigation. A person who is denied a permit or a person whose permit is revoked, within 30 days of notification of the denial or revocation, may appeal the denial or revocation to the district court of the county where the denial or revocation was issued. Upon a review of a denial under this subdivision, the sheriff shall have the burden of proving by clear and convincing evidence that the person is prohibited from possession of a pistol or other firearm pursuant to state or federal law or, based on any of the considerations enumerated in the subsection that the person may use a weapon unlawfully or in such other manner as would endanger the person's self or others if granted a permit to carry a concealed weapon under this section. Within 30 days of receipt of the appeal, the district court shall review the appeal and issue a determination providing the reasons for the determination. If the district court issues a determination in favor of a person whose permit was denied or revoked, the person shall be issued a permit or the permit must be reinstated. Nothing in this section shall be construed to permit a sheriff to disregard any federal law or regulation pertaining to the purchase or possession of a firearm.

Retention of Records A form in triplicate is made for every pistol sold by a state-licensed dealer. One copy of the form shall be sent within 6 hours by registered or certified mail to the chief of police of the municipality or the sheriff of the county of which the dealer is a resident; the dealer shall within 7 days send the duplicate to the Secretary of State; and the dealer shall retain the triplicate for 6 years.

Registration No state requirements.

Other Transfer Regulations Any resident of Alabama authorized to sell and deliver long guns may sell and deliver them to a resident of any state where the sale of the firearms is legal. Any purchaser of the firearm may take or send it out of the state or have it delivered to his or her place of residence. (§ 13a-

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11-58 (a)) Any resident of Alabama who legally purchases long guns in any state where the purchase is legal may take delivery of the weapons either in the state of purchase or in Alabama. (§ 13a-11-58 (b)) A retail dealer of handguns is required to have a license from a city, town, or political subdivision. No person shall make any loan secured by a mortgage, deposit, or pledge of a handgun, nor lend, give, or otherwise deliver a handgun contrary to the provisions of the law. (§ 13A-11-80)

Prohibited Firearms State law makes it a felony for a person to possess, obtain, receive, sell, or use a short-barreled rifle or a short-barreled shotgun in violation of federal law, except for a peace officer engaged in official duties. (§ 13A-11-63)

Prohibited Persons State law prohibits ownership, possession, or control of a handgun by a person who has been convicted in Alabama or elsewhere of committing or attempting to commit a crime of violence or is a drug addict or an habitual drunkard. It is illegal to deliver a handgun to any person under the age of 18 or to one whom the seller has reasonable cause to believe has been convicted of a crime of violence or is a drug addict, a habitual drunkard, or of unsound mind. (§ 13a-11-72)

Mental Health Disposition Reporting If a county probate judge finds that a person involuntarily committed for inpatient treatment has a history of inappropriate use of firearms or a dangerous instrument or deadly weapons, or poses a threat to use firearms or other dangerous weapons inappropriately, the judge is required to forward the commitment order to the state's criminal justice information center and the center is required to forward the order to the NICS. (§ 22-52-10.8)

2012/2013 Legislation When a probate judge's order for involuntary commitment is based on evidence that the committed person has shown a history of inappropriate use of a dangerous instrument or deadly weapons or has threatened to use firearms or other dangerous weapons inappropriately, an amendment provides that the order shall be immediately forwarded to the state's criminal justice information center for entry into the NICS. Act 290, SB 133 (2013).

Relevant Laws Code of Alabama § 13A-11-50 et seq.; § 22-52-10.8; § 41-9-649.

Reviewing Agency Alabama Criminal Justice Information Center.

Firearms Information Website <http://www.ago.alabama.gov/Page-Alabama-Weapon-Law>

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Alaska
Summary of Firearm Transfer Laws
December 31, 2013

FBI conducts NICS transfer checks
State conducts NICS-alternative permit checks

Transfer Permits State law does not require a permit to receive a firearm. The Alaska "NICS Exempt" concealed handgun permit has been qualified by ATF as an alternative to a NICS transfer check.

Background Checks The state is not a Point-of-Contact for the NICS. Licensed firearms dealers in Alaska contact the FBI for all NICS transfer checks. The Alaska Department of Public Safety conducts background checks on applicants for "NICS exempt" concealed handgun permits.

Waiting Period No state requirements.

Transfer Permit and Background Check Fees The fee for an initial "NICS Exempt" concealed handgun permit is \$91.50; a timely renewal costs \$25 and a late renewal is \$50.

Submission of False Information An applicant for a concealed handgun permit who supplies a false statement, answer, or document in connection with the application that the applicant does not believe to be true may be prosecuted for unsworn falsification in the second degree.

Appeals of Denials A person who is denied a firearm by the FBI may appeal pursuant to federal law. A denial of a concealed handgun permit application may be appealed to the commissioner of public safety.

Retention of Records No state requirement.

Registration No state requirement.

Other Transfer Regulations None.

Prohibited Firearms It is illegal to manufacture, possess, transport, sell, or transfer a prohibited weapon (which includes a machine gun, short-barrel rifle, or short-barrel shotgun), unless it is registered under the National Firearms Act.

Prohibited Persons A person is qualified to receive a concealed handgun permit if the person: is 21 years of age or older; is eligible to own or possess a handgun under state and federal laws; has been an Alaska resident for the 90 days preceding the application; has not been convicted of two or more Class A misdemeanors of Alaska or similar laws of another jurisdiction within the six years immediately preceding the application; is not now in and has not in the three years immediately preceding the application been ordered by a court to complete an alcohol or substance abuse treatment program; and has successfully completed a handgun course.

Alaska law makes it a crime for a person to: knowingly possess a handgun after having been convicted of a felony or adjudicated a delinquent minor for conduct that would constitute a felony if committed by an adult by a court of this State, a court of the U.S., or a court of another State or territory; knowingly sell or transfer a handgun to a person who has been convicted of a felony by a court of this State, a court of the U.S., or a court of another State or territory; knowingly sell or transfer a firearm to a person whose

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physical or mental condition is substantially impaired by intoxicating liquor or controlled substances; knowingly sell a firearm to a person under age 18; or possess a firearm as an unemancipated minor under age 16 without the consent of a parent or guardian. A domestic violence protective order may prohibit the respondent from possessing a firearm.

Mental Health Disposition Reporting No state requirement.

2012/2013 Legislation No relevant changes.

Relevant Laws Alaska Statutes § 11.61.200; § 11.61.210; § 11.61.220; § 18.65.700 et seq.; § 18.66.100.

Reviewing Agency Alaska Department of Public Safety.

Firearms Information Website

<http://www.dps.alaska.gov/Statewide/PermitsLicensing/concealedhandguns.aspx>

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Arizona

Summary of Firearm Transfer Laws

December 31, 2013

FBI conducts NICS transfer checks **State conducts NICS-alternative permit checks**

Transfer Permits State law does not require a permit to receive a transferred firearm. An Arizona concealed weapon permit has been qualified by ATF as an alternative to a NICS transfer check. A permit is valid for 5 years unless it is revoked.

Background Checks The state is not a Point-of-Contact for the NICS. Licensed firearms dealers in Arizona contact the FBI for all NICS transfer checks. The Arizona Department of Public Safety (DPS) conducts background checks on applicants for concealed weapon permits. The department shall complete all of the required qualification checks within 60 days after receipt of the application and shall issue a permit within 15 working days after completing the qualification checks if the applicant meets all of the conditions specified in state law.

Waiting Period No state requirement.

Transfer Permit and Background Check Fees The concealed weapon permit fee is \$60 for an initial permit and \$43 for a renewal.

Submission of False Information An applicant for a concealed weapon permit shall attest under penalty of perjury that all of the statements made by the applicant are true.

Appeals of Denials A person who is denied a firearm by the FBI may appeal pursuant to Federal law. A person who is denied a concealed weapon permit may request reconsideration by submitting additional data to DPS. An administrative hearing may be held. A further appeal may be filed in superior court.

Retention of Records The DPS is required by law to maintain a computerized permit record system that is accessible to criminal justice agencies for law enforcement purposes.

Registration No state requirement.

Other Transfer Regulations A resident may purchase or otherwise obtain firearms anywhere in the United States if such purchase or acquisition fully complies with the laws of Arizona and the state in which the purchase or acquisition is made and the purchaser and seller have complied with federal law.

Prohibited Firearms It is illegal to manufacture, possess, transport, sell, or transfer a prohibited weapon, which includes a machine gun or a short-barreled rifle or shotgun (unless it is registered in accord with Federal law).

Prohibited Persons A concealed weapon permit shall be issued to an applicant who: is a resident of Arizona or a U.S. citizen; is 21 years of age or older; is not under indictment for or has not been convicted in any jurisdiction of a felony unless that conviction has been expunged, set aside or vacated or the applicant's rights have been restored and the applicant is currently not a prohibited possessor under state or federal law; does not suffer from mental illness and has not been adjudicated mentally

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incompetent or committed to a mental institution; is not unlawfully present in the U.S.; and has demonstrated competence with a firearm.

It is illegal to sell or transfer a firearm to a prohibited possessor, defined as any person who: has been found to be a danger to himself or others or to be persistently or acutely disabled or gravely disabled pursuant to a court order and whose rights have not been restored; has been convicted within or without Arizona of a felony or adjudicated delinquent for a felony and whose rights have not been restored; is imprisoned; is serving a term of probation for a domestic violence or felony offense, parole, community supervision, work furlough, home arrest, or release on any other basis, or probation or parole pursuant to the interstate compact; an undocumented alien; or a nonimmigrant alien who does not qualify for certain exceptions. It is illegal to knowingly transfer a firearm to a person who intends to use the firearm in the commission of any felony. A firearm cannot be transferred to or possessed by a minor under age 18 except in certain circumstances.

Mental Health Disposition Reporting If a person has been found, as a result of a mental disorder, to constitute a danger to self or others or to be persistently or acutely disabled or gravely disabled and the court enters an order for treatment, the court must grant access to the person's name, date of birth, social security number, and date of commitment to DPS.

2012/2013 Legislation No relevant changes.

Relevant Laws Arizona Revised Statutes § 13-3101 et seq.; § 36-540.

Reviewing Agency Arizona Department of Public Safety.

Firearms Information Website http://www.azdps.gov/Services/Concealed_Weapons/

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Arkansas
Summary of Firearm Transfer Laws
December 31, 2013

FBI conducts NICS transfer checks
State conducts NICS-alternative permit checks

Transfer Permits State law does not require a permit to receive a firearm. An Arkansas concealed handgun license has been qualified by ATF as an alternative to a NICS transfer check. A license is valid for five years unless it is revoked.

Background Checks The state is not a Point-of-Contact for the NICS. Licensed firearms dealers in Arkansas contact the FBI for all NICS transfer checks. The Arkansas State Police conducts background checks on applicants for concealed handgun licenses. Within 120 days after an application is received, the director of the state police shall issue or deny the license.

Waiting Period No state requirements.

Transfer Permit and Background Check Fees The fee for a concealed handgun license is \$100 for persons 64 years of age and younger or \$50 for persons 65 years of age and older, plus the cost of the state background check and fingerprint processing charges.

Submission of False Information Any person who knowingly submits a false answer to any question on an application for a concealed handgun license or who knowingly submits a false document when applying for a license is guilty upon conviction of a Class B misdemeanor. It is unlawful to provide false information to a licensed dealer or private seller with a purpose to deceive the dealer or seller concerning the lawfulness of a transfer of a firearm.

Appeals of Denials A person who is denied a firearm by the FBI may appeal pursuant to Federal law. Concealed handgun carry license denials are governed by the Arkansas Administrative Procedures Act and may be appealed to the Director of State Police and then to Circuit Court.

Retention of Records The Arkansas State Police is required by law to maintain an automated listing of concealed handgun license holders that is available to any law enforcement agency.

Registration No state requirements.

Other Transfer Regulations Residents of other states may purchase rifles and shotguns in Arkansas and Arkansas residents may purchase rifles and shotguns in another state if the sale complies with federal law.

Prohibited Firearms It is unlawful, with limited exceptions, to use, possess, make, repair, sell, or otherwise deal in a machine gun, a sawed-off shotgun or rifle, or a firearm specially made or specially adapted for silent discharge.

Prohibited Persons A concealed handgun license application may be denied if within the preceding five years the applicant has been found guilty of one or more crimes of violence constituting a misdemeanor or for the offense of carrying a weapon, or if the sheriff or chief of police of the applicant's place of residence or the Director of the Arkansas State Police submits an affidavit that the applicant has

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been or is reasonably likely to be a danger to himself or herself or others or to the community at large, as demonstrated by past patterns of behavior or participation in an incident involving unlawful violence or threats of unlawful violence, or if the applicant is under a criminal investigation at the time of applying for a license to carry a concealed handgun. A license shall be issued if the applicant: is a citizen of the U.S.; has been a resident of the state continuously for at least 90 days; is 21 years of age or older; does not suffer from a mental or physical infirmity that prevents the safe handling of a handgun and has not threatened or attempted suicide; has not been convicted of a felony in a court of this state, of any other state, or of the U.S.; is not subject to any federal, state, or local law that makes it unlawful to receive, possess, or transport any firearm; does not chronically or habitually abuse a controlled substance or an alcoholic beverage to the extent that his or her normal faculties are impaired; desires a legal means to carry a concealed handgun; has not been adjudicated mentally incompetent; has not been voluntarily or involuntarily committed to a mental institution or mental health treatment facility; is not a fugitive from justice or does not have an active warrant for his or her arrest; has completed a training course; and signs a statement of allegiance to the U.S. and Arkansas constitutions.

State law provides that no person who has been convicted of a felony, adjudicated mentally ill, or committed involuntarily to any mental institution shall possess or own any firearm. No person under the age 18 shall possess a handgun except in certain circumstances. It is illegal to furnish a firearm or other deadly weapon to a minor (under 18) without the consent of a parent or guardian, or to furnish a handgun or prohibited weapon to a felon, or to knowingly sell, rent, or transfer a firearm to a person prohibited by state or federal law. A court in a criminal case may prohibit the subject of a no-contact order from possessing a dangerous weapon.

Mental Health Disposition Reporting Circuit and probate court clerks are required to submit to the state's Crime Information Center copies of orders of lack of fitness to proceed with trial, acquittal on the grounds of mental disease or defect, or detention as a danger to self or others.

2012/2013 Legislation A new section makes it unlawful if a person solicits, persuades, encourages, or entices a licensed dealer or private seller to transfer a firearm or ammunition under unlawful circumstances or provides false information to a licensed dealer or private seller with a purpose to deceive the dealer or seller concerning the lawfulness of a transfer of a firearm or ammunition. Act 507, HB 1503 (2013). An amendment makes a denial of a concealed handgun license application subject to the state's administrative procedures act. Act 1328, SB 1111.

Relevant Laws Arkansas Code § 5-73-101 et seq.; § 5-73-301 et seq.; § 12-12-209; § 16-85-716.

Reviewing Agency Arkansas State Police.

Firearms Information Website Concealed handgun carry license information website - <http://asp.arkansas.gov/services-and-programs/detail/concealed-handgun-licensing>

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California Summary of Firearm Transfer Laws December 31, 2013

State conducts NICS transfer checks

Transfer Permits A California entertainment firearms permit has been qualified by ATF as an alternative to a NICS transfer check. This permit only allows receipt of a firearm for use as a prop in an entertainment production, and may be renewed annually.

Background Checks The California Department of Justice (DOJ) is a NICS Point-of-Contact and DOJ's Bureau of Firearms conducts all background checks required by federal and state law. California law requires a check on an applicant for a firearm transfer from a state-licensed dealer at fixed premises or a gun show. For a transfer between two unlicensed persons, a dealer is required to take delivery of the firearm and request a check on the prospective purchaser. DOJ also conducts checks on applicants for entertainment firearms permits.

Waiting Period No firearm shall be delivered by a licensed dealer until 10 days have expired since the application to purchase was filed or all correct information was submitted to DOJ or the required fee was submitted to DOJ, whichever is later. The waiting period may be extended up to 30 days in order for DOJ to determine the outcome of a mental health evaluation or a criminal arrest or charge, or to determine if the purchase would violate the state's one handgun in 30 days limit (effective January 1, 2014).

Transfer Permit and Background Check Fees An entertainment firearms permits costs \$104 for the initial application and \$29 for an annual renewal; the fees may be adjusted by DOJ. The fee to cover the cost of a firearm transfer background check is \$19. A dealer may charge an additional \$10 fee per firearm to process a private transfer.

Submission of False Information It is unlawful to knowingly furnish a fictitious name or address or any incorrect information, or to knowingly omit any information required to be provided to a licensed dealer in order to obtain a firearm.

Appeals of Denials A person who is denied a firearm by DOJ may appeal to the Bureau of Firearms Denial Review Unit.

Retention of Records DOJ is required to keep Dealer Record of Sale (DROS) data from all handgun transactions and denied long gun transactions. Data on approved long gun transfers may only be retained for five days. Effective January 1, 2014, record retention requirements that now apply to handgun transfers will also apply to long gun transfers.

Registration DOJ is required to permanently keep certain data from approved handgun transfers in a registry. Effective January 1, 2014, the same requirements will apply to approved long gun transfers. New residents must report handgun ownership within 60 days of moving to California. An assault weapon is required to be registered with DOJ if it was lawfully possessed before the date on which that type of weapon became prohibited. Fifty-caliber BMG rifles lawfully possessed prior to January 1, 2005 were required to be registered with DOJ no later than April 30, 2006.

Other Transfer Regulations An applicant for a handgun transfer from a licensed dealer must present a handgun safety certificate, unless the applicant has a concealed weapons license. A safety certificate

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valid for five years may be obtained after passing a test administered by a DOJ-certified instructor. No person shall make an application to purchase more than one handgun within any 30-day period. The one in 30 days limit does not apply to private transfers processed by dealers and in certain other circumstances. Gun show organizers are required to obtain a certificate of eligibility from DOJ and comply with all regulations in the Penal Code.

Prohibited Firearms Assault weapons, fifty-caliber BMG rifles, unconventional pistols, unsafe handguns, machine guns, short-barreled rifles and shotguns, and zip guns are generally prohibited, with limited exceptions. A permit is required to manufacture, transfer, or possess an assault weapon, a machine gun, or a short-barreled rifle or shotgun.

Prohibited Persons State law prohibits purchase or possession of a firearm by a person who: has been convicted of a felony in California or another jurisdiction; is addicted to any narcotic drug; has been convicted of a felony or misdemeanor crime involving violence or firearms; is prohibited as an express condition of probation; has been adjudged a ward of the juvenile court for committing an offense involving violence, drugs, or firearms, and is under the age of 30; or is subject to a temporary restraining order or injunction or a protective order issued to prevent violence. A person may also be prohibited from purchasing or possessing a firearm because of a mental health disposition that involves: a finding of danger to self or others during inpatient treatment (even if the admission was voluntary); a threat of violence communicated to a licensed psychotherapist (a five-year prohibition, effective January 1, 2014); being adjudicated as a danger to others as a result of a mental disorder or mental illness or being adjudicated as a mentally disordered sex offender; a finding of not guilty by reason of insanity; being found mentally incompetent to stand trial; being under a court-ordered conservatorship because of a mental disorder or chronic alcoholism; or detention in a mental health facility.

A firearm cannot be transferred if the transferee is prohibited from possessing, receiving, purchasing, or owning a firearm under federal law. In addition, a firearm cannot be transferred to a minor (under 18 years of age) and a handgun cannot be transferred to an individual under 21 years of age, except in limited circumstances. It is unlawful to transfer a firearm to a person known or believed to not be the actual purchaser of the firearm.

Mental Health Disposition Reporting The following dispositions must be reported to DOJ: danger to others as a result of a mental disorder or mental illness, mentally disordered sex offender, not guilty of a crime by reason of insanity, mentally incompetent to stand trial, under conservatorship because the person is gravely disabled as a result of a mental disorder or impairment by chronic alcoholism, and taken into custody and determined to be a danger to self or others. A report to DOJ is required on a person receiving inpatient treatment and determined to be a danger to self or others, even if the person consented to treatment. Licensed psychotherapists are required to report to local law enforcement the identity of a person who communicates a serious threat of physical violence against a reasonably identifiable victim or victims, and local law enforcement is required to notify DOJ. An order that restores firearm rights is also required to be reported to DOJ.

2012/2013 Legislation A peace officer serving a protective order indicating that a respondent possesses a firearm must request that the firearm be immediately surrendered. The court is required to determine if the proposed subject of the order has a registered firearm. Ch. 765, SB 1433 (2012). The ten-day waiting period for a firearm may be extended up to 30 days to determine the outcome of a mental health evaluation or a criminal arrest or charge, or to determine if the purchase would violate the state's one handgun in 30 days limit. Ch. 737, AB 500 (2013). The requirement of obtaining a safety certificate for a handgun purchase was expanded to cover most long gun sales, effective January 1, 2015. Ch. 761, AB 683 (2013). An amendment provides that only individuals, not other legal entities, may

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obtain a permit to acquire an assault weapon or a fifty-caliber BMG rifle. Ch. 729, AB 170 (2013). A person who communicates a serious threat of physical violence against a reasonably identifiable victim to a licensed psychotherapist is now prohibited from possessing a firearm for five years (increased from six months). Ch. 747, AB 1131 (2013).

Relevant Laws California Penal Code, Part 6, Title 4; Welfare and Institutions Code, Division 8, Ch. 3.

Reviewing Agency California Department of Justice, Bureau of Firearms.

Firearms Information Website <http://oag.ca.gov/firearms>

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Colorado

Summary of Firearm Transfer Laws

December 31, 2013

State conducts NICS transfer checks

Transfer Permits State law does not require a permit to receive a firearm.

Background Checks The state is a NICS Point-of-Contact and the Colorado Bureau of Investigation (CBI) conducts all firearm transfer checks required by federal and state law. Colorado law requires a check on a prospective transferee before a transfer can be made by a federally-licensed firearms dealer, a gun show vendor, or an unlicensed person. A gun show promoter is required to arrange for the services of at least one licensed dealer on the show's premises to obtain the required background check. An unlicensed person (at any location) is also required to arrange for a licensed dealer to request a check from CBI.

Waiting Period No state requirement.

Transfer Permit and Background Check Fees CBI is required to impose a fee for performing an instant criminal background check. The amount of the fee shall not exceed the total amount of direct and indirect costs incurred in performing the check. A licensed dealer may charge a fee not to exceed \$10 for processing a gun show transaction or a transfer by an unlicensed person.

Submission of False Information It is unlawful for any person, in connection with the acquisition or attempted acquisition of a firearm from any transferor, to willfully make any false or fictitious oral or written statement or to furnish or exhibit any false, fictitious, or misrepresented identification that is intended or likely to deceive such transferor with respect to any fact material to the lawfulness of the sale or other disposition of such firearm under federal or state law.

Appeals of Denials A transferee who is denied a firearm may request review of the denial by CBI. The bureau is required to render a final decision within 30 days of receiving additional information from the transferee.

Retention of Records State law allows CBI to adopt procedures regarding retention of transaction records, except that the bureau shall not retain a record for more than 48 hours after the day on which the bureau approves the transfer. A retail firearms dealer is required to keep records of handgun transactions.

Registration No state requirement.

Other Transfer Regulations A resident of a state contiguous to Colorado may purchase a long gun in Colorado if the sale complies with the laws of both states and with federal law. A resident of Colorado may purchase a long gun in a state contiguous to Colorado if the sale complies with the laws of both states and with federal law.

Prohibited Firearms It is unlawful to knowingly possess a dangerous weapon, which includes a machine gun, short shotgun, or short rifle, except in certain circumstances.

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Prohibited Persons CBI shall deny a transfer of a firearm if: the transfer would violate federal law or result in the violation of any provision of state law, including but not limited to the section concerning acts which, if committed by an adult, would constitute a burglary, arson, or any felony involving the use of force or the use of a deadly weapon; the prospective transferee has been arrested for or charged with a crime for which the prospective transferee, if convicted, would be prohibited under state or federal law from purchasing, receiving, or possessing a firearm and either there has been no final disposition of the case or the final disposition is not available; or the prospective transferee is the subject of an indictment, an information, or a felony complaint alleging commission of a crime punishable by imprisonment for a term exceeding one year as defined in federal law and either there has been no final disposition of the case or the final disposition is not available.

A firearm cannot be possessed by a person who is a previous felony offender or was adjudicated for an act that would be a felony if committed by an adult, under Colorado or any other state's law or under federal law. It is unlawful for any person who has not attained the age of 18 years to knowingly have any handgun in such person's possession, except in certain circumstances. A person who unlawfully provides a handgun to a juvenile commits a felony and a person who unlawfully provides a firearm other than a handgun to a juvenile commits a misdemeanor. It is unlawful to knowingly obtain a firearm on behalf of a prohibited person.

Mental Health Disposition Reporting The state court administrator must electronically send the names of persons subject to certain orders to CBI within 48 hours of receiving notice of such a person. The administrator is required to cancel a record in certain circumstances. A court, upon becoming aware that the basis upon which a record reported by the administrator does not apply or no longer applies, shall update, correct, modify, or remove the record from any database available to the NICS.

2012/2013 Legislation Any person who seeks to transfer possession of a firearm and is not a licensed gun dealer must arrange for a licensed dealer to obtain the required background check on the prospective transferee. The state court administrator is now required to electronically report certain mental health orders to CBI. New procedures have also been established for subsequent changes to a court record and for relief from a firearms disability caused by a mental health record. HB 13-1229. CBI is now required to recoup the cost of performing an instant criminal background check by charging a fee to a prospective transferee. HB 13-1228.

Relevant Laws Colorado Revised Statutes Title 12, Articles 26, 26.1 & 27; Title 13, Article 5, §§ 142 & 142.5; Title 18, Article 12; Title 24, Article 33.5, § 424.

Reviewing Agency Colorado Bureau of Investigation, Insta-Check Unit.

Firearms Information Website <http://www.colorado.gov/cs/Satellite/CDPS-CBIMain/CBON/1251621996187>

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Connecticut

Summary of Firearm Transfer Laws

December 31, 2013

State conducts NICS transfer checks and separate permit checks

Transfer Permits An eligibility certificate or pistol permit is required to purchase a handgun and will be required to purchase a long gun, ammunition, or a magazine on or after April 1, 2014. Both documents are valid for five years and allow unlimited purchases. Carrying a handgun also requires a pistol permit, with a 60-day temporary permit issued by a local official required as a prerequisite to receiving the five-year permit issued by the Department of Emergency Services and Public Protection (DESPP).

Background Checks Connecticut is a NICS Point-of-Contact and DESPP's Special Licensing and Firearms Unit (SLFU) conducts background checks required by state and federal law. State law requires checks on applicants for pistol permits, eligibility certificates, long gun eligibility certificates, and firearm transfers. Applications are approved or denied within eight weeks for a pistol permit or 90 days for an eligibility certificate to purchase pistols or revolvers or long gun eligibility certificates to purchase long guns only. Checks are conducted for handgun and long gun transfers at licensed dealers' premises, gun shows, or elsewhere.

Waiting Period A 14-day waiting period, which begins when an application is filed, is required for a long gun transfer, unless the buyer has a valid pistol permit, eligibility certificate, or long gun eligibility certificate, or qualifies for an exemption. This waiting period is in effect until April 1, 2014.

Transfer Permit and Background Check Fees Pistol permit fees include \$70 for a 60-day temporary permit and \$70 for a five-year permit. Both eligibility certificates cost \$35. Ammunition certificates cost \$35. An additional \$66.50 is charged for permits and certificates to cover the cost of fingerprinting and background checks.

Submission of False Information No person shall make any false statement or give any false information connected with any purchase, sale, delivery, or other transfer of any pistol or revolver or any firearm other than a pistol or revolver.

Appeals of Denials A denial of a pistol permit or eligibility certificate may be appealed to the Board of Firearm Permit Examiners within 90 days of the notice of denial. The Board's decision may be appealed to Superior Court. A person who is denied a firearm transfer may appeal to the SLFU.

Retention of Records Upon delivery of a firearm, a receipt which contains data on the purchaser, the sale, and the firearm is required to be sent by the vendor to the DESPP and another copy of the receipt is required to be sent to the local authority. The vendor must retain a copy for five years.

Registration A machine gun is required to be registered with the DESPP within 24 hours of acquisition and the registration is required to be renewed annually by July 1st. A certificate of possession is required for an assault weapon that was lawfully possessed prior to 10/1/93. Anyone who, before April 4, 2013, lawfully possessed a newly banned weapon may keep it by applying to DESPP for a certificate of possession by January 1, 2014.

Other Transfer Regulations Selling handguns at retail requires a state permit. A gun show promoter is required to notify local authorities of the date, time, duration, and location of the show.

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Prohibited Firearms It is unlawful to possess or transfer an assault weapon or to possess a sawed-off shotgun, with limited exceptions.

Prohibited Persons A pistol permit or an eligibility certificate may not be issued to and a handgun may not be possessed by a person who: has been convicted of a felony or any of 11 specified misdemeanors; has been convicted as delinquent for the commission of a serious juvenile offense; has been discharged from custody within the preceding 20 years after being found not guilty of a crime by reason of mental disease or defect; has been confined to a hospital for psychiatric disabilities within the preceding 60 months by court order; has been voluntarily admitted to a psychiatric hospital during the preceding six months (unless the admission was only for alcohol or drug treatment); is subject to a restraining or protective order issued in Connecticut or another jurisdiction; is subject to a firearm seizure order; is prohibited by federal law due to being adjudicated mentally defective or committed to a mental institution; or is an alien illegally or unlawfully in the United States. A pistol permit or handgun eligibility certificate may not be issued to a person under 21 years of age. A long gun eligibility certificate may not be issued to a person under 18 years of age.

No person shall transfer any handgun to any person under 21 years of age. No person, firm or corporation may transfer, at retail, any semi-automatic centerfire rifle that has or accepts a magazine with a capacity exceeding five rounds to any person under 21 years of age. No person, firm or corporation may transfer, at retail, any long gun to any person under 18 years of age. State law also prohibits possession of a firearm by a person who: has been convicted of a felony; has been convicted as delinquent for the commission of a serious juvenile offense; is subject to a restraining or protective order issued in Connecticut or another jurisdiction; is subject to a firearm seizure order; or is prohibited by federal law due to being adjudicated mentally defective or committed to a mental institution. It is unlawful to transfer, sell, or give a machine gun to a person under 16 years of age.

Mental Health Disposition Reporting The Commissioner of Mental Health and Addiction Services shall maintain information on probate court commitment orders and disqualifying voluntary admissions, and provide such information to DESPP. The DESPP shall report the name, date of birth, and physical description of any person prohibited from possessing a firearm pursuant to federal law to the NICS.

2012/2013 Legislation A long gun eligibility certificate is needed to acquire a long gun if a transferee lacks a pistol permit or eligibility certificate for pistols and revolvers, beginning April 1, 2014. Before a private transfer of a long gun may occur, a background check on the transferee must be conducted. The two-week waiting period for certain long gun transfers will be eliminated, starting April 1, 2014. The list of banned assault weapons was expanded. Anyone who, before April 4, 2013, lawfully possessed a newly banned weapon may keep it by applying to DESPP for a certificate of possession by January 1, 2014. A person confined in a psychiatric hospital by court order within the preceding 60 months (12 months under prior law) is ineligible for a pistol permit, both eligibility certificates, and an ammunition certificate. Any person who was voluntarily admitted to a psychiatric hospital during the preceding six months is also ineligible, unless the admission was only for alcohol or drug treatment. PA 13-3, PA 13-220.

Relevant Laws General Statutes § 17a-500; § 29-27 et seq.; § 53-202 et seq.; § 53-217a et seq.

Reviewing Agency Department of Emergency Services and Public Protection, Special Licensing and Firearms Unit.

Firearms Information Website <http://www.ct.gov/despp/cwp/view.asp?A=4213&Q=494632>

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Delaware
Summary of Firearm Transfer Laws
December 31, 2013

FBI conducts NICS transfer checks

Transfer Permits State law does not require a permit to receive a transferred firearm.

Background Checks The state is not a Point-of-Contact for the NICS. Licensed importers, manufacturers, and dealers in Delaware must contact the FBI for NICS transfer checks. State law requires a NICS check on an unlicensed person who receives a firearm from a licensed dealer or from another unlicensed person, except in certain circumstances. An unlicensed transferor is required to conduct the criminal history background check through a licensed firearms dealer. The prospective buyer and seller must appear jointly at the dealer's place of business during regular business hours.

Delaware law requires the State Bureau of Identification (SBI) to facilitate the transfer of a firearm when the buyer does not possess photographic identification because of religious reasons. The statute requires the buyer and seller to appear at SBI. The buyer will complete an affidavit certifying that he or she is a member of a church which prevents members from possessing photo identification. SBI will conduct a background check and maintain all paperwork generated. Pursuant to a U.S. Department of Justice memorandum, Delaware meets the federal requirements for access to FBI criminal history information for this type of transaction.

Waiting Period No state requirements.

Transfer Permit and Background Check Fees A dealer may charge a fee not to exceed \$50 per criminal history check to facilitate a firearm transfer between unlicensed persons.

Submission of False Information Any person who, in connection with the purchase, transfer, or attempted purchase or transfer of a firearm, willfully and intentionally makes any materially false oral or written statement or willfully and intentionally furnishes or exhibits any false identification intended or likely to deceive the licensee shall be guilty of a felony.

Appeals of Denials A person who is denied a firearm by the FBI may appeal pursuant to federal law.

Retention of Records State law requires licensed firearms dealers to maintain records on purchasers and weapons purchased.

Registration No state requirements.

Other Transfer Regulations A handgun dealer is required to have a state license.

Prohibited Firearms It is illegal, with limited exceptions, to sell, transfer, buy, receive, or possess a sawed-off shotgun or machine gun or any other firearm adaptable for use as a machine gun.

Prohibited Persons A firearm may not be purchased, owned, possessed, or controlled by any person who: has been convicted in Delaware or elsewhere of a felony or a crime of violence involving physical injury to another; has been committed for a mental disorder to any hospital, mental institution, or sanitarium (and has not been granted relief from the disability); has been convicted for unlawful use,

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possession, or sale of a narcotic, dangerous drug, central nervous system depressant or stimulant, narcotic drug, or controlled substance; as a juvenile, has been adjudicated delinquent for conduct which, if committed by an adult, would constitute a felony, and has not reached their 25th birthday; is subject to a protection from abuse order that is in effect; has been convicted of any misdemeanor crime of domestic violence; or becomes a fugitive from justice in a felony case. It is unlawful to transfer a firearm to a child under 18 years of age without parental consent or to a person who intends to commit certain crimes. It is unlawful to transfer a firearm to or obtain a firearm on behalf of a prohibited person. A handgun cannot be sold to a person under the age of 21 or to an intoxicated person.

Mental Health Disposition Reporting Psychiatric hospitals are required to submit to the NICS such information as may be required to comply with federal laws and regulations relating to background checks for the purchase or transfer of firearms. Such information shall include only names and other nonclinical identifying information of persons so committed.

2012/2013 Legislation Amendments require that a criminal history background check be performed in connection with the sale or transfer of a firearm between unlicensed persons, except in certain circumstances. Background checks would be performed by licensed firearms dealers. 79 Del. Laws, c. 20; HB 35.

Relevant Laws Delaware Code § 11-1441 et seq.; § 16-5161; § 24-901 et seq.

Reviewing Agency Delaware State Police

Firearms Information Website <http://courts.delaware.gov/Superior/weapons.stm>

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District of Columbia Summary of Firearm Transfer Laws December 31, 2013

FBI conducts NICS transfer checks District conducts separate registration checks

Transfer Permits A valid registration certificate is required for possession or transfer of any firearm.

Background Checks The Chief of the Metropolitan Police Department conducts background checks on applicants for registration certificates. The Chief shall approve or deny an application within a 60-day period beginning on the date the Chief receives the application, unless good cause is shown, including failure to receive information from sources outside the District government. In the case of an application to register a firearm validly registered under prior regulations, the Chief shall have 365 days after receipt of the application to approve or deny it. The Chief may hold in abeyance an application where there is a revocation proceeding pending against the applicant. The district is not a NICS Point-of-Contact and a licensed firearms dealer must contact the FBI for all NICS transfer checks.

Waiting Period There is a 10 day wait on all transfers or sales of new firearms.

Transfer Permit and Background Check Fees The Mayor of the District determines registration fees. The current application fee is \$13 and the fingerprint fee is \$35.

Submission of False Information Any declaration, certificate, verification, or statement made for purposes of firearm registration shall be made under penalty of perjury.

Appeals of Denials A denied registration applicant has 15 days from the date a notice of denial was served to submit further evidence in support of the application. The final decision of the Chief of Police shall be served upon the applicant within 10 days of receipt of the supporting evidence. The Chief's final decision may be appealed to the District of Columbia Court of Appeals.

Retention of Records Firearms registrations are retained for a period of 75 years according to the MPD records retention schedule.

Registration No person or organization in the District shall possess or control any firearm, unless the person or organization holds a valid registration certificate for the firearm. If certain statutory requirements are met, an organization or a retired police officer may receive a registration certificate. If certain statutory requirements are met, registration rules do not apply to a law enforcement officer or agent, an armed forces member, a licensed firearms dealer, a nonresident participating in or on the way to lawful firearm-related activity in the District, or a person who temporarily possesses a firearm registered to another person while in the home of the registrant and the person believes it is necessary to possess such a firearm to prevent imminent death or great bodily harm to himself or herself. A certificate expires three years after the date of issuance and may be renewed for subsequent three-year periods.

Other Transfer Regulations The Chief shall register no more than one pistol per registrant during any 30-day period, except that the Chief may permit a person first becoming a District resident to register more than one pistol if those pistols were lawfully owned in another jurisdiction for a period of 6 months prior to the date of the application.

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Prohibited Firearms A registration certificate shall not be issued for a sawed-off shotgun, a machine gun, a short-barreled rifle, a pistol not validly registered to the current registrant in the District prior to September 24, 1976 (with limited exceptions), an unsafe firearm, an assault weapon, or a .50 BMG rifle.

Prohibited Persons No registration certificate shall be issued to any person unless such person: is 21 years of age or older (or between the ages of 18 and 21 and has a notarized statement from a parent or guardian); has not been convicted of or is not under indictment for a crime of violence or a weapons offense; has not been convicted within the prior five years of a violation involving drugs, threats, assaults, driving under the influence of alcohol or drugs on two or more occasions, an intra-family offense punishable as a misdemeanor, or certain other misdemeanor violations; within the prior five years has not been acquitted of any criminal charge by reason of insanity, adjudicated a chronic alcoholic, or voluntarily or involuntarily committed to any mental hospital or institution; within the prior five years has not had a history of violent behavior; does not appear to suffer from a physical defect which would affect the ability to possess and use a firearm safely and responsibly; has not been adjudicated negligent in a firearm mishap causing death or serious injury; is not otherwise ineligible to possess a firearm under District law; has not failed to demonstrate satisfactory knowledge of district firearm laws; is not blind; has not been the respondent in a proceeding in which a civil protection order or foreign protection order was issued; has satisfied the firearms training requirement; and has not been prohibited from possessing or registering a firearm pursuant to District law.

Mental Health Disposition Reporting No applicable law.

2012/2013 Legislation The requirements for obtaining a firearm registration certificate were amended, which included repealing the requirement for a vision test and providing that an individual who is legally blind may not register a firearm. A new subsection provides that any declaration, certificate, verification, or statement made for purposes of firearm registration shall be made under penalty of perjury. L19-0170, B19-0614 (2012).

Relevant Laws District of Columbia Official Code § 7-2502.01 et seq.; § 22-4508.

Reviewing Agency District of Columbia Metropolitan Police Department.

Firearms Information Website <http://mpdc.dc.gov/node/178032>

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Florida Department of Law Enforcement
Summary of Firearm Transfer Laws
December 31, 2013

State conducts NICS transfer checks

Transfer Permits State law does not require a permit to receive a transferred firearm.

Background Checks The state is a NICS point of contact, with the Florida Department of Law Enforcement (FDLE) conducting background checks required by state and federal law. Licensed dealers are required by state law to request checks on unlicensed persons who apply for firearm transfers. A person who pawns a firearm and redeems it within 90 days may be checked by the FBI or FDLE; if the firearm is redeemed after 90 days, the check is conducted by FDLE. In addition to checking for other federal and state disqualifiers (e.g., felony conviction, misdemeanor crime of domestic violence, protection order) which would result in a denial, FDLE checks to see if a potential buyer or transferee has been indicted or has had an information filed against her or him for an offense that is a felony under either state or federal law or has been arrested for a dangerous crime or another crime specified by statute, in which event FDLE will issue a conditional non-approval to the licensee. Whether the transfer is approved or denied depends on the disposition of the indictment, information, or arrest. If a purchaser is not disapproved within three business days, the licensee must contact FDLE before releasing the firearm.

Waiting Period A retail delivery of a handgun requires a waiting period of three business days, beginning with the transfer of money or other valuable consideration to the retailer. The waiting period does not apply to a purchaser who holds a concealed weapons permit or is making a trade-in of another handgun. Florida counties have the authority to extend by ordinance the waiting period to five days for the sale of any firearm on property to which the public has access.

Transfer Permit and Background Check Fees FDLE shall establish a fee for a background check which may not exceed \$8.

Submission of False Information Any potential buyer or transferee who willfully and knowingly provides false information or false or fraudulent identification commits a felony of the third degree.

Appeals of Denials A person who is denied a firearm may appeal through FDLE within 21 days of the non-approval issuance. In order for FDLE to process the appeal after 21 days, a licensed firearm dealer must conduct another background check. Alternatively, a denied person may request the FBI to process an appeal after the 21 day period has expired.

Retention of Records FDLE is required to destroy information on an approved transaction within two days after the response to a licensee's request for a check. FDLE may maintain a log of dates of requests for checks and approval, non-approval, license identification, and transaction numbers corresponding to such dates for not longer than two years, or as required by federal law.

Registration No state requirement.

Other Transfer Regulations None.

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Prohibited Firearms It is unlawful for any person to own or have care, custody, possession, or control of a short-barreled rifle or shotgun or a machine gun which is or may readily be made operable. This prohibition does not apply to antique firearms and firearms which are lawfully owned and possessed under provision of federal law.

Prohibited Persons A firearm transfer by a licensed dealer will not be approved by FDLE if the potential buyer or transferee: has been convicted of a felony or a misdemeanor crime of domestic violence; has had adjudication of guilt withheld or imposition of sentence suspended on any felony or misdemeanor crime of domestic violence unless three years have elapsed since probation or any other conditions set by the court have been fulfilled or expunction has occurred; has been adjudicated mentally defective or committed to a mental institution by a court and is prohibited by federal law from purchasing a firearm (and has not been granted relief from this disability); or has had an injunction for protection against domestic violence or repeat violence entered against him or her. It is unlawful to acquire a firearm for the use of a prohibited person.

A person may not knowingly or willfully transfer a firearm to a minor under 18 years of age, except with permission of the parent or guardian. It is unlawful for any dealer in arms to transfer any firearm to a minor. A minor under 18 years of age may not possess a firearm except in limited circumstances. A firearm cannot be possessed by a person who: has been convicted of a felony (and whose rights have not been restored) or was found to have committed a delinquent act that would be a felony if committed by an adult and is under 24 years of age; has been restrained by a final injunction from committing acts of domestic violence, stalking or cyberstalking; or is a violent career criminal.

Mental Health Disposition Reporting Court clerks are required to submit records of persons who were adjudicated mentally defective or committed to a mental institution to a database maintained by FDLE. A record may be removed from the database if the subject obtains relief from firearm disabilities. FDLE is authorized to disclose the data to agencies of the federal government and other states for use only to determine the lawfulness of a firearms transfer, and to the Department of Agriculture and Consumer Services for purposes of issuing, revoking, or suspending concealed weapon or concealed firearm licenses.

2012/2013 Legislation An amendment provides that a person may not possess any firearm if a final injunction is currently in force to restrain that person from committing acts of stalking or cyberstalking. Chapter 153, HB 1099 (2012). The definition of a person who cannot be sold a firearm due to a commitment to a mental institution was broadened to include a person who has had an involuntary examination and who has then been voluntarily admitted for outpatient or inpatient treatment, so long as certain conditions are met. A person's agreement to voluntary admission must be filed with the county court clerk and presented to a judge or magistrate for review. If the review determines that the person is an imminent danger to self or others, the record must be submitted to FDLE. Ch. 249, HB 1355 (2013).

Relevant Laws Florida Statutes Chapter 790; Florida Administrative Code Rule 11C-6.009.

Reviewing Agency Florida Department of Law Enforcement.

Firearms Information Websites <http://www.fdle.state.fl.us/Content/getdoc/a6ab812a-94c0-46fd-914b-aae73a15109b/Home.aspx>; <http://licgweb.doacs.state.fl.us/weapons/index.html>;
<http://www.leg.state.fl.us/>

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Georgia
Summary of Firearm Transfer Laws
December 31, 2013

FBI conducts NICS transfer checks

Local agencies conduct NICS-alternative permit checks

Transfer Permits State law does not require a permit to receive a firearm. A Georgia weapons carry license issued by a county probate judge has been qualified by ATF as an alternative to a NICS transfer check. A license is valid for five years unless it is revoked.

Background Checks Georgia law provides that all transfers of firearms conducted by a licensed dealer shall be subject to the NICS, unless the firearm is an antique, a replica, a curio, or a relic. The State is not a Point-of-Contact for the NICS and dealers must contact the FBI for all NICS transfer checks. Local law enforcement agencies conduct background checks on weapons carry license applicants. A probate judge is required to request a check within five days of receiving an application. A law enforcement agency is required to report to the probate judge within 30 days.

Waiting Period No state requirement.

Transfer Permit and Background Check Fees A weapons carry license applicant must pay fees of \$30 to the probate judge and \$5 to the checking agency.

Submission of False Information A weapons carry license may be revoked pursuant to an adjudication of falsification of application.

Appeals of Denials A person who is denied a firearm by the FBI may appeal pursuant to federal law. An eligible applicant who fails to receive a weapons carry license within the time period required by law may bring an action in mandamus or other legal proceeding in order to obtain a license.

Retention of Records Probate Courts must retain records (applications) for six years.

Registration No state requirement.

Other Transfer Regulations A State firearm dealer's license is required to sell handguns or short-barreled firearms, except for casual sales between individuals or collectors. Residents of Georgia may purchase rifles and shotguns in any state if such residents conform to applicable statutes and regulations of the U.S., the state of Georgia, and the state in which the purchase is made. Residents of any state may purchase rifles and shotguns in Georgia if such residents conform to applicable statutes and regulations of the U.S., the state of Georgia, and the state in which such persons reside.

Prohibited Firearms No person shall possess any sawed-off shotgun, sawed-off rifle, or machine gun, with limited exceptions.

Prohibited Persons No weapons carry license shall be issued to any person who: is under 21 years of age; has been convicted of a felony by a court of Georgia, any other state, the U.S., or any foreign nation and has not been pardoned; has proceedings pending for any felony; is a fugitive from justice; is prohibited from possessing or shipping a firearm in interstate commerce pursuant to federal law; has been convicted of an offense arising out of the unlawful manufacture or distribution of a controlled

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substance or other dangerous drug; has had a weapons carry license revoked; has been convicted of certain weapons offenses and has not been free from all restraint, supervision, or conviction in the previous five years; has been convicted of any misdemeanor involving the use or possession of a controlled substance and has not been free of all restraint or supervision or free of certain convictions within the previous five years; has been hospitalized as an inpatient in any mental hospital or alcohol or drug treatment center within the previous five years; or is not of good moral character.

State law prohibits receipt, possession, or transfer of a firearm by a person who is on probation as a felony first offender or has been convicted of a felony in a court of Georgia, any other state, the U.S., or any foreign nation, unless the person has been granted a pardon or relief from disabilities in the applicable jurisdiction. A person under the age of 18 may only possess or control a handgun in certain circumstances, unless the person has been convicted of a forcible felony or forcible misdemeanor, or adjudicated delinquent for an offense which would constitute a forcible felony or forcible misdemeanor if such person were an adult. It is unlawful to solicit, persuade, encourage, or entice a dealer to transfer a firearm other than to the actual buyer.

Mental Health Disposition Reporting The Georgia Crime Information Center shall be provided records of the probate courts concerning persons involuntarily hospitalized after March 22, 1995. Further, the center shall be provided information as to whether a person has been adjudicated mentally incompetent to stand trial or not guilty by reason of insanity at the time of the crime, has been involuntarily hospitalized, or both, from the records of the superior courts concerning persons involuntarily hospitalized after March 22, 1995. Such records are purged after five years. The center shall be authorized to provide involuntary hospitalization records to the NICS.

2012/2013 Legislation No relevant changes.

Relevant Laws Official Code of Georgia Title 10, Chapter 1, Article 6; Title 16, Chapter 11, Article 4; Title 43, Chapter 16.

Reviewing Agency Georgia Bureau of Investigation, Crime Information Center.

Firearms Information Website <http://georgia.gov/popular-topic/applying-firearms-license>

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Hawaii

Summary of Firearm Transfer Laws

December 31, 2013

Local agencies conducts NICS-alternative permit checks

Transfer Permits Hawaii law requires a permit to acquire the ownership of any firearm by any means. A permit to acquire a pistol or revolver is required for each handgun transaction and is void unless used within ten days after the date of issue. A permit to acquire a rifle or shotgun allows unlimited acquisitions of long guns for 1 year after the date of issue (unless the permit is revoked). Permits to acquire have been qualified by ATF as alternatives to a NICS transfer check. A permit to acquire may be issued to U.S. citizens of age 21 or more. Certain aliens may obtain a permit to acquire or use a firearm.

Background Checks The state is a Point-of-Contact for the NICS. Four local police departments in Hawaii conduct background checks on applicants for permits to acquire.

Waiting Period No permit shall be issued to an applicant earlier than 14 calendar days after the date of the application; provided that a permit shall be issued or the application denied before the twentieth day from the date of application. Certain types of transactions are exempt from the waiting period.

Transfer Permit and Background Check Fees Only individuals applying for their first permit are charged a fee, in an amount equal to the FBI fingerprint check fee. No registration fees are charged.

Submission of False Information It is unlawful to give false information or offer false evidence of identity in complying with any requirements of the state's firearms laws.

Appeals of Denials State law does not provide an appeal procedure for a denial of a permit to acquire.

Retention of Records One copy of a permit to acquire shall be retained by the issuing authority as a permanent official record.

Registration All firearms acquired in Hawaii or brought into the state are required to be registered with a chief of police except for certain firearms manufactured before 1899 or designed to fire loose black powder, or inoperable devices. In order to register a firearm procured out-of-state, an individual must pay the FBI fingerprint fee (unless prints are already on file) and undergo a background check.

Other Transfer Regulations A temporary loan of a rifle or shotgun is permissible without a permit in certain circumstances. A firearms dealer is required to have a state license.

Prohibited Firearms Since July 1, 1992, an assault pistol cannot be brought into Hawaii and, if legally owned before that date, may only be transferred to a licensed dealer or a county chief of police. Manufacture, possession, sale, barter, trade, gift, transfer, or acquisition of an automatic firearm or a short-barrel rifle or shotgun is prohibited. It is unlawful, with limited exceptions, for any person to possess, sell, or deliver any pistol or revolver the frame or receiver of which is a die casting of zinc alloy which has a melting temperature of less than 800 degrees Fahrenheit.

Prohibited Persons Hawaii prohibits ownership, possession, or control of a firearm by a person who is a fugitive from justice or prohibited from possessing a firearm under federal law, or is under indictment or has been bound over for or has been convicted in Hawaii or elsewhere of a felony, a crime of violence,

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or an illegal drug sale. State law further prohibits a person who is or has been under treatment or counseling for addiction to, abuse of, or dependence upon any dangerous, harmful, or detrimental drug, intoxicating compound, or intoxicating liquor, or who has been acquitted of a crime on grounds of mental disease, disorder, or defect, is or has been diagnosed as having a significant behavioral, emotional, or mental disorder, or organic brain syndrome, unless the person has been medically documented to be no longer adversely affected by the addiction, abuse, dependence, mental disease, disorder, or defect.

No person who is less than 25 years old and has been adjudicated by the family court to have committed a felony, two or more crimes of violence, or an illegal sale of any drug shall own, possess or control any firearm. No minor who is or has been under treatment for addiction to any dangerous, harmful, or detrimental drug, intoxicating compound, or intoxicating liquor, or is a fugitive from justice, or has been determined not to have been responsible for a criminal act or has been committed to any institution on account of a mental disease, disorder, or defect shall own, possess, or control any firearm, unless the minor has been medically documented to be no longer adversely affected by the addiction, mental disease, disorder, or defect. No person who has been restrained pursuant to an order of any court from contacting, threatening, or physically abusing any person shall possess, control, or transfer ownership of any firearm so long as the order is in effect, unless the order specifically permits the possession of a firearm. A long gun cannot be transferred to a person under age 18 but a minor may have possession in certain hunting or target shooting situations.

Mental Health Disposition Reporting A health care provider or public health authority shall disclose information relating to an individual's mental health history to the appropriate county chief of police in response to a request from the chief of police, provided that the information shall be used only for the purpose of evaluating the individual's fitness to acquire or own a firearm and the individual has signed a waiver permitting release of the health information for that purpose.

2012/2013 Legislation In order to register a firearm procured out-of-state, an individual must pay the FBI fingerprint fee (unless prints are already on file) and undergo a background check. The time period to register such a firearm was extended to five days. Act 254, SB 69 (2013).

Relevant Laws Hawaii Revised Statutes Title 10, Chapter 134.

Reviewing Agency Hawaii Department of the Attorney General.

Firearms Information Website <http://www.honoluluupd.org/information/index.php?page=gunmain>

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Idaho

Summary of Firearm Transfer Laws

December 31, 2013

FBI conducts NICS transfer checks

Local agencies conduct NICS-alternative permit checks

Transfer Permits State law does not require a permit to receive a firearm. An Idaho concealed weapon license has been qualified by ATF as an alternative to a NICS transfer check. A license is valid for five years unless it is revoked.

Background Checks The State is not a Point-of-Contact for the NICS. Licensed firearms dealers in Idaho contact the FBI for all NICS transfer checks. County sheriffs conduct background checks on applicants for concealed weapon licenses. Sheriffs are required to issue a license to a person who is qualified within 90 days after the filing of an application.

Waiting Period No state requirements.

Transfer Permit and Background Check Fees Concealed weapon license fees are \$20 for the original issuance and \$15 for renewal. A sheriff may charge additional fees for the costs of fingerprint processing and materials needed for the license.

Submission of False Information A person who knowingly provides untrue information on a concealed weapon license application is guilty of a misdemeanor.

Appeals of Denials A person who is denied a firearm by the FBI may appeal pursuant to federal law. A person who is denied a concealed weapon license may bring a civil action in the county of application or in Ada County.

Retention of Records No state requirement.

Registration No state requirement.

Other Transfer Regulations Residents of Idaho may purchase rifles and shotguns in another state, provided that such residents conform to federal law and to the laws of Idaho and the state in which the purchase is made. Nonresidents may purchase rifles and shotguns in Idaho, provided that they conform to federal law, the laws of Idaho and the laws of their state of residence.

Prohibited Firearms None.

Prohibited Persons A concealed weapon license shall be issued unless the applicant: is ineligible to own, possess or receive a firearm under state or federal law; is formally charged with a crime punishable by imprisonment for a term exceeding one year; has been adjudicated guilty in any court of a crime punishable by imprisonment for a term exceeding one year; is a fugitive from justice; is an unlawful user of, or addicted to, marijuana or any depressant, stimulant or narcotic drug, or any other controlled substance as defined in federal law; is currently suffering or has been adjudicated as lacking mental capacity, mentally ill, gravely disabled, or an incapacitated person; is or has been discharged from the armed forces under dishonorable conditions; is or has been adjudicated guilty of or received a withheld judgment or suspended sentence for one or more crimes of violence constituting a misdemeanor, unless

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three years have elapsed since disposition or pardon prior to the date of application; has had entry of a withheld judgment for a criminal offense which would disqualify him from obtaining a concealed weapon license; is an alien illegally in the United States; is a person who has renounced United States citizenship; is under 21 years of age; is free on bond or personal recognizance pending trial, appeal or sentencing for a crime which would disqualify him from obtaining a concealed weapon license; or is subject to a protection order issued under the Idaho Code, that restrains the person from harassing, stalking or threatening an intimate partner of the person or child of the intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child. A person between the ages of 18 and 21 may obtain a license at the discretion of the sheriff.

Idaho law does not allow persons convicted of certain felonies to ship, transport, possess, or receive firearms. It is unlawful for a person who previously has been convicted of any of these felonies (or a comparable offense in another U.S. jurisdiction) to purchase, own, possess, or have custody or control of any firearm, unless the conviction was nullified by expungement, pardon, setting aside the conviction, or restoration of civil rights. A firearm cannot be sold to a minor under the age of 18 without the written consent of a parent or guardian. It shall be unlawful for any person under the age of 18 years to possess any firearm unless the minor has the written permission of his parent or guardian to possess the firearm or is accompanied by a parent or guardian while in possession of the firearm. Any minor under the age of 12 years in possession of a firearm shall be accompanied by an adult. It shall be unlawful for a person under the age of 18 years to possess any handgun and, except as provided by federal law, a sawed-off rifle, sawed-off shotgun, or full automatic weapon.

Mental Health Disposition Reporting A court that orders commitment to a mental health facility, orders involuntary care and treatment of a developmentally disabled person, appoints a guardian or conservator, or finds a defendant incompetent to stand trial shall make a finding as to whether the subject of the proceeding is a person to whom the provisions of 18 U.S.C. 922(d)(4) and (g)(4) apply. If the court so finds, the clerk of the court shall forward a copy of the order to the Idaho state police, which in turn shall forward a copy to the FBI for inclusion in the NICS. When a court issues an order granting relief from such disabilities, the clerk of the court shall immediately forward a copy of the order to the Idaho state police, which in turn shall immediately forward a copy to the FBI for inclusion in the NICS.

2012/2013 Legislation A new section provides for an enhanced concealed weapon license with more rigorous training requirements. Ch. 242, HB 192.

Relevant Laws Idaho Code Title 18, Chapter 33; Title 66, Chapter 3.

Reviewing Agency Idaho State Police.

Firearms Information Website

http://www.ag.idaho.gov/concealedWeapons/concealedWeapons_index.html

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Illinois

Summary of Firearm Transfer Laws

December 31, 2013

State conducts NICS transfer checks and separate permit checks

Transfer Permits A Firearm Owners Identification (FOID) Card is required to acquire or possess any firearm. A FOID card is valid for 10 years (unless revoked), with no limit on the number of firearms that may be purchased. No person may knowingly transfer any firearm to any person within Illinois unless the transferee displays a currently valid FOID Card, with limited exceptions.

Background Checks The state is a NICS Point-of-Contact and the Illinois State Police (ISP) conducts background checks required by state and federal law. Checks are conducted on applicants for FOID cards, with a maximum of 30 days allowed to approve or deny an application. Before transferring any firearm, a federally licensed dealer, gun show promoter, or gun show vendor is required to request a check from ISP to confirm the validity of the transferee's FOID card. Effective January 1, 2014, any unlicensed person who desires to transfer a firearm to another unlicensed person is required to contact ISP, or enlist a licensed dealer to do so, in order to confirm the validity of the transferee's FOID card.

Waiting Period After an application is received, a transferor is required to wait 24 hours before transferring a long gun and 72 hours before transferring a handgun. ISP is required to notify the inquiring dealer, gun show promoter, or gun show vendor within the waiting period of any objection that would disqualify the transferee from acquiring or possessing a firearm.

Transfer Permit and Background Check Fees State law authorizes a fee of \$10 for a FOID card and a fee not to exceed \$2 for a dealer inquiry to ISP about a prospective transferee. Effective January 1, 2014, a licensed dealer may charge a fee not to exceed \$10 for processing a transaction between unlicensed persons.

Submission of False Information Illinois makes it unlawful to intentionally provide false or misleading information on the federal firearms transaction record form when purchasing a firearm.

Appeals of Denials A FOID card denial or revocation may be appealed to the director of State Police and further to circuit court. Denials for certain reasons may only be initially appealed to circuit court. The same procedure applies to a denial of a transfer application, because it results in a FOID card revocation.

Retention of Records Any person who transfers any firearm within Illinois is required to keep a record with certain information about the firearm and the transfer for a period of 10 years from the date of transfer.

Registration Firearms are registered by some local governments, but not by the state.

Other Transfer Regulations Any resident of Illinois who has obtained a FOID card and who is not otherwise prohibited may obtain a rifle or shotgun in an adjacent state. Any resident of an adjacent state, and other nonresidents who meet certain requirements, may obtain a rifle or shotgun in Illinois unless prohibited by the laws of Illinois, the state of his or her domicile, or the United States.

Prohibited Firearms It is unlawful to sell, manufacture, purchase, possess, or carry a machine gun, a short-barreled rifle or shotgun, or a firearm shaped like a wireless telephone. A licensed dealer cannot

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transfer to an unlicensed person a handgun made of zinc alloy or other metal which will melt or deform at a temperature of less than 800 degrees Fahrenheit.

Prohibited Persons ISP has authority to deny a FOID card to a person who: is under 21 years of age and has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent; is under 21 and lacks written consent of a parent or guardian to acquire and possess firearms; has been convicted of a felony under the laws of Illinois or another jurisdiction; is addicted to narcotics; has been a patient of a mental institution within the past five years (except for law enforcement officers who have obtained relief from disabilities); has a mental condition of such a nature that it poses a clear and present danger to the applicant, any other person or persons or the community; is intellectually disabled; intentionally makes a false statement in the application; is an unlawful alien; has been admitted to the United States under a non-immigrant visa (and does not qualify for an exception); has been convicted within the past five years of battery, assault, aggravated assault, violation of an order of protection, or a substantially similar offense in another jurisdiction in which a firearm was used or possessed; has been convicted of domestic battery, aggravated domestic battery, or a substantially similar offense in another jurisdiction; is prohibited from acquiring or possessing firearms by any Illinois statute or federal law; is subject to a petition alleging that the person is a delinquent minor for the commission of an offense that if committed by an adult would be a felony; is an adult and had been adjudicated a delinquent minor for the commission of an offense that if committed by an adult would be a felony; is not a resident of Illinois (with certain exceptions); has been adjudicated as a mental defective; or is subject to an existing order of protection.

A transfer application will be denied if receipt of a firearm would violate the Illinois Criminal Code, federal law, or the FOID Card Act. It is unlawful for a handgun to be transferred to or possessed by a person who is under 18 years of age. In addition, it is unlawful to knowingly purchase or attempt to purchase a firearm with the intent to deliver that firearm to another person who is prohibited by federal or state law from possessing a firearm.

Mental Health Disposition Reporting The Department of Human Services and all public or private hospitals and mental health facilities are required to furnish ISP only such information as may be required for the sole purpose of determining whether an individual who may be or may have been a patient is disqualified because of that status from receiving or retaining a FOID Card under Illinois or federal law. ISP is required to report the name, date of birth, and physical description of any person prohibited from possessing a firearm pursuant to Illinois or federal law to the NICS. When a person is adjudicated as mentally disabled, the circuit court is required to forward the order to ISP and ISP is required to notify the NICS. If a person obtains relief from disabilities, ISP is required to correct the person's records in any database made available to the NICS.

2012/2013 Legislation Any unlicensed person who desires to transfer a firearm to another unlicensed person is required to contact ISP, or enlist a licensed dealer to do so, in order to verify the prospective transferee's eligibility to receive the firearm. A licensed dealer may charge a fee not to exceed \$10 for processing a transaction between unlicensed persons. PA 0508, HB 1189 (2013).

Relevant Laws Illinois Compiled Statutes § 405:5/6-130.1; § 430:65/0.01 et seq.; § 720:5/24-1 et seq.

Reviewing Agency Illinois State Police, Firearms Services Bureau.

Firearms Information Website <http://www.isp.state.il.us/foid/>

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Indiana

Summary of Firearm Transfer Laws

December 31, 2013

FBI conducts NICS transfer checks

Transfer Permits Indiana does not require a permit to purchase firearms.

Background Checks Pursuant to state law, a federally-licensed dealer may not sell, rent, trade, or transfer a handgun until the dealer has obtained the federal firearm transaction record (ATF Form 4473) from the prospective purchaser and contacted the NICS to request a background check. The state is not a Point-of-Contact for the NICS and the FBI must be contacted for all NICS transfer checks.

Waiting Period No state requirement.

Transfer Permit and Background Check Fees No state requirement.

Submission of False Information A person who knowingly or intentionally makes a materially false statement on a Form 4473 commits a Class D felony.

Appeals of Denials A person who is denied a firearm by the FBI may appeal pursuant to federal law.

Retention of Records A dealer who transfers a handgun is required to retain Form 4473 for auditing purposes.

Registration No state requirement.

Other Transfer Regulations A retail dealer of handguns must have a license issued by the sheriff in the county where the dealer resides or does business. It is unlawful to secure a loan by a mortgage, deposit, or pledge of a handgun.

Prohibited Firearms It is unlawful to manufacture, cause to be manufactured, import into Indiana, keep for sale, offer or expose for sale, give, lend, or possess a sawed-off shotgun, or to own or possess a machine gun, except in certain circumstances.

Prohibited Persons Indiana law makes it unlawful to purchase a handgun with the intent to provide the handgun to a person that the transferor knows is ineligible to receive it. A person may not sell, give, or in any other manner transfer the ownership or possession of a handgun or assault weapon to any person under 18 years of age, except in certain circumstances. It is unlawful to sell, give, or in any manner transfer a handgun to a person who: has been convicted of a felony; has been adjudicated a delinquent child for an act that would be a felony if committed by an adult and is under 23 years of age; or is a drug abuser, an alcohol abuser, or mentally incompetent.

A person who has been convicted of a serious violent felony or domestic battery cannot knowingly or intentionally possess a firearm. A child (less than 18 years of age) may not knowingly, intentionally, or recklessly possess a firearm or provide a firearm to another child, except in certain circumstances. A court may order a respondent to refrain from possessing a firearm for the duration of a protective order.

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Mental Health Disposition Reporting The Division of State Court Administration maintains an electronic system for receiving information about individuals prohibited from possessing a firearm and transmits this information to the NICS. A court is required to transmit information to the Division if it finds that a person is mentally ill and either dangerous or gravely disabled, not responsible for a crime by reason of insanity, guilty of a crime but mentally ill, or not competent to understand criminal court proceedings. The Department of Corrections is required to transmit information to the Division if it involuntarily transfers a prisoner for mental health or addiction treatment. If a person's firearms eligibility has been restored, the court or Department of Correction is required to inform the Division.

2012/2013 Legislation No significant changes.

Relevant Laws Indiana Code § 34-26-2-12; § 35-47-1-1 et seq.

Reviewing Agency Indiana State Police.

Firearms Information Website <http://www.in.gov/isp/2828.htm>

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Iowa
Summary of Firearm Transfer Laws
December 31, 2013

State conducts NICS handgun permit checks
FBI conducts NICS long gun transfer checks

Transfer Permits Iowa requires an annual permit to acquire handguns, with no limit on the number of handguns that may be acquired while the permit remains valid. Certain persons are not required to obtain an annual permit, including a person who has obtained a valid permit to carry weapons. Permits to acquire handguns and permits to carry weapons have been qualified by ATF as alternatives to a NICS transfer check.

Background Checks The state is a partial Point-of-Contact for the NICS. County sheriffs conduct background checks on applicants for annual permits to acquire and nonprofessional permits to carry. An application for either permit shall be made to the sheriff of the county in which the applicant resides. Applications for professional permits to carry weapons for persons who are nonresidents of the state, or whose need to go armed arises out of employment by the state, shall be made to the commissioner of public safety. The annual permit to acquire shall be issued to the applicant immediately upon completion of the application unless the applicant is disqualified. The sheriff or commissioner of public safety shall approve or deny a permit to carry application within thirty days of receipt of the application. In addition, a licensed firearms dealer in Iowa must contact the FBI for a check on a person who purchases a long gun or redeems a pawned firearm without a permit.

Waiting Period An Iowa permit to acquire a handgun becomes valid 3 days after the date of application unless the applicant is found to be disqualified.

Transfer Permit and Background Check Fees There is no statutory fee for a permit to acquire handguns. The statutory fee for a new permit to carry weapons is \$50 and a renewal is \$25. Some sheriffs charge a fee for processing a permit.

Submission of False Information A person who knowingly makes a false statement of material fact on an application for a permit to acquire or carry or who submits what the person knows to be any materially falsified or forged documentation in connection with such an application commits a felony. A person who gives a false name or presents false identification, or otherwise knowingly gives false material information to one from whom the person seeks to acquire a pistol or revolver, commits a felony.

Appeals of Denials A denial of an application for a permit to acquire or a permit to carry may be appealed to an administrative law judge in the department of inspections and appeals. Any party aggrieved by the final judgment of the administrative law judge may seek judicial review. A permit denial solely due to a NICS determination or a denial of a long gun application by the FBI may be appealed pursuant to federal law.

Retention of Records No state requirement.

Registration No state requirement.

Other Transfer Regulations None.

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Prohibited Firearms It is unlawful to knowingly possess a machine gun, short-barreled rifle, short-barreled shotgun, silenced firearm, or any part or combination of parts designed or intended to be used to convert any device into a prohibited firearm, with limited exceptions.

Prohibited Persons Iowa makes it unlawful for a person who is convicted of a felony in a state or federal court or adjudicated delinquent on the basis of conduct that would constitute a felony if committed by an adult to knowingly control, possess, receive, transport, or cause to be transported a firearm or offensive weapon. It is also unlawful for a person who is subject to a protective order pursuant to 18 U.S.C. 922(g)(8) or who has been convicted of a misdemeanor crime of domestic violence to knowingly possess, ship, transport, or receive a firearm or offensive weapon. A permit to acquire shall be issued to any Iowa resident unless the person is less than 21 years of age, is subject to a state law prohibition, or is prohibited by federal law from shipping, transporting, possessing or receiving a firearm. No permit to carry shall be issued to a person who: is less than 18 years of age for a professional permit or less than 21 years of age for a nonprofessional permit; is addicted to the use of alcohol; is likely to use a weapon unlawfully or in such other manner as would endanger the person's self or others; is subject to a state law prohibition; has, within the previous three years, been convicted of any serious or aggravated misdemeanor not involving the use of a firearm or explosive; or is prohibited by federal law from shipping, transporting, possessing, or receiving a firearm. The above prohibitions do not apply if a person's firearm rights have been restored. In addition, it is unlawful to sell, loan, give, or make available a long gun to a person below the age of 18 or a handgun to a person below the age of 21, except in certain circumstances.

Mental Health Disposition Reporting When a court issues an order or judgment under the laws of Iowa by which a person becomes subject to the provisions of 18 U.S.C. § 922(d)(4) and (g)(4), the clerk of the district court shall forward only such information as is necessary to identify the person to the department of public safety, which in turn shall forward the information to the FBI for the sole purpose of inclusion in the NICS database. If a person obtains relief from disabilities, the department is required to correct the person's records in any database made available to the NICS.

2012/2013 Legislation No significant changes.

Relevant Laws Iowa Code § 702.7; § 724.1 et seq.

Reviewing Agency Iowa Department of Public Safety.

Firearms Information Website http://www.dps.state.ia.us/asd/weapon_permits.shtml

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Kansas
Summary of Firearm Transfer Laws
December 31, 2013

FBI conducts NICS transfer checks
State conducts NICS-alternative permit checks

Transfer Permits State law does not require a permit to receive a firearm. A Kansas concealed carry handgun license has been qualified by ATF as an alternative to a NICS transfer check. A license is valid for four years unless it is suspended or revoked.

Background Checks The state is not a Point-of-Contact for the NICS. Licensed firearms dealers in Kansas contact the FBI for all NICS transfer checks. The Office of the Attorney General, through the Kansas Bureau of Investigation, conducts background checks on applicants for Kansas concealed handgun licenses after receiving fingerprints from the sheriff of the county where the applicant resides. The sheriff of the applicant's county of residence or the chief law enforcement officer of any law enforcement agency may submit a voluntary report to the attorney general which establishes that the applicant poses a significantly greater threat to law enforcement or the public at large than the average citizen. Any such voluntary reporting shall be made within 45 days after the date the sheriff receives the application. The Attorney General must process an application and notify the applicant within 90 days of receiving the application.

Waiting Period No state requirements.

Transfer Permit and Background Check Fees A new concealed handgun license costs \$132.50, with \$32.50 payable to the sheriff's office in the county where the applicant resides, and \$100 payable to the Office of the Attorney General.

Submission of False Information A false statement on a concealed handgun license application may subject the applicant to prosecution for the crime of perjury.

Appeals of Denials A denial of a concealed handgun license application may be appealed initially through the Office of Administrative Hearings and then, if necessary, through the Attorney General's office again. Judicial review may then be sought in the district court of Shawnee County or the county in which the petitioner resides.

Retention of Records The attorney general shall maintain an automated listing of license holders and pertinent information that is available to law enforcement agencies.

Registration No state requirement.

Other Transfer Regulations None.

Prohibited Firearms It is a criminal use of a weapon, except in certain circumstances, to knowingly sell, manufacture, purchase, possess, or carry a shotgun with a barrel less than 18 inches in length or any other firearm designed to discharge or capable of discharging automatically more than once by a single function of the trigger.

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Prohibited Persons The attorney general shall not issue a concealed handgun license if the applicant: is not a resident of the county where application for licensure is made or is not a resident of the state; is prohibited from shipping, transporting, possessing, or receiving a firearm or ammunition under federal law or Kansas statutes on criminal use of weapons or criminal possession of a firearm; or is less than 21 years of age. Criminal use of a weapon includes: knowingly selling, giving, or otherwise transferring a firearm with a barrel less than 12 inches to a person under 18 years of age; knowingly selling, giving, or otherwise transferring any firearm to a person who is both addicted to and an unlawful user of a controlled substance, or who is or has been a mentally ill person or a person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment; knowing possession of any firearm by a person who is both addicted to and an unlawful user of a controlled substance, or who is or has been a mentally ill person or a person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment; or knowing possession of a firearm with a barrel less than 12 inches by a person less than 18 years of age. The prohibitions against persons subject to involuntary commitment shall not apply to a person who has received a certificate of restoration.

It is unlawful to knowingly sell, give, or otherwise transfer any firearm to a person who has been convicted of a felony described in the criminal distribution of firearms statute or of a similar crime in another jurisdiction. Further, it is unlawful for any firearm to be possessed by a person who has been convicted of a felony listed in the criminal possession of a firearm statute or a uniform controlled substances act violation or a similar crime in another jurisdiction, or who has been adjudicated a juvenile offender because of the commission of an act which if done by an adult would constitute the commission of such a felony or uniform controlled substances act violation.

Mental Health Disposition Reporting After July 1, 2007, all orders of involuntary commitment for care and treatment and amendments thereto, and any orders of termination or discharge shall be immediately forwarded to the Kansas bureau of investigation for entry into the appropriate state and federal databases.

2012/2013 Legislation An amendment clarifies that the expungement of a prior felony conviction generally does not relieve the individual of complying with any state or federal law relating to the use, shipment, transportation, receipt, or possession of firearms by a person previously convicted of a felony. SB 21.

Relevant Laws Kansas Statutes Chapter 21 Article 63; Chapter 75 Article 7c.

Reviewing Agency Office of the Attorney General, Concealed Carry Handgun Unit.

Firearms Information Website <http://ag.ks.gov/public-safety/concealedcarry/concealed-carry>

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Kentucky Summary of Firearm Transfer Laws December 31, 2013

FBI conducts NICS transfer checks **State conducts NICS-alternative permit checks**

Transfer Permits State law does not require a permit to receive a transferred firearm. A Kentucky concealed weapon license has been qualified by ATF as an alternative to a NICS transfer check. A license is valid for five years unless it is revoked.

Background Checks The state is not a Point-of-Contact for the NICS. Licensed firearms dealers in Kentucky contact the FBI for all NICS transfer checks. The Kentucky State Police (KSP) conducts background checks on applicants for concealed weapon licenses, after receiving applications filed with county sheriffs. KSP is required to issue a license or deny the application within 60 days of receipt.

Waiting Period Kentucky does not have a waiting period for firearm transfers.

Transfer Permit and Background Check Fees The fee for a new application or a renewal of a concealed weapon license is \$60.

Submission of False Information A person is guilty of a fraudulent firearm transaction when he or she knowingly provides to a licensed dealer or private seller of firearms what the person knows to be materially false information with intent to deceive the dealer or seller about the legality of a transfer of a firearm.

Appeals of Denials A firearm transfer denial by the FBI may be appealed pursuant to federal law. A concealed weapon license applicant who is denied may request reconsideration by KSP. A denied applicant may also seek a de novo review in the state district court for his or her place of residence.

Retention of Records KSP is required to maintain an automated listing of concealed weapon license holders and pertinent information, which is available to law enforcement agencies upon request.

Registration No state requirements.

Other Transfer Regulations Residents of Kentucky who are U.S. citizens have the right to acquire any firearm in another state. Residents of other states who are U.S. citizens and persons who are citizens of other countries have the right to acquire any firearm in Kentucky. All such sales must conform to the requirements of federal law, Kentucky statutes, local ordinances, and the law of the purchaser's state.

Prohibited Firearms Firearms are prohibited in the state according to federal law.

Prohibited Persons Kentucky law prohibits the possession, manufacture, or transport of a firearm by a person who has been convicted of a felony in any state or federal court and has not been granted a full pardon or relief from disabilities. The same prohibition applies to any youthful offender convicted of a felony offense under the laws of Kentucky. No person shall knowingly sell or transfer a firearm to any person prohibited from possessing it. A handgun cannot be possessed, manufactured, or transported by a person under the age of 18 except in certain circumstances. It is unlawful for any person to intentionally, knowingly, or recklessly provide a handgun in violation of Kentucky statutes to a person who the provider

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knows or has reason to believe is under the age of 18. In addition, it is unlawful for a parent or guardian of a juvenile to intentionally, knowingly, or recklessly provide a handgun to the juvenile or permit the juvenile to possess a handgun knowing that there is a substantial risk that the juvenile will use a handgun to commit a felony offense or with knowledge that the juvenile has been convicted of a crime of violence or has been adjudicated a public offender for an offense which would constitute a crime of violence.

A concealed weapon license shall be issued if the applicant: is not prohibited from the purchase, receipt, or possession of firearms, ammunition, or both pursuant to applicable federal or state law; meets citizenship and residency requirements; is 21 years of age or older; has not been committed to a state or federal facility for the abuse of a controlled substance or been convicted of a misdemeanor violation of KRS Chapter 218A or similar laws of any other state relating to controlled substances, within a three year period immediately preceding the date on which the application is submitted; does not chronically and habitually use alcoholic beverages; does not owe a child support arrearage; has complied with any subpoena or warrant relating to child support or paternity proceedings; has not been convicted of assault in the fourth degree or terroristic threatening in the third degree within the three years immediately preceding the date on which the application is submitted (KSP may waive this requirement upon good cause shown); and demonstrates competence with a firearm.

Mental Health Disposition Reporting A court that orders a commitment or makes a finding or adjudication under which a person becomes subject to the provisions of 18 U.S.C. §§922(d)(4) and (g)(4) shall order the circuit clerk to forward the person's name and nonclinical identifying information along with a copy of the order of commitment to KSP, which in turn shall forward the information to the FBI for inclusion in the NICS database.

2012/2013 Legislation A new section makes it a crime to engage in a fraudulent firearm transaction by knowingly soliciting a firearm transfer that is illegal, providing false information to a firearm seller, or procuring another to engage in prohibited conduct. Ch. 121; HB 563 (2012). The time period allowed for the Kentucky State Police to issue a concealed firearms license or deny an application was reduced from 90 days to 60 days. Ch. 73, SB 150 (2013).

Relevant Laws Kentucky Revised Statutes Chapters 237 and 527.

Reviewing Agency Kentucky State Police.

Firearms Information Website <http://www.kentuckystatepolice.org/conceal.htm>

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Louisiana
Summary of Firearm Transfer Laws
December 31, 2013

FBI conducts NICS transfer checks

Transfer Permits Manufacturers or merchants shall not deliver a machine gun to a person authorized to purchase it under state law unless the person presents a written permit to purchase and possess a machine gun, signed by the sheriff of the parish in which the manufacturer or merchant has a place of business or delivers the machine gun.

Background Checks The State is not a Point-of-Contact for the NICS. Licensed firearms dealers in Louisiana are required to contact the FBI for all NICS transfer checks.

Waiting Period No state requirement.

Transfer Permit and Background Check Fees No state requirements.

Submission of False Information It is unlawful for a prospective firearm purchaser to provide to a licensed dealer or private seller what the purchaser knows to be materially false information with intent to deceive the dealer or seller about the legality of the sale.

Appeals of Denials A person who is denied a firearm by the FBI may appeal pursuant to federal law.

Retention of Records Each sheriff shall keep a record of all machine gun permits issued.

Registration No state requirements.

Other Transfer Regulations None.

Prohibited Firearms No person shall sell, keep or offer for sale, loan or give away, purchase, possess, carry, or transport any machine gun within Louisiana except in certain circumstances. No person shall receive, possess, carry, conceal, buy, sell, or transport any firearm which has not been registered or transferred in accordance with federal law.

Prohibited Persons Louisiana law makes it unlawful to sell or otherwise deliver for value any firearm to any person under the age of 18. It is unlawful for a firearm to be possessed by a person who has been convicted of any of certain enumerated felonies or of an attempt to commit any of such felonies under Louisiana law or has been convicted of a crime under the laws of any other state or of the United States or of any foreign government or country which, if committed in Louisiana, would be one of such felonies, unless the person has not been convicted of a felony for a period of 10 years from the date of completion of sentence, probation, parole, or suspension of sentence. It is a crime to intentionally supply a firearm to a known prohibited felon. It is unlawful for any person who has not attained the age of 17 years knowingly to possess any handgun except in limited circumstances. Ownership or possession of a firearm may be prohibited under a misdemeanor sentence for domestic abuse battery.

Mental Health Disposition Reporting Each district clerk of court is required, as of January 1, 2014, to report to the state supreme court, for forwarding to the NICS database, the names and other identifying information of adults who are prohibited from possessing a firearm under state or federal law

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by reason of certain convictions and mental health adjudications. A judgment that restores a person's firearm rights shall be reported and forwarded in the same manner.

2012/2013 Legislation A new law makes it a crime for a person to knowingly solicit a firearm sale that is illegal, provide false information to a firearm seller with intent to deceive, or willfully procure another person to engage in prohibited conduct. Act 335, SB 572 (2012). Laws that prohibited the possession or transfer of certain types of firearms without prior approval of the department of public safety and corrections were repealed. An amended law prohibits the possession or transfer of any firearm that has not been registered or transferred in accordance with federal law. Act 398, HB 277 (2013). Each district clerk of court is required, as of January 1, 2014, to report to the state supreme court, for forwarding to the NICS database, the names and other identifying information of adults who are prohibited from possessing a firearm under state or federal law by reason of certain convictions and mental health adjudications. A judgment that restores a person's firearm rights shall be reported and forwarded in the same manner. Act 403, HB 717 (2013).

Relevant Laws Louisiana Revised Statutes § 13:1753; § 14:35.3; § 14:91; § 14:94 et seq.; § 28:57; § 40:1379.3; § 40:1751 et seq.

Reviewing Agency Louisiana State Police.

Firearms Information Website <http://www.lsp.org/handguns.html>

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Maine
Summary of Firearm Transfer Laws
December 31, 2013

FBI conducts NICS transfer checks

Transfer Permits State law does not require a permit to receive a transferred firearm.

Background Checks The state is not a Point-of-Contact for the NICS. Licensed firearms dealers in Maine are required to contact the FBI for all NICS transfer checks.

Waiting Period No state requirements.

Transfer Permit and Background Check Fees No state requirements.

Submission of False Information No applicable law.

Appeals of Denials A person who is denied a firearm by the FBI may appeal pursuant to federal law.

Retention of Records No state requirements.

Registration No state requirements.

Other Transfer Regulations None.

Prohibited Firearms It is unlawful for a person to knowingly possess a machine gun, except for law enforcement or military personnel in the discharge of official duties and authorized by an appointing authority. A machine gun is also exempt from this provision if it is manufactured, acquired, transferred, or possessed in accordance with the National Firearms Act.

Prohibited Persons A person may not own, possess, or control a firearm if that person: has been convicted or found not criminally responsible by reason of insanity of committing a crime punishable by imprisonment for a term of one year or more under the laws of Maine, the U.S., or any other state, or a crime that is similar to an offense punishable by imprisonment for one year or more in Maine, or a crime under the laws of the U.S., Maine, any other state, or certain tribal authorities that involved use of a firearm or dangerous weapon; has been adjudicated under the laws of Maine, the U.S., or any other state to have engaged in conduct as a juvenile that if committed by an adult would have been a disqualifying conviction for a violent offense; is subject to an order of a court of the U. S. or a state, territory, commonwealth, or tribe that restrains that person from acts of domestic violence; or has been committed involuntarily to a hospital, or found not criminally responsible by reason of insanity or not competent to stand trial with respect to a criminal charge. A person who has been adjudicated under the laws of Maine, the U.S., or any other state to have engaged in conduct as a juvenile that if committed by an adult would have been a disqualifying conviction for a nonviolent offense may not own or have in that person's possession or control a firearm for a period of three years following completion of any disposition imposed or until that person reaches 18 years of age, whichever is later. Certain persons subject to the above prohibitions may be eligible for restoration of firearm rights.

It is a crime to knowingly transfer a firearm other than a handgun to a person under 16 years of age if the transferor is not a parent or guardian of the minor. It is a civil violation (or a crime if there was a

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prior violation) to knowingly sell a firearm other than a handgun to a person 16 years of age or older and under 18 years of age if the transferor is not a parent or guardian of the minor. It is a crime to transfer a handgun to a person who the transferor knows or has reasonable cause to believe is a minor (under 18 years of age), except in certain circumstances.

Mental Health Disposition Reporting Upon the receipt of an abstract from a court, the State Bureau of Identification is required to report to the NICS a court's finding that a person has been committed involuntarily to a hospital, or found not criminally responsible by reason of insanity or not competent to stand trial with respect to a criminal charge.

2012/2013 Legislation No significant changes.

Relevant Laws Maine Revised Statutes Title 15 §393; Title 17-A §§ 554-A, 554-B, 1051 & 1052; Title 25 §1541.

Reviewing Agency Maine Department of Public Safety.

Firearms Information Website <http://www.maine.gov/dps/msp/licenses/index.html>

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Maryland Summary of Firearm Transfer Laws December 31, 2013

State conducts NICS handgun transfer checks
FBI conducts NICS long gun transfer checks

Transfer Permits A handgun qualification license issued by the Department of State Police (DSP) is required to purchase, rent, or receive a handgun. A license expires 10 years from the date of issuance.

Background Checks Maryland is a partial NICS Point-of-Contact. DSP conducts checks on applicants for handgun qualification licenses and transfers of regulated firearms (handguns and assault weapons). The FBI conducts the NICS check on a person who redeems a pawned firearm or applies to a federally-licensed dealer for a transfer of a long gun that is not regulated by Maryland law.

Within 30 days after receiving a completed handgun license application, DSP is required to issue either a license or a written denial. An application to purchase, rent, or transfer (which includes a copy of the handgun license) must be submitted to a licensed regulated firearms dealer ("licensee") or a designated law enforcement agency, and transmitted to DSP by electronic means. An application for a secondary sale (between unlicensed persons) must also be forwarded to DSP by a licensee or law enforcement agency. DSP is required to notify the prospective seller, lessor, or transferor in writing of a disapproved firearm application within seven days after the date that the executed application is forwarded, unless it is placed on hold because of an open disposition of a criminal proceeding against the applicant.

Waiting Period A licensee or other transferor may not sell, rent, or transfer a regulated firearm until after seven days following the time a firearm application is executed by the applicant and forwarded by the prospective transferor to the DSP.

Transfer Permit and Background Check Fees A fee of up to \$50 may be charged for a handgun license. The fee for an application filed with a licensee or a designated law enforcement agency is \$10. An applicant for a secondary sale shall pay a processing fee not exceeding \$20 to a licensee.

Submission of False Information State law makes it a crime to knowingly give false information or make a material misstatement in a firearm application.

Appeals of Denials A handgun license or regulated firearm applicant who is denied may request a hearing from DSP and may seek judicial review of DSP's decision.

Retention of Records DSP shall maintain a permanent record of all notifications received from transferors of completed sales, rentals, and transfers of regulated firearms in the state.

Registration Assault pistols lawfully possessed before June 1, 1994 were required to be registered with DSP before August 1, 1994. A person who acquires a machine gun is required to register it with the DSP within 24 hours after acquiring it and to renew the registration yearly. A person who moves into the state with the intent of residency must register all regulated firearms within 90 days of establishing residency.

Other Transfer Regulations A person may not purchase more than one regulated firearm in a 30-day period, with limited exceptions. An unlicensed person who displays a regulated firearm for sale or transfer at a gun show must obtain a temporary transfer permit from DSP, have a fixed display, and comply with

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the same restrictions imposed upon licensees. A Maryland resident who is eligible to purchase a long gun under the laws of an adjacent state may purchase a long gun from a federally-licensed gun dealer in that state. A resident of an adjacent state who is eligible to purchase a long gun under the laws of Maryland may purchase a long gun from a federally-licensed gun dealer in Maryland.

Prohibited Firearms A person may not transport into the state, possess, sell, offer to sell, transfer, purchase, or receive an assault weapon, with limited exceptions. (Assault weapons include assault pistols, assault long guns, and copycat weapons.) An assault pistol is excepted if it was lawfully possessed and registered before applicable deadlines. A person who lawfully possessed, has a purchase order for, or completed an application to purchase an assault long gun or a copycat weapon before October 1, 2013, may possess it after that date. A person may not possess a short-barreled rifle or short-barreled shotgun except in certain circumstances. It is unlawful to manufacture for distribution or sale a handgun that is not included on the Maryland handgun roster or to sell or offer for sale a handgun manufactured after January 1, 1985, that is not included on the handgun roster.

Prohibited Persons DSP shall issue a handgun license to a person who: is at least 21 years old, is a state resident, has completed a firearms safety course within the prior three years, and is not prohibited by federal or state law from purchasing or possessing a handgun.

State law provides that a regulated firearm or a long gun may not be possessed by a person who: has been convicted of a disqualifying crime; has been convicted of a common law crime and received a term of imprisonment of more than two years; is a fugitive from justice; is a habitual drunkard; is addicted to a controlled dangerous substance or is a habitual user; suffers from a mental disorder and has a history of violent behavior against the person or another; has been found incompetent to stand trial or not criminally responsible; has been voluntarily admitted for more than 30 consecutive days to a mental health facility; has been involuntarily committed to a mental health facility; is under the protection of a guardian; is a respondent against whom a protective order has been entered; is less than 30 years of age and was adjudicated delinquent for an act that would be a disqualifying crime if committed by an adult; was previously convicted of a crime of violence or a violation of a listed section of the state criminal law or an offense under the laws of another state or the U. S. that would constitute such a crime. A person who is under the age of 21 years may not possess a regulated firearm.

In addition, a dealer or other person may not transfer a regulated firearm to a person who is subject to the above prohibitions or has been convicted of a conspiracy to commit a felony, is visibly under the influence of alcohol or drugs, is a participant in a straw purchase, or has not completed a firearms safety course. A person may not transfer a long gun to a minor (under 18 years of age).

Mental Health Disposition Reporting Courts and mental health care facilities are required to report dispositions that disqualify a person from possessing a firearm to the NICS, through a secure state portal.

2012/2013 Legislation A person is prohibited from possessing a regulated firearm or long gun if the person was convicted of an offense under the laws of another state or the U.S. that would constitute a crime of violence or a violation of specified laws if committed in Maryland. Ch. 276, SB 640 (2012). A handgun qualification license issued by the state police for 10 years is now required to purchase, rent, or receive a handgun. A person who moves into the state with the intent of residency must register all regulated firearms within 90 days of establishing residency. In addition to assault pistols, assault long guns and copycat weapons are designated as "assault weapons" and prohibited, with certain exceptions. Amendments added to the types of mental health dispositions that disqualify a person from possessing a regulated firearm or a long gun. Courts and mental health care facilities are now required to report

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dispositions that disqualify a person from possessing a firearm to the NICS, through a secure state portal. Ch. 427, SB 281 (2013).

Relevant Laws Code of Maryland: Criminal Law Article, Title 4; Criminal Procedure Article, §3-106 & 3-112; Public Safety Article, Title 5.

Reviewing Agency Department of State Police Licensing Division, Firearms Registration Section.

Firearms Information Website

<http://www.mdsp.org/Organization/SupportServicesBureau/LicensingDivision.aspx>

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Massachusetts Summary of Firearm Transfer Laws December 31, 2013

FBI conducts NICS transfer checks Local agencies conduct separate permit checks

Transfer Permits A license to carry firearms or a firearm identification (FID) card is required to receive a rifle, shotgun, or "firearm" (which includes handguns, short-barreled rifles, and short-barreled shotguns) from a licensed dealer or private person. Two classes of licenses to carry firearms entitle the holder to purchase, rent, lease, borrow, possess, and carry certain types of weapons: Class A, large capacity firearms, rifles, and shotguns; and Class B, non-large capacity firearms and large capacity rifles and shotguns. The FID card allows the holder to own or possess non-large capacity rifles and shotguns. A license to carry or FID card is issued for six years. In order to purchase a firearm, a FID card holder must obtain a permit to purchase that is valid for 10 days.

Background Checks City and town police departments are licensing authorities for licenses to carry, FID cards, and permits to purchase. An electronic system enables licensing authorities to conduct criminal history fingerprint checks on applicants. Authorities that are not on the electronic system forward prints to the Massachusetts State Police (MSP), which conducts a nationwide, fingerprint-based criminal background check. MSP informs a licensing authority of check results within 30 days; the authority renders a decision within 40 days from the date of application. Before making a transfer, a licensed dealer is required to use the state system to verify the validity of a transferee's license to carry, FID card, or permit to purchase. The Commonwealth is not a NICS Point-of-Contact state and licensed dealers in Massachusetts are required to contact the FBI for all NICS transfer checks.

Waiting Period No relevant state law.

Transfer Permit and Background Check Fees A \$100 fee, payable to the licensing authority, is charged for a license to carry, a FID card, or a permit to purchase. However several license application types are accepted at a reduced fee of \$25.

Submission of False Information It is unlawful to knowingly file an application for a FID card or a license to carry that contains false information.

Appeals of Denials If a licensing authority denies a FID card or license to carry application or fails to render a decision within the time limit, the applicant may appeal to the state district court that has jurisdiction in the city or town where the application was filed.

Retention of Records FID card and license to carry applications are required to be retained by the licensing authority until superseded.

Registration Licensed dealers, private sellers, and persons who make a purchase from a private seller are required to submit information about the parties and weapons involved in the transaction to the Department of Criminal Justice Information Services.

Other Transfer Regulations A state dealer's license is generally required to sell, rent, or lease a firearm, rifle, shotgun, or machine gun. A person without a dealer's license may only sell or transfer a

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firearm, rifle, or shotgun in limited circumstances. A loan may not be secured by a mortgage, deposit, or pledge of a firearm, rifle, shotgun, or machine gun.

Prohibited Firearms A licensed dealer cannot transfer any firearm that does not meet certain manufacturing standards or pass a firing test, unless it was lawfully owned or possessed on or before October 21, 1998, or designated as a firearm solely designed and sold for formal target shooting competition. No person shall sell, offer for sale, transfer, or possess an assault weapon that was not otherwise lawfully possessed on September 13, 1994. The only exception is for possession by an active law enforcement officer for law enforcement purposes or possession by a retired law enforcement officer. No person shall be issued a license to carry or possess a machine gun except for a certified police firearm instructor or a bona fide collector. It is unlawful to possess a sawed-off shotgun.

Prohibited Persons A licensing authority shall issue an FID card unless the applicant has been convicted or adjudicated as a youthful offender or delinquent child in Massachusetts or any other state or federal jurisdiction for commission of a felony, a misdemeanor punishable by more than two years imprisonment, a violent crime, a weapons offense for which a term of incarceration may be imposed, or a drug offense. However, except for the conviction or adjudication of a violent crime or a crime involving the trafficking of controlled substances, the licensing authority shall issue the FID card if at least five years have passed from the applicant's release from confinement, probation, or parole supervision. Additionally, a licensing authority shall not issue an FID card if the applicant: has been confined to any hospital or institution for mental illness; has been under treatment for or confinement for drug addiction or habitual drunkenness; is less than 15 years of age or more than 15 but less than 18 and lacks permission of a parent or guardian; is an alien other than a permanent resident alien; is subject to a suspension, surrender, or protection order issued in Massachusetts or another jurisdiction; or is currently the subject of an outstanding arrest warrant in any state or federal jurisdiction. A licensing authority may issue a Class A or B license to carry to an applicant who appears to be a suitable person, unless the applicant is subject to one of the above prohibitions or is less than 21 years of age). There is no five year restoration of rights for a license to carry. A licensing authority may issue a permit to purchase to a person who is qualified to be granted a license to carry and is not a minor, if it appears that the purchase is for a proper purpose. It is a crime to use a license to carry or a FID card to purchase a firearm, rifle, or shotgun for the unlawful use of another or for transfer to an unlicensed person. A nonresident or an alien other than a permanent resident alien cannot possess a firearm, rifle, or shotgun except in limited circumstances, and is required to have a temporary license for possession. Issuance of a temporary license is subject to the same prohibitions listed in the previous paragraph.

Mental Health Disposition Reporting No relevant state law.

2012/2013 Legislation The only change for the period was the result of a federal court decision. As of April 2012, local police departments process FID card and license to carry applications for lawful permanent resident aliens (green card holders) in the same manner as for U.S. citizens. This change also allows for lawful permanent resident aliens who obtain a FID card or license to carry to purchase firearms, rifles, or shotguns.

Relevant Laws Massachusetts General Laws: Chapter 140, §§ 121 to 131P; Chapter 269, §10.

Reviewing Agency Massachusetts Department of Criminal Justice Information Services, Firearms Records Bureau.

Firearms Information Website <http://www.mass.gov/eopss/firearms-reg-and-laws/frb/>

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Michigan Summary of Firearm Transfer Laws December 31, 2013

FBI conducts NICS transfer checks

Local agencies conduct NICS-alternative permit checks

Transfer Permits A license to purchase a pistol is required to receive a handgun from a seller who does not have a firearms dealer's license, unless the purchaser has a concealed pistol license. A license to purchase a pistol is not required to receive a handgun from a licensed firearms dealer. A license to purchase a pistol is valid for 30 days and a concealed pistol license is valid for five years. Both permits have been qualified by ATF as alternatives to a NICS transfer check.

Background Checks A commissioner or chief of police of a city, township, or village police department, or a county sheriff conducts the background check on an applicant for a license to purchase a pistol. The county sheriff, on behalf of the county's concealed weapon licensing board, conducts a background check on an applicant for a concealed pistol license. Licensed firearms dealers in Michigan are required to contact the FBI for all NICS transfer checks.

Waiting Period No relevant state law.

Transfer Permit and Background Check Fees An applicant for a concealed pistol license pays \$105.

Submission of False Information It is a crime to intentionally make a materially false statement on an application for a concealed pistol license or on an application for a license to purchase a pistol, or to use false identification or the identification of another person to purchase a firearm.

Appeals of Denials A denial of an application for a license to purchase or a concealed pistol license may be appealed to the circuit court. A firearm transfer denial by the FBI may be appealed pursuant to federal law.

Retention of Records A seller of a pistol is required to record information about the pistol and the sale, and to provide the purchaser with two copies. The purchaser is required to return one copy to the appropriate county sheriff or police department. State law requires the purchaser to keep his/her copy for 30 days and be in possession of the record if also in possession of the pistol. The Michigan State Police retains a permanent record. Concealed Pistol License records are required to be maintained in a database by the Michigan State Police. The county clerk's office must retain associated documentation for six years (the duration of the license, plus one year).

Registration County sheriffs and police departments are required to either enter pistol sale information into a pistol entry database or transmit the information to the department of state police for entry into the database.

Other Transfer Regulations Residents of Michigan may purchase long guns in any state and residents of any state may purchase long guns in Michigan if the sale conforms to federal law and the laws of the state where the purchase is made or where the purchaser resides. It is a crime for a pawnbroker to accept a pistol in pawn or for any second-hand or junk dealer to accept a pistol and offer or display the same for resale.

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Prohibited Firearms A person shall not manufacture, sell, offer for sale, or possess a machine gun or a short-barreled shotgun or rifle, with limited exceptions.

Prohibited Persons A license to purchase a pistol shall be issued unless the licensing authority has probable cause to believe that the applicant would be a threat to himself or herself or to other individuals, or would commit an offense with the pistol that would violate a law of Michigan, another state, or the United States. Further, an applicant for a license to purchase a pistol is not qualified if the person: is subject to a listed order or disposition; is under 18 years of age (or under 21 if the seller is a licensed dealer); is not a U.S. citizen or a lawful alien who is a legal resident of Michigan; has a felony charge or other listed charge pending; is prohibited by Michigan law from possessing, using, transporting, selling, purchasing, carrying, shipping, receiving, or distributing a firearm; has been adjudged insane or legally incapacitated in Michigan or elsewhere (unless rights have been restored); or is under an order of involuntarily commitment in an inpatient or outpatient setting due to mental illness.

A county licensing board shall issue a concealed pistol license unless the applicant: is under 21 years of age; is not a U.S. citizen or an immigrant alien, or has resided in the state for less than six months; has not completed a pistol safety training course; is subject to a listed order or disposition; is prohibited by Michigan law from possessing, using, transporting, selling, purchasing, carrying, shipping, receiving, or distributing a firearm; has a pending felony charge in Michigan or elsewhere; has been dishonorably discharged from the U.S. armed forces; has been convicted of a listed misdemeanor; has been found guilty but mentally ill of any crime or has offered a plea of not guilty of, or been acquitted of, any crime by reason of insanity; has been subject to an order of involuntary commitment in an inpatient or outpatient setting due to mental illness; has a diagnosed mental illness at the time the application is made; or is under a court order of legal incapacity in this state or elsewhere. An application may be denied if issuing a license would be detrimental to the safety of the applicant or any other individual, based on clear and convincing evidence.

It is unlawful to knowingly sell a firearm more than 26 inches in length to a person who is under 18 years of age, or to knowingly sell a firearm to a person who is under indictment for a felony or prohibited by Michigan law from possessing, using, transporting, selling, purchasing, carrying, shipping, receiving, or distributing a firearm. It is unlawful for a person convicted of a felony to possess, use, transport, sell, purchase, carry, ship, receive, or distribute a firearm, unless the person's rights have been restored. An individual less than 18 years of age shall not possess a firearm in public except in certain circumstances.

Mental Health Disposition Reporting Court orders or dispositions involving involuntary hospitalization or alternative treatment, legal incapacity, or a finding of not guilty by reason of insanity must be immediately entered by the department of state police into the law enforcement information network. Such orders must be immediately removed from the network by the state police if removal is ordered by the court.

2012/2013 Legislation An individual who purchases a pistol from a federally licensed firearms dealer in compliance with 18 USC 922(t) is no longer required to obtain a license to purchase. PA 377, HB 5225. An amendment allows residents of Michigan to purchase long guns in any state and allows residents of any state to purchase long guns in Michigan if the sale conforms to federal law and the laws of the state where the purchase is made or where the purchaser resides. PA 378, SB 984.

Relevant Laws Michigan Compiled Laws: Chapter 28 §§ 421-435; Chapter 750 §§ 222-239a.

Reviewing Agency Michigan State Police.

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Firearms Information Website http://www.michigan.gov/msp/0,1607,7-123-1591_3503_4654---.00.html

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Minnesota

Summary of Firearm Transfer Laws

December 31, 2013

FBI conducts NICS transfer checks **Local agencies conduct separate background checks**

Transfer Permits Any person may apply for a transferee permit, which expires after one year and allows unlimited purchases of pistols and assault weapons. A permit to carry, which expires five years after the date of issue, is required to possess or control a pistol in a public place, and also constitutes a transferee permit.

Background Checks Municipal police chiefs and county sheriffs conduct background checks on applicants for transferee permits. The chief of police or sheriff shall issue a transferee permit or deny the application within seven days. County sheriffs conduct background checks on applicants for permits to carry. The sheriff must, within 30 days of receipt of all required information, issue the permit to carry or deny the application. A federally-licensed firearms dealer may transfer a pistol or assault weapon to a person without a permit. The dealer is required to obtain information from the proposed transferee and file a transfer report with the appropriate police chief or county sheriff. The police chief or sheriff is required to conduct a background check and inform the dealer as soon as possible in writing if the proposed transferee is disqualified. If a notification of disqualification from the checking agency is not received within five business days after the transfer report is filed, the dealer may deliver the firearm to the transferee. Minnesota is not a Point-of-Contact for the NICS and licensed dealers in the state must contact the FBI for all NICS transfer checks.

Waiting Period A licensed dealer may not deliver a pistol or assault weapon to a proposed transferee until five business days after the date on which a transfer report is delivered to the appropriate police chief or sheriff. All or part of the waiting period for a transfer report or permit to carry may be waived in writing by the police chief or sheriff because of a threat to the life of the transferee or a member of the transferee's household.

Transfer Permit and Background Check Fees A sheriff may charge a new permit to carry applicant a fee that does not exceed the cost of processing the application or \$100, whichever is less. The sheriff may charge a renewal fee that does not exceed the cost of processing the renewal or \$75, whichever is less.

Submission of False Information It is a gross misdemeanor to submit false information on a transferee permit application, a transfer report, or a permit to carry application.

Appeals of Denials A denial of a transferee permit or permit to carry application, or a denial that results from a transfer report, may be appealed to state district court. A permit to carry applicant also may submit additional documentation to the sheriff and ask for reconsideration. A person who is denied a firearm by the FBI may appeal pursuant to federal law.

Retention of Records No record of an approved transferee's identity may be maintained if that person requests return of the transfer report. Sheriffs are required to purge certain permit to carry data on a yearly basis. The commissioner of public safety must maintain an automated database, available only to law enforcement agencies and prosecutors, of persons authorized to carry pistols. The commissioner may

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maintain a separate automated database of denied applications for permits to carry and of revoked permits that is available only to sheriffs for a period of six years from the date of the denial or revocation.

Registration A report is required to be filed with the Bureau of Criminal Apprehension for any machine gun or short-barreled shotgun that is lawfully owned, possessed, acquired, or manufactured.

Other Transfer Regulations A federally licensed importer, manufacturer, dealer, or collector may sell and deliver a firearm to a resident of a contiguous state and a Minnesota resident may purchase a firearm in a contiguous state, in any instance where such sale and delivery is lawful under federal law.

Prohibited Firearms It is unlawful to own, possess, or operate a machine gun or short-barreled shotgun, except in certain circumstances. A "Saturday Night Special Pistol" cannot be sold by a licensed dealer, or manufactured or assembled by any person.

Prohibited Persons A transferee or carry permit may not be issued and a pistol or assault weapon may not be transferred to a person who is not entitled to possess a firearm. A firearm shall not be possessed by a person who: is under age 18 (with exceptions); has been convicted of or adjudicated delinquent for or charged with committing in Minnesota or elsewhere a crime of violence; has been committed to a treatment facility in Minnesota or elsewhere by a judicial determination that the person is mentally ill, developmentally disabled, mentally ill and dangerous to the public, or has been found incompetent to stand trial or not guilty by reason of mental illness; has been convicted in Minnesota or elsewhere of a specified misdemeanor or gross misdemeanor; has been committed by judicial determination for treatment due to drug use or chemical dependency; is a peace officer admitted to a treatment facility for chemical dependency; has been charged with a crime of violence and placed in a pretrial diversion program; has been convicted in another state of a domestic violence offense; has been convicted in Minnesota or elsewhere of assaulting a family or household member and used a firearm during the assault; has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year; is a fugitive from justice; is an unlawful user of any controlled substance; is an alien in the U.S. illegally or unlawfully; has been dishonorably discharged from the U.S. armed forces; has renounced U.S. citizenship; or has been convicted of a specified gross misdemeanor. A prohibition may not apply if firearm rights have been restored. In addition, a person presently charged with a crime punishable by imprisonment for a term exceeding one year shall not be entitled to receive, ship, or transport any pistol or assault weapon. A permit to carry must be issued if an applicant: has training in the safe use of a pistol; is at least 21 years old and is a citizen or permanent resident of the U.S.; is not prohibited from possessing a firearm by Minnesota or federal law; is not listed in the criminal gang data system; or would not be a danger to himself or herself or the public if authorized to carry a pistol.

Mental Health Disposition Reporting The commissioner of human services is required to provide commitment information to local law enforcement agencies on an individual request basis for the sole purpose of facilitating a firearms background check. A court shall ensure that data is transmitted as soon as practicable to the NICS when the court: commits a person as being mentally ill, developmentally disabled, mentally ill and dangerous, or chemically dependent; determines in a criminal case that a person is incompetent to stand trial or not guilty by reason of mental illness; or restores a person's ability to possess a firearm.

2012/2013 Legislation A new subdivision requires a court to provide information to the NICS on a person who is charged with a crime of violence and placed in a pretrial diversion program, and on a person who is convicted of a gross misdemeanor that disqualifies the person from possessing a firearm. Ch. 86, SF 671 (2013).

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Relevant Laws Minnesota Statutes 245.041; 253B.24; 609.66; 609.67; 624.71 et seq.

Reviewing Agency Minnesota Department of Public Safety, Bureau of Criminal Apprehension.

Firearms Information Website <https://dps.mn.gov/divisions/bca/bca-divisions/administrative/Pages/firearms.aspx>

Mississippi Summary of Firearm Transfer Laws December 31, 2013

FBI conducts NICS transfer checks
State conducts NICS-alternative permit checks

Transfer Permits State law does not require a permit to receive a firearm. The Mississippi license to carry a stun gun or a concealed pistol or revolver ("firearm permit") has been qualified by ATF as an alternative to a NICS transfer check. A firearm permit is valid for five years from the date of issuance unless suspended or revoked.

Background Checks The state is not a Point-of-Contact for the NICS. Licensed firearms dealers in Mississippi contact the FBI for all NICS transfer checks. The Mississippi Department of Public Safety (DPS) conducts checks on applicants for firearm permits. Within 45 days of receipt of a complete application, DPS is required to issue the firearm permit, deny the application, or provide the applicant with an estimate of additional time needed to make a determination.

Waiting Period No relevant state law.

Transfer Permit and Background Check Fees A first-time firearm permit application costs \$100 plus a \$32 fee for fingerprint processing. A renewed license costs \$50.

Submission of False Information It is a misdemeanor to knowingly submit false information or a false document for a firearm permit application. Any person who provides to a licensed dealer or private seller of firearms what the person knows to be materially false information, with intent to deceive the dealer or seller about the legality of a transfer of a firearm, is guilty of a felony.

Appeals of Denials A person who is denied a firearm transfer by the FBI may appeal pursuant to federal law. A denial of a firearm permit application may be appealed to the commissioner of public safety and further to the circuit or county court.

Retention of Records DPS is required to maintain an automated listing of firearm permit holders that is available online to law enforcement agencies.

Registration No state requirement.

Other Transfer Regulations None.

Prohibited Firearms None.

Prohibited Persons DPS shall issue a firearm permit if the applicant: has been a resident of Mississippi for 12 months or longer immediately preceding the filing of the application (except in certain

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circumstances); is 21 years of age or older, or is at least 18 years of age and is a member or veteran of the U.S. armed forces; does not suffer from a physical infirmity which prevents the safe handling of a stun gun, pistol or revolver; is not ineligible to possess a firearm by virtue of having been convicted of a felony in a court of Mississippi, any other state, or the U.S., and has not been pardoned for the offense; does not chronically or habitually abuse controlled substances or use alcoholic beverages to the extent that the person's normal faculties are impaired; desires a legal means to carry a handgun for self-defense; has not been adjudicated mentally incompetent or has waited five years from the date of restoration to capacity by court order; has not had adjudication of guilt withheld or imposition of sentence suspended on any felony unless three years have elapsed since probation or any other conditions set by the court have been fulfilled; is not a fugitive from justice; is not disqualified to possess or own a weapon based on federal law; or has not been found guilty of one or more crimes of violence constituting a misdemeanor unless three years have elapsed since probation or any other conditions set by the court have been fulfilled or expunction has occurred prior to the date on which the application is submitted.

It is unlawful for any person who has been convicted of a felony under the laws of Mississippi, any other state, or the U.S. to possess any firearm unless such person has received a pardon, a relief from disability, or a certificate of rehabilitation. It is unlawful for any person to knowingly sell, give, or lend any deadly weapon to any minor under 18 years of age or to an intoxicated person. It is an act of delinquency for a person under the age of 18 years to knowingly possess a handgun, except in certain circumstances.

Mental Health Disposition Reporting No relevant law.

2012/2013 Legislation A new law makes it a crime to knowingly solicit a licensed dealer or private seller to transfer a firearm unlawfully, or to provide materially false information to a firearm seller. Ch. 494, HB 353 (2012). An amendment allows a firearm permit to be obtained by a person who is not yet 21 years of age but is at least 18 years of age and is a member or veteran of the U.S. armed forces. Ch. 308, HB 2 (2013).

Relevant Laws Mississippi Code § 45-9-101; Title 97, Chapter 37.

Reviewing Agency Mississippi Department of Public Safety, Firearms Permit Unit.

Firearms Information Website <http://www.dps.state.ms.us/firearms/firearms-permit-unit/>

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Missouri
Summary of Firearm Transfer Laws
December 31, 2013

FBI conducts NICS transfer checks

Transfer Permits State law does not require a permit to receive a transferred firearm.

Background Checks The state is not a Point-of-Contact for the NICS. Licensed firearms dealers in Missouri are required to contact the FBI for all NICS transfer checks.

Waiting Period No state requirement.

Transfer Permit and Background Check Fees None.

Submission of False Information It is a crime to provide to a licensed dealer or private seller of firearms what the person knows to be materially false information with intent to deceive the dealer or seller about the legality of a transfer of a firearm.

Appeals of Denials A person who is denied a firearm by the FBI may appeal pursuant to federal law.

Retention of Records No state requirement.

Registration No state requirement.

Other Transfer Regulations Residents of Missouri may purchase firearms in any state, provided that such residents conform to federal law and regulations, and to the laws applicable to such purchase in Missouri and the state in which the purchase is made. Residents of any state may purchase firearms in Missouri, provided that such residents conform to federal law and regulations, and to the laws applicable to such purchase in Missouri and in the state in which such persons reside.

Prohibited Firearms It is a crime in Missouri to knowingly possess, manufacture, transport, repair, or sell a machine gun or a short-barreled rifle or shotgun in violation of federal law. A person does not commit a crime if possession of such a weapon conforms with federal law and is incident to certain lawful activities.

Prohibited Persons It is a crime to knowingly sell, lease, loan, give away, or deliver a firearm to any person who is not lawfully entitled to possess the firearm. It is a crime to recklessly sell, lease, loan, give away, or deliver any firearm to a person less than 18 years old, except in certain circumstances. A firearm cannot be possessed by a person who: has been convicted of a felony under the laws of this state, or of a crime under the laws of any state or of the U.S. which, if committed within this state, would be a felony; is a fugitive from justice; is habitually in an intoxicated or drugged condition; or is currently adjudged mentally incompetent.

Mental Health Disposition Reporting Clerks of court are required to furnish the state's central records repository with information on acquittals due to mental disease or defect excluding responsibility. In addition, court records and files from proceedings related to comprehensive psychiatric services shall be available to the Missouri State Highway Patrol for reporting to the NICS. A court that grants a petition to remove a firearms disability that resulted from an adjudication or commitment is required to forward

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the order to the highway patrol. No later than 21 days from receipt of the order, the highway patrol shall contact the FBI to update the petitioner's record. Pursuant to sec 571.092 RSMo.

2012/2013 Legislation No relevant changes.

Relevant Laws Missouri Revised Statutes § 43.503; Chapter 571; § 630.140.

Reviewing Agency Missouri State Highway Patrol.

Firearms Information Website <http://ago.mo.gov/Concealed-Weapons/>

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Montana

Summary of Firearm Transfer Laws

December 31, 2013

FBI conducts NICS transfer checks

Local agencies conduct NICS-alternative permit checks

Transfer Permits State law does not require a permit to receive a transferred firearm. A Montana permit to carry a concealed weapon has been qualified by ATF as an alternative to a NICS transfer check. A permit is valid for four years from the date of issuance, unless it is revoked.

Background Checks The state is not a Point-of-Contact for the NICS. Licensed firearms dealers in Montana are required to contact the FBI for all NICS transfer checks. County sheriffs conduct checks on concealed weapon permit applicants and are required to issue a permit to a qualified person within 60 days after the filing of an application.

Waiting Period No state requirements.

Transfer Permit and Background Check Fees The fee for issuance of a concealed weapon permit is \$50 and a renewal costs \$25.

Submission of False Information False information may be cause for denial or revocation of the permit. False information may be cause for charges for false swearing or unsworn falsification. Either charge can result in a \$500 fine or six months in jail.

Appeals of Denials A person who is denied a firearm by the FBI may appeal pursuant to federal law. A denial of a concealed weapon permit application may be appealed to state district court and further to the Montana Supreme Court.

Retention of Records The sheriff is required to keep a copy of a concealed weapon permit application for at least four years, and a copy must, within seven days of the sheriff's receipt of the application, be mailed to the chief of police if the applicant resides in a city or town with a police force. The sheriff is required to keep a copy of an issued permit and send a copy to the state department of justice, which shall keep a central repository record of all permits.

Registration No state requirements.

Other Transfer Regulations None.

Prohibited Firearms It is a crime to possess a sawed-off rifle or a sawed-off shotgun, except in certain circumstances.

Prohibited Persons A concealed weapon permit applicant must be a U.S. citizen who is 18 years of age or older and must have been a resident of Montana for at least six months. An application may not be denied unless the applicant: is ineligible under Montana or federal law to own, possess, or receive a firearm; has been charged and is awaiting judgment in any state or federal crime that is punishable by incarceration for one year or more; has been convicted in any state or federal court of a crime punishable by more than one year of incarceration or regardless of the sentence that may be imposed, a crime that includes as an element an act, attempted act, or threat of intentional homicide,

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serious bodily harm, unlawful restraint, sexual abuse, or sexual intercourse or contact without consent; has been convicted of carrying a concealed weapon while under the influence of an intoxicating substance or in a prohibited place, unless the applicant has been pardoned or five years have elapsed since the date of the conviction; has a warrant of any state or the federal government out for the applicant's arrest; has been adjudicated in a criminal or civil proceeding in any state or federal court to be an unlawful user of an intoxicating substance and is under a court order of imprisonment or other incarceration, probation, suspended or deferred imposition of sentence, treatment or education, or other conditions of release or is otherwise under state supervision; has been adjudicated in a criminal or civil proceeding in any state or federal court to be mentally ill, mentally defective, or mentally disabled and is still subject to a disposition order of that court; or was dishonorably discharged from the U.S. armed forces. A concealed weapon permit application may also be denied if the sheriff has reasonable cause to believe that the applicant is mentally ill, mentally defective, or mentally disabled or otherwise may be a threat to the peace and good order of the community to the extent that the applicant should not be allowed to carry a concealed weapon.

A person who is subject to a temporary order of protection or who has been convicted of partner or family member assault may be prohibited by a court from possessing the firearm used in the assault. It is a crime for a person to purposely or knowingly purchase or possess a firearm after the person has been convicted of a felony for which the person received an additional sentence for use of a dangerous weapon during commission of the offense, or of an equivalent offense under the law of another state or the U.S. A minor child under the age of 14 years cannot carry or use firearms in public without adult supervision.

Mental Health Disposition Reporting No relevant state law.

2012/2013 Legislation An amendment designates all information on a concealed weapons permit application to be confidential criminal justice information. Ch. 111, SB 145 (2013).

Relevant Laws Montana Code § 40-15-201; § 45-5-206; §§ 45-7-202, 203; Title 45, Chapter 8, Part 3.

Reviewing Agency Montana Board of Crime Control.

Firearms Information Website <https://doj.mt.gov/enforcement/concealed-weapons/>
<https://doj.mt.gov/featuredemp/frequently-asked-firearms-questions/>

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Nebraska
Summary of Firearm Transfer Laws
December 31, 2013

FBI conducts NICS transfer checks

State and local agencies conduct NICS-alternative permit checks

Transfer Permits A person shall not purchase, lease, rent, or receive transfer of a handgun until he or she has obtained a certificate, except in certain circumstances. The certificate becomes invalid three years after its effective date and authorizes the holder to acquire any number of handguns during the period for which it is valid. A certificate is not required if the person acquiring the handgun is a holder of a valid permit to carry a concealed handgun. A concealed handgun permit is valid for five years after the date of issuance. Both types of permits have been qualified by ATF as alternatives to a NICS transfer check.

Background Checks County sheriffs and chiefs of police conduct checks on applicants for handgun purchase certificates and are required to issue a certificate or deny the application within a three-day period. The Nebraska State Patrol conducts checks on applicants for concealed handgun permits and is required to issue a permit to a qualified applicant within 45 days of receiving a complete application. Licensed firearms dealers in Nebraska are required to contact the FBI for checks on long gun applicants who do not have an alternative permit.

Waiting Period No state requirements.

Transfer Permit and Background Check Fees A fee of five dollars shall be charged for a handgun purchase certificate application, to cover the cost of a criminal history record check. The fee for issuing a concealed handgun permit is \$100.

Submission of False Information It is a felony to willfully provide false information on an application for a handgun purchase certificate or to give false information or offer false evidence of identity when applying for a concealed handgun permit.

Appeals of Denials A denial of a handgun purchase certificate or a failure to issue a certificate within the three-day period may be appealed to the county court of the applicant's county of residence. An applicant denied a permit to carry a concealed handgun may appeal to the district court of the judicial district of the county in which he or she resides or the county in which he or she applied for the permit.

Retention of Records The state patrol is required to maintain a listing of and any pertinent information about all concealed handgun applicants and permit holders. The information shall be available upon request to all federal, state, and local law enforcement agencies.

Registration No state requirements.

Other Transfer Regulations Nebraska permits its residents to purchase, sell, trade, convey, deliver, or transport rifles and shotguns in contiguous states.

Prohibited Firearms It is a felony to transport or possess any machine gun, short rifle, or short shotgun, except in certain circumstances.

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Prohibited Persons It is unlawful for any person under the age of 18 years to possess a handgun or for any person to knowingly and intentionally sell, provide, loan, deliver, or in any other way transfer the possession of a firearm to a juvenile (under 18), except in certain circumstances. It is unlawful for a firearm to be possessed by any person who: has previously been convicted of a felony in any U.S. jurisdiction; is a fugitive from justice; is the subject of a current and validly issued domestic violence protection order and is knowingly violating such order; or has been convicted within the past seven years of a misdemeanor crime of domestic violence in any U.S. jurisdiction. A handgun purchase certificate cannot be issued to a person who is not 21 years of age or whose purchase or possession of a handgun would be in violation of applicable federal, state, or local law. It is unlawful to knowingly and intentionally obtain a handgun for the purpose of transferring it to a prohibited person.

A concealed handgun license applicant shall: be at least 21 years of age; not be prohibited from purchasing or possessing a handgun by federal law; possess the same eyesight required for a driver's license; not have been convicted of a felony under the laws of Nebraska or any other jurisdiction; not have been convicted of a misdemeanor crime of violence under the laws of Nebraska or any other jurisdiction within the previous ten years; not have been found to be a mentally ill and dangerous person under the laws of Nebraska or any other jurisdiction within the previous ten years, and is not currently adjudged mentally incompetent; have been a Nebraska resident for at least 180 days (with limited exceptions); not have had a conviction of any law of Nebraska or another jurisdiction relating to firearms, unlawful use of a weapon, or controlled substances within the previous ten years; not be on parole, probation, house arrest, or work release; be a citizen of the U.S. or a permanent resident alien; and provide proof of firearms training.

Mental Health Disposition Reporting The Nebraska Department of Health and Human Services maintains a database that is available to the state patrol. Court clerks are required to furnish the database with information on persons who are currently receiving mental health treatment pursuant to a commitment order of a mental health board or who have been discharged, have been committed to treatment pursuant to state law, or have had firearm-related disabilities removed pursuant to state law.

2012/2013 Legislation An amendment provides that a court may issue a domestic abuse protection order that enjoins the respondent from possessing or purchasing a firearm. LB 310 (2012). Another change in the law occurred when a court ruled that anyone who is a permanent resident alien is eligible for a concealed handgun license.

Relevant Laws Nebraska Revised Statutes § 28-1201 et seq.; § 42-924; § 69-2401 et seq.

Reviewing Agency Nebraska State Patrol.

Firearms Information Website <https://statepatrol.nebraska.gov/concealedcarry.aspx>

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Nevada
Summary of Firearm Transfer Laws
December 31, 2013

State conducts NICS transfer checks

Local agencies conduct NICS-alternative permit checks

Transfer Permits State law does not require a permit to receive a transferred firearm. A Nevada permit to carry a concealed firearm, issued on or after July 1, 2011, has been qualified by ATF as an alternative to a NICS transfer check. A permit has a term of five years unless it is suspended or revoked.

Background Checks Nevada is a NICS Point-of-Contact pursuant to a Governor's executive order. The Department of Public Safety (DPS) conducts all checks required by federal law. A state statute gives a private person the option of requesting a check from DPS before transferring a firearm. Within five business days of receiving the private person's request, DPS is required to notify the person whether a transfer of a firearm to the prospective purchaser would violate state or federal law. County sheriffs conduct checks on applicants for concealed carry permits. Within 120 days after a complete application is submitted, the sheriff shall grant or deny the application.

Waiting Period No state requirement. Clark County requires a 72 hour wait for first time handgun buyers.

Transfer Permit and Background Check Fees DPS charges a fee of \$25 for a background check on a transfer applicant. Concealed carry permit fees include a central repository charge for obtaining state and federal records reports plus a sheriff's fee that cannot exceed \$60.

Submission of False Information The sheriff shall deny an application for a concealed carry permit if the applicant has made a false statement on the application.

Appeals of Denials A person who is denied a firearm transfer may request reconsideration from DPS or appeal to the FBI. A person who is denied a concealed carry permit may seek judicial review by filing a petition in the district court for the county in which the application was filed.

Retention of Records DPS follows the federal rules on retention of transaction records. State law does not mandate a retention period for transfer or concealed carry permit records.

Registration Handguns are registered in Clark County, pursuant to a state law that allows registration by a county that meets certain requirements.

Other Transfer Regulations None.

Prohibited Firearms It is unlawful to knowingly or willfully possess, manufacture, or dispose of any short-barreled rifle or short-barreled shotgun, except in certain circumstances. A person within Nevada shall not manufacture or cause to be manufactured, or import into the State, or keep, offer or expose for sale, or give, lend, possess, or use a machine gun, unless authorized by federal law.

Prohibited Persons A domestic violence protection order may include a prohibition on the adverse party against possessing or having custody or control of any firearm while the order is in effect. Possession or control of a firearm by a child under 18 years of age is prohibited, except in certain

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circumstances. It is unlawful to sell or barter a pistol, a revolver, or a firearm capable of being concealed to a child under the age of 18 years, with reckless disregard of whether the child is under 18 or with knowledge or reason to know that the child is under 18. A person shall not own, possess, or have custody or control over any firearm if the person: has been convicted of a felony in Nevada or any other state or any political subdivision thereof, or in violation of U.S. law; is a fugitive from justice; is an unlawful drug user or addict; has been adjudicated mentally ill or committed to any mental health facility; or is illegally or unlawfully in the U.S. It is a crime to knowingly sell or otherwise dispose of any firearm to a person who: is under indictment for, or has been convicted of a felony in Nevada or any other state or any political subdivision thereof, or in violation of U.S. law; is a fugitive from justice; has been adjudicated mentally ill or committed to any mental health facility; or is illegally or unlawfully in the U.S.

The sheriff shall issue a concealed carry permit if the applicant is 21 years of age or older, is not prohibited by state or federal law, and demonstrates competency with firearms. The sheriff shall deny an application for a permit if the applicant: has an outstanding warrant for his or her arrest; has been judicially declared incompetent or insane; has been voluntarily or involuntarily admitted to a mental health facility during the immediately preceding five years; has habitually used intoxicating liquor or a controlled substance to the extent that his or her normal faculties are impaired; has been convicted of a crime involving the use or threatened use of force or violence punishable as a misdemeanor under the laws of this or any other state, or a territory or possession of the U.S. at any time during the immediately preceding three years; has been convicted of a felony in Nevada or under the laws of any state, territory or possession of the U.S.; has been convicted of a crime involving domestic violence or stalking, or is currently subject to a restraining order, injunction or other order for protection against domestic violence; is currently on parole or probation from a conviction obtained in Nevada or in any other state or territory or possession of the U.S.; has, within the immediately preceding five years, been subject to any requirements imposed by a court of Nevada or of any other state or territory or possession of the U.S., as a condition of withholding of the entry of judgment or suspension of sentence for the conviction of a felony; or has made a false statement on any application for a permit or for the renewal of a permit.

Mental Health Disposition Reporting Court records involving wards prohibited from possessing firearms, guilty but mentally ill pleas and findings, acquittals by reason of insanity, findings of incompetence, and involuntary admissions to mental health facilities are required to be transmitted to the central records repository. The repository shall take reasonable steps to ensure that such records are included in each appropriate database of the NICS.

2012/2013 Legislation No relevant changes.

Relevant Laws Nevada Revised Statutes § 33.031; § 179A.163; § 202.253 et seq.; § 202.3653 et seq.; § 244.364.

Reviewing Agency Nevada Department of Public Safety.

Firearms Information Website <http://www.nvrepository.state.nv.us/pos.shtml>

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New Hampshire Summary of Firearm Transfer Laws December 31, 2013

State conducts NICS handgun checks
FBI conducts NICS long gun checks

Transfer Permits State law does not require a permit to receive a transferred firearm.

Background Checks The state is a partial NICS Point-of-Contact. The New Hampshire Department of Safety (DOS) conducts background checks on persons who purchase or redeem handguns from licensed firearms dealers. A handgun transfer may proceed if the dealer is not informed of a prohibition by DOS within three business days. In addition, licensed dealers in New Hampshire contact the FBI for checks on persons who purchase or redeem long guns.

Waiting Period No state requirement.

Transfer Permit and Background Check Fees None.

Submission of False Information It is a crime for any person who, in purchasing or otherwise securing delivery of a firearm, gives false information or offers false evidence of identity.

Appeals of Denials A person who is denied a handgun transfer by DOS may appeal to that agency and further to superior court. A person who is denied by the FBI may appeal pursuant to federal law.

Retention of Records State law provides that DOS shall destroy records of an approved transaction after it communicates the approval to the licensee and, in any event, such records shall be destroyed within one day after the day of the receipt of the licensee's request. DOS shall retain records containing any information pertaining to a potential buyer or transferee who is prohibited from receipt or transfer of a firearm for three years. The department may only maintain for an indefinite period a log of dates of requests for criminal background checks and unique approval numbers corresponding to such dates.

Registration No state requirement.

Other Transfer Regulations State law requires a retail seller of handguns to obtain a license from the selectmen of a town or the chief of police of a city.

Prohibited Firearms None.

Prohibited Persons A person who completes and signs an application for purchase of a firearm and who knows that such purchase is illegal because he or she is subject to a protective order commits a crime. A firearm cannot be owned, possessed, or controlled by a person who has been convicted in any U.S. jurisdiction of a felony against the person or property of another, a felony under the state's controlled drug act, or a felony relating to controlled drugs under the laws of any U.S. jurisdiction. No person who has been convicted of any combination of three or more listed felonies in New Hampshire or any other state shall own, possess, or control a firearm. No person shall sell, deliver, or otherwise transfer a firearm to a person who has been convicted in any jurisdiction of a felony. It is a crime to sell, barter, hire, lend, or give a handgun to a minor (under age 18) except in certain circumstances.

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Mental Health Disposition Reporting No relevant state law.

2012/2013 Legislation No relevant changes.

Relevant Laws New Hampshire Revised Statutes, Chapters 159 and 159-D.

Reviewing Agency New Hampshire Department of Safety.

Firearms Information Website

<http://www.nh.gov/safety/divisions/nhsp/ssb/permitslicensing/index.html>

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New Jersey Summary of Firearm Transfer Laws December 31, 2013

State conducts NICS transfer checks Local agencies conduct separate permit checks

Transfer Permits New Jersey mandates a permit to purchase a handgun, which is valid for 90 days from the date of issuance and may be renewed by the issuing authority for good cause for an additional 90 days. A firearms purchaser identification card, which is valid until revoked for a violation of law, is required for unlimited long gun purchases. A license is required to purchase a machine gun or an assault firearm.

Background Checks A permit to purchase a handgun or a firearms purchaser identification card may be issued by the chief of police of an organized full-time police department of the municipality where the applicant resides or the Superintendent of the New Jersey State Police (NJSP), in all other cases. Unless good cause for denial appears, the licensing authority shall grant the permit or identification card within 30 days from the date of receipt of an application for residents of New Jersey and within 45 days for nonresident applicants. A license to purchase a machine gun or an assault firearm is issued by a superior court and a license application is referred to the county prosecutor for investigation and recommendation.

In addition, NJSP is a Point-of-Contact for the NICS. Licensed firearms dealers in the state are required to contact NJSP for a check on a prospective purchaser who possesses a valid permit, identification card, or license.

Waiting Period No handgun shall be delivered by a licensed dealer unless a valid permit is exhibited and at least seven days have elapsed since the date of application for the permit.

Transfer Permit and Background Check Fees Application fees are \$2 for a handgun permit and \$5 for an identification card, plus an additional charge to cover the cost of fingerprint processing. An assault firearm or machine gun license costs \$75.

Submission of False Information It is a crime to give false information or a fictitious name or address on an application, a certificate, or any other instrument required for the acquisition of a firearm.

Appeals of Denials A denial of a handgun permit or identification card application may be appealed to the superior court, with notice to the licensing authority. A person who is denied a transfer of a firearm may appeal to the NICS unit of NJSP.

Retention of Records Within five days of the date of a handgun sale, the seller shall forward the original copy of the purchaser's handgun permit to the superintendent and a second copy to the chief of police of the municipality in which the purchaser resides. The superintendent and the police chiefs also retain copies of long gun purchaser certifications (certifying present compliance with the law) that are forwarded by unlicensed sellers. State law does not mandate a retention period for copies of handgun permits or certifications.

Registration An assault firearm purchased on or before May 1, 1990 was required to be registered within a year of that date unless the owner chose to transfer or surrender the firearm or render it inoperable.

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Other Transfer Regulations It is unlawful for any person to receive a firearm as security for a loan. A retail dealer of firearms must have a state license. Only one handgun shall be purchased or delivered on each permit and no more than one handgun shall be purchased within any 30-day period, except in certain circumstances.

Prohibited Firearms It is unlawful to possess, manufacture, cause to be manufactured, transport, ship, sell, or dispose of a sawed-off shotgun, machine gun, or assault firearm, except in certain circumstances.

Prohibited Persons No handgun permit, identification card, machine gun license, or assault firearm license shall be issued to any person who: has been convicted of any crime or a disorderly persons offense involving an act of domestic violence; is drug dependent, confined for a mental disorder, or an habitual drunkard; is physically unable to handle firearms; knowingly falsified information on the application; is under age 18 for an identification card or under age 21 for a handgun permit; issuance to would not be in the interest of public health, safety, or welfare; is subject to a restraining order that prohibits the person from possessing any firearm; was adjudicated delinquent for a weapon, explosive, destructive device, or other enumerated offense; had a firearm seized and not returned to prevent domestic violence; or is named on the FBI's terrorist watch list.

It is a crime for any person to purchase own, posses, or control a firearm after having been convicted in New Jersey or elsewhere of an offense enumerated in N.J.S. 2C:39-7 or after having been committed for a mental disorder to any hospital, mental institution, or sanitarium (unless the person has satisfactory proof of no longer suffering from the disorder). In addition, no person under the age of 18 years shall acquire or possess a firearm except in certain circumstances.

Mental Health Disposition Reporting NJSP, in cooperation with the administrative office of the courts, is required to collect data needed to determine if a person is disqualified from possessing or receiving a firearm under federal or state law, and to transmit such data to the NICS.

2012/2013 Legislation The list of persons prohibited from obtaining a handgun purchase permit or a firearms purchaser identification card was amended to add persons who are named on the FBI's terrorist watch list. Ch. 114, A3687 (2013). A new law directs state officials to collect such data as may be required to determine if a person is disqualified from possessing or receiving a firearm under federal or state law, and to transmit such data to the NICS. Ch. 115, A3717 (2013). A person who unlawfully possessed a handgun, long gun, or assault firearm on August 8, 2013, was given 180 days to transfer or surrender the firearm. Ch. 117, A3796 (2013).

Relevant Laws New Jersey Statutes §§ 2C:39-1 et seq.; §§ 2C:58-1 et seq.; § 30:4-24.3, § 30:4-24.3a.

Reviewing Agency New Jersey State Police.

Firearms Information Website <http://www.njsp.org/about/firearms.html>

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**New Mexico
Summary of Firearm Transfer Laws
December 31, 2013**

FBI conducts NICS transfer checks

Transfer Permits State law does not require a permit to receive a transferred firearm.

Background Checks The state is not a NICS Point-of-Contact. Licensed firearms dealers in New Mexico are required to contact the FBI for all NICS transfer checks.

Waiting Period No state requirement.

Transfer Permit and Background Check Fees None.

Submission of False Information No relevant state law.

Appeals of Denials A person who is denied a firearm transfer by the FBI may appeal pursuant to federal law.

Retention of Records No state requirement.

Registration No state requirement.

Other Transfer Regulations None.

Prohibited Firearms None.

Prohibited Persons New Mexico law makes it unlawful for an individual who is less than 19 years old to knowingly possess or transport a handgun, except in certain circumstances. It is unlawful for a firearm to be received, transported, or possessed by a felon, defined as a person convicted of a felony offense by a court of the United States or of any state or political subdivision thereof and less than 10 years have passed since the person completed a sentence or period of probation (whichever is later) and the person has not been pardoned or received a deferred sentence.

Mental Health Disposition Reporting No relevant state law.

2012/2013 Legislation The statute that allowed residents of New Mexico to purchase firearms in contiguous states and allowed residents of contiguous states to purchase firearms in New Mexico was repealed. SB 26 (2012).

Relevant Laws New Mexico Statutes § 30-7-1 et seq.

Reviewing Agency New Mexico Department of Public Safety.

Firearms Information Website <http://www.dps.state.nm.us/index.php/nm-concealed-carry/>

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New York Summary of Firearm Transfer Laws December 31, 2013

FBI conducts NICS transfer checks Local agencies conduct separate permit checks

Transfer Permits State law requires a license to carry, possess, repair, and dispose of firearms, which includes handguns, short-barrel rifles and shotguns, and assault weapons (possessing other types of long guns does not require a license). The license is issued by a designated county or city judicial or law enforcement officer. A handgun license specifies conditions for possession and carrying, as determined by the licensing officer. A license is valid throughout the state except in New York City, where additional rules of validity apply. Licenses have a fixed duration in New York City (three years) and in the counties of Nassau, Suffolk, and Westchester (five years). Licenses issued elsewhere in the state are valid until revoked. All licensees shall be recertified to the state police every five years. A license amendment is needed to acquire an additional handgun or cancel one currently on the license. In order to receive a firearm from a dealer, the transferee must present a valid license to carry or possess the firearm.

Background Checks County sheriffs and police departments conduct checks of license applicants on behalf of licensing officers. Applications must be acted upon within six months unless there is good cause for delay with respect to the applicant. In addition to viewing a transferee's license, a firearms dealer must contact the FBI for a NICS check before transferring the firearm described in the license. A dealer must also contact the FBI for a NICS check before making a long gun transfer that does not require a state license. State law requires a NICS check before a gun show or private transfer may be completed, with limited exceptions. A gun show operator is required to provide access to a dealer who is authorized to request a NICS check from the FBI. A private transfer requires a dealer who consents to conducting the check.

Waiting Period No state requirement.

Transfer Permit and Background Check Fees License fees vary by issuing authority. A licensed dealer is required to provide a gun show NICS check at cost and may charge a fee not to exceed \$10 for a private transfer check.

Submission of False Information It is a misdemeanor to file a written instrument with a public office while knowing that the instrument contains a false statement or false information.

Appeals of Denials State law does not provide an appeal procedure for license denials. A firearm transfer denial by the FBI may be appealed pursuant to federal law.

Retention of Records A license application, if granted, shall be filed by the licensing officer with a designated city or county official. Duplicate copies of applications and records of amendments are filed by the licensing officer with the state police. A statewide license and record database maintained by the state police becomes effective on January 15, 2014.

Registration For every firearm transaction, a licensed dealer is required to record information about the firearm and the person who receives it. The original transaction record shall be forwarded to the state police within ten days of delivering the firearm. All assault weapons, as newly defined (effective January 15, 2013) and formerly defined, must be registered by January 15, 2014, or transferred to a licensed

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firearms dealer, an out-of-state buyer, or an exempt law enforcement officer, or permanently modified to not be an assault weapon.

Other Transfer Regulations A person who is eligible to possess a long gun under New York law may purchase or otherwise obtain a long gun in a contiguous state and receive or transport it into New York. A state license is required for a dealer in firearms.

Prohibited Firearms It is unlawful to possess, manufacture, transport, or ship a machine gun, a disguised gun, or an assault weapon, except in certain circumstances.

Prohibited Persons New York law prohibits possession of a firearm by a person who is not a U.S. citizen. A long gun cannot be possessed by a person who has been convicted of a felony or a serious offense or who has been certified not suitable to possess a rifle or shotgun ("serious offense" and "certified not suitable" are defined in Penal Law § 265.00). A person under the age of 16 cannot possess a firearm except in limited circumstances. It is unlawful to knowingly purchase a firearm on behalf of a prohibited person.

Effective January 15, 2014, a license shall not be issued to an applicant who: is under 21 years of age (with certain exceptions); is not of good moral character; has been convicted anywhere of a felony or a serious offense; is a fugitive from justice; is an unlawful user of or addicted to any controlled substance; is an illegal or unlawful alien; has been dishonorable discharged from the armed forces; has renounced U.S. citizenship; has ever suffered any mental illness; has been involuntarily committed or civilly confined to a mental hygiene facility; has had a license revoked or is under a suspension or ineligibility order by a criminal or family court; has not completed a firearm safety course and test (Westchester County only); has had a guardian appointed in certain circumstances; or is a person concerning whom good cause exists for denial.

Mental Health Disposition Reporting The chief administrator of the courts is required to transmit guardianship appointment records to the FBI and to the Division of Criminal Justice Services (DCJS). The commissioner of mental health is required to transmit records of involuntary commitments to hospitals or secure treatment facilities to the FBI and to DCJS for purposes of NICS checks and state license checks.

2012/2013 Legislation All licenses are now required to be recertified to the state police every five years after the date of issuance. A new article provided that a private transfer may not occur unless a NICS check on the transferee is conducted by a licensed dealer. A new section authorized a statewide license and records database to be maintained by the state police. All assault weapons, as newly defined and formerly defined, must be registered by January 15, 2014, or transferred to a licensed firearms dealer or an out-of-state buyer. New categories of persons prohibited from receiving a license were added. Records of certain persons subject to guardianship must now be transmitted to DCJS for the purposes of determining eligibility to possess a license or a firearm. Ch. 1, S2230 (2013).

Relevant Laws Penal Law Articles 265 & 400; General Business Law Articles 39-DD & 39-DDD; Judiciary Law § 212; Mental Hygiene Law § 7.09 & § 33.13.

Reviewing Agency New York State Police Pistol Permit Bureau.

Firearms Information Website <http://www.troopers.ny.gov/Firearms/>

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North Carolina
Summary of Firearm Transfer Laws
December 31, 2013

Local agencies conduct NICS-alternative handgun permit checks
FBI conducts NICS long gun transfer checks

Transfer Permits In order to sell, give away, transfer, purchase, or receive a handgun, state law requires a person, firm or corporation to obtain a permit, except in certain circumstances. Carrying a concealed handgun requires a permit, except in certain circumstances. Both permits are valid for five years from the date of issuance. Handgun purchase permits and concealed handgun permits have been qualified by ATF as alternatives to a NICS transfer check.

Background Checks The state is a partial Point-of-Contact for the NICS. County sheriffs conduct NICS checks on applicants for handgun purchase and concealed handgun permits. Within 30 days of the date of application, a sheriff is required to inform a purchase permit applicant whether the permit will be issued or denied. A concealed handgun permit must be issued or denied within 45 days of the sheriff's receipt of all information required by law. A person who holds either type of handgun permit may purchase multiple long guns, but only in a single transaction. Federally-licensed dealers in North Carolina are required to contact the FBI for checks on long gun purchasers without permits and persons who redeem a pawned firearm.

Waiting Period No state requirement.

Transfer Permit and Background Check Fees The statutory fee for a handgun purchase permit is \$5. The concealed handgun permit fee is \$80.

Submission of False Information It is a crime for a person to provide to a licensed dealer or private seller information that the person knows to be materially false, with intent to deceive the dealer or seller about the legality of a transfer of a firearm.

Appeals of Denials A denial of a handgun purchase permit or concealed handgun permit application may be appealed to the district court for the district in which the application is filed.

Retention of Records State law requires the sheriff to keep a record of handgun purchase permits issued. The sheriff is required to maintain a listing of persons who are issued a concealed handgun permit, and the information shall be available upon request to all state and local law enforcement agencies. The sheriff is required to send a copy of the concealed handgun permit to the State Bureau of Investigation, which must make this information available to law enforcement officers and clerks of court on a statewide system.

Registration No state requirement.

Other Transfer Regulations Unless otherwise prohibited by law, a citizen of North Carolina may purchase a firearm in another state if the citizen undergoes a background check that satisfies the law of the state of purchase and that includes an inquiry of the NICS.

Prohibited Firearms It is unlawful to manufacture, assemble, possess, store, transport, sell, offer to sell, purchase, offer to purchase, deliver, give to another, or acquire any weapon of mass death and

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destruction, which includes fully automatic firearms, short-barrel rifles and shotguns, and certain other firearms. Limited exceptions apply. It is unlawful to manufacture, sell, give away, dispose of, use, or possess machine guns, sub-machine guns, or other like weapons; this prohibition does not apply to certain firms and persons who are required to obtain a permit from the county sheriff.

Prohibited Persons It is unlawful for any person to possess, purchase, or receive, or attempt to possess, purchase, or receive a firearm, machine gun, ammunition, or permits to purchase or carry concealed firearms if ordered by a court while a protective order is in effect. A handgun purchase permit may not be issued to a person who: is under an indictment or information for or has been convicted in any state or in a U.S. court of a felony (with limited exceptions), unless a pardon or restoration of rights allows purchase or receipt of a pistol; is a fugitive from justice; is an unlawful drug user or addict; has been adjudicated mentally incompetent or committed to a mental institution; is an illegal or unlawful alien; has been dishonorably discharged from the U.S. armed forces; has renounced U.S. citizenship; or is subject to a domestic violence restraining order. It is unlawful for any person to purchase own, possess, or have custody, care, or control of any firearm if the person has been convicted of a felony, acquitted of a crime by reason of insanity, or determined to lack capacity to proceed in a criminal trial. A person under the age of 18 is not allowed to willfully and intentionally possess or carry a handgun (except in certain circumstances) or obtain a purchase permit. It is unlawful for any person to allow a child under the age of 12 access to any firearm.

The sheriff shall deny a concealed handgun permit to an applicant who: is ineligible to own, possess, or receive a firearm under state or federal law; is under indictment or against whom a finding of probable cause exists for a felony; has been adjudicated guilty in any court of a felony (with limited exceptions); is a fugitive from justice; is an unlawful drug user or addict; has been adjudicated or administratively determined to be lacking mental capacity or mentally ill; has been dishonorably discharged from the U.S. armed forces; has been adjudicated guilty of or received a judgment continued or suspended sentence for a misdemeanor crime of violence; has had entry of judgment continued for a criminal offense which would disqualify the person from obtaining a permit; is free on bond or personal recognizance pending trial, appeal, or sentencing for a crime which would disqualify the person from obtaining a permit; or has been convicted of an impaired driving offense within three years prior to the date of application. In addition, an applicant must be at 21 years of age or older.

Mental Health Disposition Reporting State law requires a superior court clerk to transmit to NICS a record of an involuntary commitment for inpatient or outpatient mental health treatment (if the individual is found to be a danger to self or others), a finding of not guilty by reason of insanity, or a finding of mentally incompetent to proceed in a criminal trial. The clerk shall cause an individual's NICS record to be updated for relief from disabilities.

2012/2013 Legislation The scope of the offense of allowing access by a child under the age of 12 to a firearm was expanded to any person, not just a parent, guardian, or person standing in loco parentis. The scope of the offense of possession of a firearm by persons acquitted of certain crimes by reason of insanity or persons determined to be incapable to proceed was narrowed to exempt persons whose firearm rights have been restored. SL 369, HB 937 (2013).

Relevant Laws North Carolina General Statutes Chapter 14, Articles 35, 36A, 39, 52A, 53A, 54A, 54B; Chapter 122C, sections 54 & 54.1.

Reviewing Agency North Carolina Department of Justice.

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Firearms Information Website <http://ncdoj.gov/getdoc/32344299-a2a7-4ae5-99fd-9018262f64ac/2007-NC-Firearms-gun-Laws.aspx>

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North Dakota
Summary of Firearm Transfer Laws
December 31, 2013

FBI conducts NICS transfer checks
State conducts NICS-alternative permit checks

Transfer Permits State law does not require a permit to receive a firearm. A North Dakota concealed weapons license has been qualified by ATF as an alternative to a NICS transfer check.

Background Checks The state is not a Point-of-Contact for the NICS. Licensed firearms dealers in North Dakota contact the FBI for all NICS transfer checks. The North Dakota Bureau of Criminal Investigation (BCI) conducts background checks on applicants for class one and class two concealed weapons licenses. BCI is required to process the application and make a determination within sixty days of receipt of the properly completed application.

Waiting Period No state requirement.

Transfer Permit and Background Check Fees The fee for a concealed weapons license is \$60.

Submission of False Information No person, in purchasing or otherwise securing delivery of a handgun or in applying for a license to carry the handgun concealed, may give false information or offer false evidence of the person's identity.

Appeals of Denials A person who is denied a firearm by the FBI may appeal pursuant to Federal law. A denied applicant for a concealed weapons license may request reconsideration by BCI and appeal further to the district court of Burleigh County.

Retention of Records State law does not mandate a retention period for concealed weapons license records.

Registration No state requirement.

Other Transfer Regulations None.

Prohibited Firearms A person may not possess, obtain, receive, sell, or use a short-barreled rifle or shotgun, or purchase, sell, have, or possess a machine gun or fully automatic rifle, except in certain circumstances.

Prohibited Persons A person who has been convicted anywhere of a felony involving violence or intimidation or an equivalent felony offense of another state or the federal government is prohibited from owning or having possession or control of a firearm for a period of 10 years after the date of conviction or the date of release from incarceration, parole, or probation, whichever is latest. A person who has been convicted of any other felony offense of North Dakota, another state, or the federal government or who has been convicted of a class A misdemeanor offense involving violence or intimidation or an equivalent offense of another state or the federal government and the offense was committed while using or possessing a weapon is prohibited from owning or having possession or control of a firearm for a period of five years after the date of conviction or the date of release from incarceration, parole, or probation, whichever is latest. A person who has been diagnosed and confined or committed to a hospital

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or other institution in North Dakota or elsewhere as a person requiring treatment or as a mentally deficient person is prohibited from purchasing, possessing, or controlling a firearm, unless the petition for confinement or commitment was dismissed or the person has not suffered from the disability for the previous three years or has petitioned successfully for relief. A handgun may not be possessed by a person under the age of 18 except in certain circumstances. It is unlawful to transfer a handgun to any person the transferor knows or has reasonable cause to believe is a person who is prohibited from possessing a firearm. Any person who sells, barter, hires, lends, or gives any handgun to any minor is guilty of a misdemeanor except in certain circumstances.

BCI shall issue a concealed weapons license if the applicant: is at least 21 years of age for a class one license or 18 for a class two license; can demonstrate residency in this state or meets requirements for reciprocity with another state; is not prohibited by state law (see previous paragraph); has successfully completed a test; is not a danger to self or others; and is not prohibited by federal law from owning, possessing or controlling a firearm. Further, a class one license requires that the applicant: has not been convicted of a felony, a crime of violence, an alcohol or misdemeanor narcotics offense (within 10 years prior to the application date), a moral turpitude offense, or a domestic violence offense; has not been adjudicated by a state or federal court as mentally incompetent; and is qualified to purchase and possess a firearm under federal law.

Mental Health Disposition Reporting In certain proceedings, a court is required to make a finding as to whether the subject of the proceeding is prohibited by federal law from firearm possession. If the subject is found to be prohibited, the clerk of the court must forward certain information to the BCI for inclusion by the FBI in the NICS. If a petition for relief from a disability is granted, the clerk of the court is required to forward the order to BCI for updating by the FBI of the NICS database.

2012/2013 Legislation A new subsection requires a concealed weapons license applicant to undergo a NICS check. An amendment provides that offenses involving the use of alcohol or narcotics must have been committed within 10 years prior to the date of a concealed weapons license application in order to disqualify the applicant. Ch. 491, HB 1327 (2013).

Relevant Laws North Dakota Century Code, § 12-60-24; Title 62.1; Administrative Rules Article 10-12.

Reviewing Agency North Dakota Office of the Attorney General, Bureau of Criminal Investigation.

Firearms Information Website <http://www.ag.state.nd.us/BCI/CW/StateLaws.htm>

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Ohio

Summary of Firearm Transfer Laws

September 2014

FBI conducts NICS transfer checks

Transfer Permits Generally, a permit is not required to receive a transferred firearm. A license or temporary permit is required for acquisition of any automatic or sawed-off firearm, zip-gun, or ballistic knife, which are designated as "dangerous ordnance" under state law. A dangerous ordnance license is necessary for certain weapons or ordnances but is not needed for NFA-registered items. O.R.C. 2923.17 (B)(5).

Background Checks The state is not a NICS point of contact. Licensed firearms dealers in Ohio are required to contact the FBI for all NICS transfer checks. An investigation of a dangerous ordnance license applicant is conducted by a county sheriff or a safety director or police chief of a municipality.

Waiting Period No state requirement.

Transfer Permit and Background Check Fees The application fee for a dangerous ordnance license is \$50 and the fee for a temporary permit is \$5.

Submission of False Information The submission of false information when purchasing a firearm is a felony of the fifth degree when

- A person attempting to purchase a firearm knowingly makes a false statement, or knowingly swears or affirms the truth of a false statement previous made, in conjunction with a purchase of a firearm pursuant to O.R.C. 2923.11, and when the person also furnishes to the seller any document containing falsified or fictitious information about the purchaser's identity (such as a fictitious driver's license or ID card, or any other falsified document). O.R.C. 2921.13(A)(12).
- A person attempting to purchase a firearm furnishes to the seller any document containing falsified or fictitious information about the purchasers identity (such as a fictitious driver's license or ID card, or any other falsified document).O.R.C. 2921.13(B).

Appeals of Denials A person who is denied a firearm by the FBI may appeal pursuant to federal law. A person who is denied a concealed carry license by the sheriff under O.R.C. 2923.125 may file an appeal pursuant to O.R.C. 119.12. See O.R.C. 2923.125(D)(2)(b).

Retention of Records Local law enforcement authorities forward copies of dangerous ordnance licenses, temporary permits, and transactions to the state fire marshal, who is required to maintain a permanent file.

Registration No state requirement.

Other Transfer Regulations Any resident of Ohio age eighteen or over, and not prohibited by Ohio law or any applicable law of another state or the U.S. from acquiring or using firearms, may purchase or obtain a rifle or shotgun in an adjacent state. Any resident of an adjacent state, age eighteen or over, and not prohibited by Ohio law or the laws of the person's domicile or the U.S. from acquiring or using firearms, may purchase or obtain a rifle or shotgun in Ohio.

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Prohibited Firearms No person shall knowingly acquire, have, carry, or use any dangerous ordnance, which includes an automatic or sawed-off firearm or a zip-gun, except in certain circumstances. O.R.C. 2923.17.

Prohibited Persons Unless relieved from disability as provided in section 2923.14 of the Ohio Revised Code, no person shall knowingly acquire, have, carry, or use any firearm or dangerous ordnance if any of the following apply: the person is a fugitive from justice; is under indictment for or has been convicted of any felony offense of violence or has been adjudicated as a delinquent child for the commission of an offense that, if committed by an adult, would have been a felony offense of violence; is under indictment for or has been convicted of any felony offense involving the illegal possession, use, sale, administration, distribution, or trafficking in any drug of abuse; is drug dependent or a chronic alcoholic; or is under adjudication of mental incompetence, has been adjudicated as a mental defective, has been committed to a mental institution, has been found by a court to be a mentally ill person subject to hospitalization by court order, or is an involuntary patient other than one who is a patient only for purposes of observation. As used here, "mentally ill person subject to hospitalization by court order" and "patient" have the same meanings as those found in section 5122.01 of the Ohio Revised Code.

It is unlawful to recklessly sell, lend, give, or furnish any firearm or dangerous ordnance to a prohibited person. A firearm cannot be transferred to or purchased by a person who is under 18 years of age except in certain circumstances. It is unlawful for a handgun to be transferred to or purchased by a person who is under 21 years of age, except in certain circumstances.

Mental Health Disposition Reporting If an individual is found by a court to be a mentally ill person subject to court order or becomes an involuntary patient other than one who is a patient only for purposes of observation, the probate judge who made the adjudication or the chief clinical officer of the hospital, community mental health services provider, or facility in which the person is an involuntary patient shall notify the Office of the Attorney General's Bureau of Criminal Investigation of the individual's identity. The Office of the Attorney General shall compile and maintain notices it receives. The Bureau uses these records only for purposes of conducting incompetency checks of applicants for concealed handgun licenses.

2012/2013 Legislation No significant changes.

Relevant Laws Ohio Revised Code Title 29, Chapter 2923; § 5122.311.

Reviewing Agency Ohio Attorney General's Office.

Firearms Information Website <http://www.ohioattorneygeneral.gov/ConcealedCarry>

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Oklahoma
Summary of Firearm Transfer Laws
December 31, 2013

FBI conducts NICS transfer checks

Transfer Permits State law does not require a permit to receive a transferred firearm.

Background Checks The state is not a NICS Point-of-Contact. Licensed firearms dealers in Oklahoma contact the FBI for all NICS transfer checks.

Waiting Period No state requirement.

Transfer Permit and Background Check Fees None.

Submission of False Information Any person who provides to a licensed dealer or private seller of firearms or ammunition what the person knows to be materially false information with intent to deceive the dealer or seller about the legality of a transfer of a firearm or ammunition is guilty of a felony.

Appeals of Denials A person who is denied a firearm by the FBI may appeal pursuant to federal law.

Retention of Records No state requirement.

Registration No state requirement.

Other Transfer Regulations Residents of Oklahoma may purchase rifles and shotguns from a dealer licensed in a state other than Oklahoma, provided that such residents conform to federal law and the provisions of law applicable to such purchase in Oklahoma and the state in which the purchase is made. Residents of a state other than Oklahoma may purchase rifles and shotguns from a dealer licensed in Oklahoma, provided that such residents conform to the provisions of federal law and the law applicable to such purchase in Oklahoma and in the state in which such persons reside.

Prohibited Firearms It is unlawful to possess or control a sawed-off shotgun or a sawed-off rifle, unless the firearm has been registered pursuant to the National Firearms Act.

Prohibited Persons A firearm cannot be sold or given to or possessed by a person who is under 18 years of age, except in certain circumstances. It is unlawful for any parent or guardian to intentionally, knowingly, or recklessly permit his or her child to possess any firearm if such parent is aware of a substantial risk that the child will use the weapon to commit a criminal offense or if the child has either been adjudicated a delinquent or has been convicted as an adult for any criminal offense. It is unlawful for a firearm to be possessed or controlled by a person who: has been convicted of any felony in any court of Oklahoma or of another state or of the U.S. (except for a nonviolent felon whose rights have been restored); is subject to correctional supervision; or has been adjudicated within the prior ten years as a delinquent child or a youthful offender for the commission of an offense which would have constituted a felony offense if committed by an adult. It is unlawful for any person to knowingly transmit, transfer, sell, lend, or furnish any shotgun, rifle, or pistol to any person who is under an adjudication of mental incompetency, or to any person who is mentally deficient or of unsound mind. Further, it is unlawful for any person to knowingly sell, trade, give, transmit, or otherwise cause the transfer of rifles,

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shotguns, or pistols to any convicted felon, to an adjudicated delinquent, or to any individual who is under the influence of alcohol or drugs or is mentally or emotionally unbalanced or disturbed.

Mental Health Disposition Reporting No relevant state law.

2012/2013 Legislation No relevant changes.

Relevant Laws Oklahoma Statutes §§ 21-1271.1 et seq.

Reviewing Agency Oklahoma State Bureau of Investigation.

Firearms Information Website http://www.ok.gov/osbi/Handgun_Licensing/index.html

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Oregon

Summary of Firearm Transfer Laws

December 31, 2013

State conducts NICS transfer checks

Transfer Permits State law does not require a permit to receive a transferred firearm.

Background Checks The state is a NICS Point-of-Contact and the Oregon State Police (OSP) conducts all checks required by federal and state law. Oregon law requires background checks on persons who purchase a firearm from a licensed dealer or at a gun show. A seller who is not subject to these requirements may voluntarily request a background check on a purchaser. An approval number assigned by OSP is valid for 24 hours on a private sale or 30 days on a dealer transfer.

Waiting Period No state requirement.

Transfer Permit and Background Check Fees OSP may charge a fee that does not exceed \$10 for each criminal history record check.

Submission of False Information It is a misdemeanor to knowingly provide a false name, false information, or false identification in connection with a purchase or transfer of a firearm.

Appeals of Denials A person who is denied a transfer by OSP's Firearms Unit may appeal to the Criminal Justice Information Services (CJIS) Division.

Retention of Records OSP may retain a record of the information obtained during a request for a criminal records check for no more than five years.

Registration No state requirement.

Other Transfer Regulations A resident of Oregon may purchase or otherwise obtain a rifle or shotgun in a contiguous state and receive in or transport into Oregon such rifle or shotgun, unless the purchase or transfer violates the laws of Oregon, the state in which the purchase or transfer is made, or the United States.

Prohibited Firearms It is unlawful to knowingly possess any machine gun, short-barreled rifle, or short-barreled shotgun, unless the firearm is registered as required under federal law.

Prohibited Persons Oregon law prohibits, except in certain circumstances, the knowing possession of a firearm by a person who: is under 18 years of age; as a minor, committed an act which, if committed by an adult, would constitute a felony or a misdemeanor involving violence and was discharged from the jurisdiction of the juvenile court within the four years prior; has been convicted of a felony; was committed to the Oregon Health Authority; was found to be mentally ill and ordered not to purchase or possess a firearm; or has been found guilty except for insanity of a felony. It is unlawful for any firearm to be possessed or controlled by any person who has been convicted of a felony under the laws of Oregon or any other state, or who has been convicted of a felony under the laws of the U.S., except in certain circumstances.

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Unless relief or expunction has been granted under the laws of Oregon or another jurisdiction, a person may not intentionally sell, deliver, or otherwise transfer any firearm when the transferor knows or reasonably should know that the recipient: is under 18 years of age; has been convicted of a felony; has any outstanding felony warrants for arrest; is free on any form of pretrial release for a felony; was committed to the Oregon Health Authority; after January 1, 1990, was found to be mentally ill and ordered to not purchase or possess a firearm; has been convicted of a misdemeanor involving violence or found guilty except for insanity of a misdemeanor involving violence within the previous four years; or has been found guilty except for insanity of a felony.

Mental Health Disposition Reporting Various state agencies are required to provide OSP with the minimum information necessary to identify persons who: have been committed by a court based on a finding that the person is dangerous to self or others; are subject to a court order prohibiting the person from purchasing or possessing a firearm; have been found by a court to lack fitness to proceed in a criminal trial; have been found guilty except for insanity of a crime; have been found responsible except for insanity for an act under the juvenile code; have been placed under the jurisdiction of certain state agencies; or have been committed to a state hospital or facility. OSP is required to transmit the information to the federal government. When a court makes an order that a person be prohibited from purchasing or possessing a firearm due to mental illness, the court shall cause a copy of the order to be delivered to the county sheriff for entry into Oregon's law enforcement data system.

2012/2013 Legislation No relevant changes.

Relevant Laws Oregon Revised Statutes § 166.170 et seq.

Reviewing Agency Oregon State Police Firearms Unit.

Firearms Information Website <http://www.oregon.gov/OSP/Pages/id/fics.aspx>

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Pennsylvania
Summary of Firearm Transfer Laws
December 31, 2013

State conducts NICS transfer checks

Transfer Permits State law does not require a permit to receive a transferred firearm.

Background Checks The state is a NICS Point-of-Contact and the Pennsylvania State Police (PSP) conducts checks required by federal and state law. Pursuant to state law, a licensed importer, manufacturer, dealer, or collector may not sell or deliver any firearm to an unlicensed person without requesting a background checks from the Pennsylvania Instant Check System (PICS). A sale or transfer of a handgun between unlicensed persons is also subject to a PICS check and must occur at the place of business of a licensed importer, manufacturer, or dealer. (Private transfers between certain family members are exempt from check requirements.)

Waiting Period No state requirement.

Transfer Permit and Background Check Fees A licensed dealer may charge a background check fee equivalent to the cost of providing the service but not to exceed \$2 per buyer or transferee. In addition, the state has a \$3 surcharge for each taxable sale of a firearm.

Submission of False Information It is a felony for any person, purchaser, or transferee, in connection with the purchase, delivery, or transfer of a firearm, to knowingly and intentionally make any materially false oral statement or written statement or willfully furnish or exhibit any false identification intended or likely to deceive the seller, licensed dealer, or licensed manufacturer.

Appeals of Denials A person who is denied a firearm transfer by PSP may file a challenge with the PICS Challenge Unit. Subsequent appeals may be filed with the State attorney general and the commonwealth court.

Retention of Records A licensed importer, manufacturer, or dealer is required by state law to send the original copy of a completed application/record of sale to PSP and retain a copy for 20 years. (An application/record of sale is typically only required for a handgun transfer.)

Registration No state requirement.

Other Transfer Regulations A firearms dealer conducting any business in Pennsylvania must have a state license. No person shall make any loan secured by mortgage, deposit, or pledge of a firearm, nor, except in certain circumstances, shall any person lend or give a firearm to another.

Prohibited Firearms It is unlawful to sell or possess an offensive weapon except in certain circumstances. An offensive weapon includes any machine gun, any sawed-off shotgun with a barrel less than 18 inches, or any firearm made or specially adapted for concealment or silent discharge.

Prohibited Persons Pursuant to state law, a person shall not possess, use, control, sell, transfer, manufacture, or obtain a license for a firearm if the person: has been convicted of an offense enumerated in the Uniform Firearms Act or an equivalent offense under the statutes of any other state or the U.S.; is a fugitive from justice; has been convicted of a Pennsylvania drug offense or an equivalent

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offense under the statutes of any other state or the U.S.; has been convicted three or more times of driving under the influence of alcohol or a controlled substance in a five-year period; has been adjudicated as incompetent or involuntarily committed to a mental institution for inpatient care and treatment; is illegally or unlawfully in the U.S.; is subject to an active protection from abuse order that provides for relinquishment of firearms; was adjudicated delinquent under Pennsylvania law or the statutes of the U.S. or any other state; or is prohibited from possessing or acquiring a firearm under federal law because of a domestic violence misdemeanor conviction. A person under 18 years of age shall not possess or transport a firearm except in certain circumstances.

Mental Health Disposition Reporting Judges of the courts of common pleas, mental health reviewing officers, and county mental health and retardation administrators are required to notify PSP of the identity of any individual who has been adjudicated as an incompetent or a mental defective or who has been involuntarily committed to a mental institution or involuntarily treated. The notification shall be transmitted by the judge to PSP within seven days of the adjudication, commitment, or treatment. PSP may disclose to the U.S. Attorney General or a designee any record relevant to a determination of whether a person is disqualified from possessing or receiving a firearm under federal law after having been adjudicated as a mental defective or involuntarily committed to a mental institution. If a court grants relief from disabilities, a copy of the order shall be sent to PSP within ten days.

2012/2013 Legislation No relevant changes.

Relevant Laws Pennsylvania Consolidated Statutes, Title 18, § 908 & Chapter 61.

Reviewing Agency Pennsylvania State Police Firearms Division.

Firearms Information Website

<http://www.portal.state.pa.us/portal/server.pt?open=512&objID=4451&&PageID=462425&level=2&css=L2&mode=2>

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Rhode Island Summary of Firearm Transfer Laws December 31, 2013

FBI conducts NICS transfer checks **Local agencies conduct separate transfer checks**

Transfer Permits Rhode Island does not require a permit to receive a transferred firearm.

Background Checks State law requires a background check on all applicants for a handgun or long gun purchase. Firearm sellers in Rhode Island forward applications by registered mail or by delivery in person to city and town police chiefs and the superintendent of the state police. If no disqualifying information has been received from the investigating police authority after seven days, the seller may deliver the firearm to the purchaser. A Rhode Island citizen who purchases a handgun from an out-of-state dealer is required to deliver two copies of an application in person to the superintendent or to the police chief of the city or town in which the purchaser resides. If after 72 hours, no disqualifying record has been found by the investigating police authority, the copies of the application will be marked as approved and returned to the applicant. One approved copy is then sent to the out-of-state dealer.

Rhode Island is not a NICS Point-of-Contact. In addition to the check required by state law, a federally-licensed firearms dealer in Rhode Island must contact the FBI for a NICS transfer check.

Waiting Period No person shall deliver a handgun or long gun to a purchaser until seven days have elapsed from twelve o'clock noon of the day following the day of application for the purchase.

Transfer Permit and Background Check Fees A background check fee is not mandated by state law but is at the discretion of the investigating police department.

Submission of False Information It is unlawful for a person, in purchasing or otherwise securing delivery of a firearm or license, to give false information or offer false evidence of his or her identity.

Appeals of Denials State law does not provide a procedure for appealing a firearm transfer denial by a police authority. A person who is denied by the FBI may appeal pursuant to federal law.

Retention of Records The checking agency and the state attorney general receive copies of each purchase application and are required to retain approved and denied applications for no more than 30 days. Original copies of applications must be retained by sellers for six years.

Registration No state requirement.

Other Transfer Regulations A retail dealer of firearms must have a license from a city, town, or political subdivision of the state. A license or permit to manufacture and sell machine guns must be obtained from the state attorney general.

Prohibited Firearms No person shall manufacture, sell, purchase, or possess a machine gun, or possess or control a sawed-off shotgun or sawed-off rifle, except in certain circumstances.

Prohibited Persons A firearm cannot be purchased, owned, carried, transported, or possessed by a person who: has been convicted in Rhode Island or elsewhere of a crime of violence; is a fugitive from

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justice; has been convicted of a domestic violence felony within the past two years; is in community confinement or subject to electronic surveillance or monitoring as a condition of parole (if convicted of a crime of violence); is under guardianship, treatment, or confinement due to mental incompetence; has been adjudicated or is under treatment or confinement as a drug addict or an habitual drunkard; or is an illegal or unlawful alien. It is unlawful for a person to sell, transfer, give, or convey any firearm to any person under 18 years of age, when the transferor knows or has reason to know that the recipient is under 18 years of age, except for certain limited purposes. No person shall sell a handgun to any person under the age of 21 or to one who he or she has reasonable cause to believe is otherwise prohibited. A domestic abuse protective order issued by a district or family court may prohibit a defendant from purchasing or receiving firearms during the duration of the order.

Mental Health Disposition Reporting No relevant state law.

2012/2013 Legislation The punishment for giving false information in securing a firearm or license was amended by adding the possibility of a fine. Chapters 455 & 464; S0860, H5991 (2013).

Relevant Laws Rhode Island General Laws, Chapter 11-47; § 8-8.1-3; § 15-15-3.

Reviewing Agency Rhode Island Office of the Attorney General.

Firearms Information Website <http://www.riag.ri.gov/bci/permits.php>

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South Carolina Summary of Firearm Transfer Laws December 31, 2013

FBI conducts NICS transfer checks **State conducts NICS-alternative permit checks**

Transfer Permits State law does not require a permit to receive a transferred firearm. A South Carolina concealed weapon permit has been qualified by ATF as an alternative to a NICS transfer check. A permit is valid for four years unless revoked.

Background Checks The state is not a Point-of-Contact for the NICS. Licensed firearms dealers in South Carolina contact the FBI for all NICS transfer checks. The South Carolina Law Enforcement Division (SLED) conducts background checks on applicants for concealed weapon permits. SLED is required to issue a permit or a written notice of denial within 90 days from the date the application was received.

Waiting Period No state requirement.

Transfer Permit and Background Check Fees The concealed weapon permit application fee is \$50, which is waived for disabled veterans and retired law enforcement officers.

Submission of False Information A concealed weapon permit applicant who submits false information is subject to criminal penalties.

Appeals of Denials A person who is denied a firearm by the FBI may appeal pursuant to federal law. A denial of a concealed weapon permit application may be appealed to the Chief of SLED and further to an administrative law judge.

Retention of Records SLED must maintain a list of all concealed weapon permit holders and the current status of each permit.

Registration Every person permitted to possess a machine gun, sawed-off shotgun, or sawed-off rifle must register the firearm with SLED.

Other Transfer Regulations A resident of South Carolina who may lawfully purchase and receive delivery of a long gun in the state may purchase a long gun in another state and transport or receive it in South Carolina if the sale meets the lawful requirements of each state and of any federal statute and is made by a licensed importer, manufacturer, dealer, or collector. A resident of any state may purchase a long gun in South Carolina if the person conforms to applicable statutes and regulations of South Carolina, the U.S., and the state in which the person resides. A special limited license issued by SLED for the possession, transportation, or sale of machine guns is required to engage in a manufacturer's demonstration or movie-making activities.

Prohibited Firearms It is unlawful for a person to transport, store, keep, possess, sell, rent, give away, or otherwise dispose of a machine gun, military firearm, sawed-off shotgun, or sawed-off rifle, except in certain circumstances.

Prohibited Persons It is unlawful for a person to knowingly sell, offer to sell, deliver, lease, rent, or barter any handgun to a person who: has been convicted of a crime of violence in any U.S. jurisdiction; is

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a fugitive from justice; is an habitual drunkard or a drug addict; has been adjudicated mentally incompetent; is a member of a subversive organization; is under the age of 18 (except in certain circumstances); or has been adjudged unfit to carry or possess a firearm by a South Carolina circuit or county court. Further, it is unlawful for a person subject to the above prohibitions to possess or acquire a handgun within the state. A person who has been convicted of a violent crime that is classified as a felony cannot possess a firearm. An alien unlawfully present in the U.S. cannot possess, purchase, offer to purchase, sell, lease, rent, barter, exchange, or transport into the state a firearm, and it is unlawful for a person to knowingly sell, offer to sell, deliver, lease, rent, or barter a firearm to an unlawful alien. It is unlawful for a person who has been adjudicated as a mental defective or committed to a mental institution to ship, transport, possess, or receive a firearm.

A concealed weapon permit holder must be a resident of the state or a qualified nonresident (owns property in the state) who is at least 21 years of age and who is not prohibited by state law from possessing a weapon.

Mental Health Disposition Reporting A court is required to submit information of persons who have been adjudicated as a mental defective or committed to a mental institution to SLED, for forwarding to the NICS. The court is also required to submit an order that removes a firearm prohibition to SLED, for forwarding to the NICS.

2012/2013 Legislation An amendment allows South Carolina residents to purchase long guns in any state instead of only in contiguous states. The article that regulated retail dealers of handguns was repealed. Act 285, H4494 (2012). A new article provides that it is unlawful for a person who has been adjudicated as a mental defective or committed to a mental institution to ship, transport, possess, or receive a firearm or ammunition. The article requires a court to submit information of persons who have been adjudicated as a mental defective or committed to a mental institution to SLED, for forwarding to the NICS. The court is also required to submit an order that removes a firearm prohibition to SLED, for forwarding to the NICS. Act 22, H3560 (2013).

Relevant Laws South Carolina Code of Laws: Title 16, Chapter 23, Articles 1, 3, and 5; Title 23, Chapter 31, Articles 1, 4, 5, and 10.

Reviewing Agency South Carolina Law Enforcement Division.

Firearms Information Website <http://www.sled.sc.gov/SCStateGunLaws1.aspx>

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South Dakota
Summary of Firearm Transfer Laws
December 31, 2013

FBI conducts NICS transfer checks

Transfer Permits State law does not require a permit to receive or possess a firearm.

Background Checks The state is not a NICS Point-of-Contact. Licensed firearms dealers in South Dakota are required to contact the FBI for all NICS transfer checks.

Waiting Period No state requirement.

Transfer Permit and Background Check Fees None.

Submission of False Information No person, in purchasing or otherwise securing delivery of a pistol or in applying for a permit to carry a concealed pistol, may give false information or offer false evidence of identity.

Appeals of Denials A person who is denied a firearm by the FBI may appeal pursuant to federal law.

Retention of Records No state requirement.

Registration No state requirement.

Other Transfer Regulations No person may give, loan, or sell a firearm to any person prohibited from possession of a firearm by means of a felony controlled substances or felony marijuana conviction or felony conviction of a violent crime. No person may sell, transfer, give, loan, furnish, or deliver a firearm or firearm ammunition to any person under the age of eighteen if such person knows or reasonably believes that the recipient of the firearm or ammunition intends to use the firearm in the commission or attempted commission of a crime of violence. When a pistol is delivered it shall be securely wrapped and unloaded.

Prohibited Firearms It is unlawful, except in limited circumstances, to possess any firearm on which the manufacturer's serial number has been changed, altered, removed, or obliterated. It is unlawful, except in limited circumstances, to knowingly possess a controlled weapon. A controlled weapon includes any firearm silencer, machine gun, or short shotgun.

Prohibited Persons For five years after the completion of a sentence for a felony controlled substance or felony marijuana conviction, no person may have possession or control of a firearm. For fifteen years after the completion of a sentence for a felony conviction of a crime of violence or a felony conviction of certain aggravated controlled substance and felony marijuana offenses, no person may have possession or control of a firearm. Except as otherwise authorized by statute, no person under the age of eighteen may knowingly possess a pistol. No person convicted of any misdemeanor crime involving an act of domestic violence may possess or control a firearm unless one year has passed since the date of conviction and the person has received a court order restoring the right to possess a firearm.

Mental Health Disposition Reporting No relevant state law.

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2012/2013 Legislation In 2012, the term firearm was clarified by specifically including, within its definition, any antique firearm, any muzzle loading rifle, muzzle loading shotgun, or muzzle loading pistol, including muzzle loading weapons that are designed to use black powder or a black powder substitute and cannot use fixed ammunition. HB 1198 (2012).

Relevant Laws South Dakota Codified Laws: Title 22, Chapter 14; Title 23, Chapter 7.

Reviewing Agency South Dakota Attorney General's Office.

Firearms Information Website <https://sdsos.gov/services-for-individuals/assets/2013SDFirearmLaws.pdf>

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Tennessee

Summary of Firearm Transfer Laws

December 31, 2013

State conducts NICS transfer checks

Transfer Permits State law does not require a permit to receive a transferred firearm.

Background Checks The state is a Point-of-Contact for the NICS. The Tennessee Bureau of Investigation (TBI) conducts background checks on unlicensed persons who apply for a transfer of a firearm from a federally-licensed dealer.

Waiting Period No state requirement.

Transfer Permit and Background Check Fees TBI may charge a reasonable fee, not to exceed \$10, for a background check.

Submission of False Information It is an offense for a person to purchase or attempt to purchase a firearm knowing that the person is prohibited by state or federal law from owning, possessing, or purchasing a firearm.

Appeals of Denials A person who requests reconsideration of a TBI denial is furnished a letter of instructions and an FBI final disposition form, which must be filled out by the arresting agency or clerk of the appropriate court and returned to TBI. For a denial based upon an arrest with no disposition recorded, TBI has 15 calendar days after the applicant appeals to obtain the final disposition. If TBI cannot obtain the disposition, the dealer is notified that the transaction is a "conditional proceed," (neither denied nor approved) and the dealer may lawfully transfer the firearm.

Retention of Records After approval of a purchaser, TBI is required to destroy all records from the transaction except for the approval numbers and the date assigned. Information on denied transactions is retained indefinitely, but is destroyed if the decision is reversed on appeal.

Registration No state requirement.

Other Transfer Regulations None.

Prohibited Firearms It is an offense to intentionally or knowingly possess, manufacture, transport, repair, or sell a machine gun or a short-barrel rifle or shotgun, except in certain circumstances.

Prohibited Persons Licensed dealers are prohibited by state law from selling firearms to persons who: have been convicted of the offense of stalking; are addicted to alcohol; are ineligible to receive firearms under federal law; or have been judicially committed to a mental institution or adjudicated as a mental defective. (These prohibitions may not apply to a person who has been granted a pardon, expungement, set aside, or restoration of civil rights.) A firearm transfer shall be denied by TBI if a background check reveals that the purchaser has been charged with a crime for which the purchaser, if convicted, would be prohibited under state or federal law from purchasing, receiving, or possessing a firearm, and either there has been no final disposition of the case, or the final disposition is not noted. In addition, a person commits an offense by intentionally, knowingly, or recklessly selling a firearm to a minor or an intoxicated person.

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It is an offense for a firearm to be possessed by a person who: has been convicted of a felony involving the use or attempted use of force, violence, or a deadly weapon; has been convicted of a felony drug offense; has been convicted of a misdemeanor crime of domestic violence as defined in federal law; is subject to an order of protection that fully complies with federal law; or is prohibited under any other provision of state or federal law. It is an offense for a handgun to be possessed by a person who has been convicted of a felony or is under the influence of alcohol or any controlled substance or controlled substance analogue. A handgun cannot be knowingly possessed by a person less than 18 years of age except in certain circumstances. Further, it is an offense for a person to intentionally, knowingly or recklessly provide a handgun to a juvenile, or for a parent or guardian to provide a handgun to a juvenile if the parent or guardian knows of a substantial risk that the juvenile will use a handgun to commit a felony.

Mental Health Disposition Reporting Any clerk of court who maintains records of an adjudication as a mental defective or a judicial commitment to a mental institution is required to disclose certain information to the state department of safety and the FBI. An inpatient treatment facility is required to report data on an involuntarily committed person to local law enforcement, for forwarding to the department of safety and the FBI.

2012/2013 Legislation A new section requires an inpatient treatment facility to report data on an involuntarily committed person to local law enforcement, for forwarding to the department of safety and the FBI. Ch. 300, SB 789 (2013).

Relevant Laws Tennessee Code §§ 33-3-115 & 33-3-117; Title 39, Chapter 17, Part 13.

Reviewing Agency Tennessee Bureau of Investigation.

Firearms Information Website http://www.tbi.state.tn.us/firearm_check/firearm_back_check.shtml

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Texas
Summary of Firearm Transfer Laws
December 31, 2013

FBI conducts NICS transfer checks

Transfer Permits State law does not require a permit to receive a transferred firearm. A Texas concealed handgun license has been qualified by ATF as an alternative to a NICS transfer check. The duration of a license may vary (depending on when it was issued) but the maximum duration is five years.

Background Checks The state is not a NICS Point-of-Contact. Licensed firearms dealers in Texas are required to contact the FBI for all NICS transfer checks. The Texas Department of Public Safety (DPS) conducts background checks on applicants for concealed handgun licenses. Within 60 days of receiving complete application materials, DPS is required to either issue a license, send a notice of denial, or notify the applicant of the reason for a delay in making a determination. A delay of more than 30 days constitutes a denial.

Waiting Period No state requirement.

Transfer Permit and Background Check Fees The nonrefundable fee for a concealed handgun application and license is \$140. Certain persons may qualify for a reduced fee.

Submission of False Information A material misrepresentation or a failure to disclose any material fact in a concealed handgun license application is grounds for denial of the application or revocation of a license.

Appeals of Denials A person who is denied a firearm by the FBI may appeal pursuant to federal law. A concealed handgun license applicant who is denied may appeal to DPS. Upon receiving an appeal, DPS is required to schedule a hearing in the justice court for the applicant's county of residence. A party adversely affected by the justice court's decision may appeal to a county court of law or a county court.

Retention of Records Texas law does not specify a retention period for concealed handgun license records.

Registration No state requirement.

Other Transfer Regulations A resident of Texas may, if not otherwise precluded by law, purchase firearms in another state, in conformance with federal law.

Prohibited Firearms It is an offense to intentionally or knowingly possess, manufacture, transport, repair, or sell a machine gun, a short-barrel rifle or shotgun, or a zip gun, except in certain circumstances.

Prohibited Persons It is an offense for a firearm to be possessed by a person who has been convicted of a felony and five years have not elapsed since the conviction or the person's release from confinement or supervision, whichever is later. After the five-year period has elapsed, it is an offense for a convicted felon to possess a firearm at any location other than the premises at which the person lives. It is an offense for a firearm to be possessed by a person who has been convicted of a Class A misdemeanor

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involving a member of the person's family or household, and five years have not elapsed since the conviction or the person's release from confinement or supervision, whichever is later. Further, it is an offense for a firearm to be possessed by a person who is subject to a protective order (except for certain peace officers). It is an offense to knowingly sell, rent lease, loan, or give a handgun to a person who intends to use it unlawfully or in the commission of an unlawful act, or is subject to an active protective order. A firearm cannot be knowingly sold to a person who is younger than 18 years and lacks parental consent, is intoxicated, or has been convicted of a felony and was released from confinement or supervision within the past five years.

A person is eligible for a license to carry a concealed handgun if the person: has been a legal resident of the state for the six-month period preceding the date of application or qualifies for a nonresident license; is at least 21 years of age; has not been convicted of a felony; is not charged with a listed misdemeanor or a felony under an information or indictment; is not a fugitive from justice for a felony or a listed misdemeanor; is not chemically dependent; is capable of exercising sound judgment with respect to the proper use and storage of a handgun; has not been convicted in the five prior years of a listed misdemeanor; is qualified under federal and state law to purchase a handgun; is not delinquent in child support; is not delinquent on state or local taxes; is not restricted by a protective order; has not been adjudicated in the prior ten years for delinquent conduct that constitutes a felony; and has not made any material misrepresentation or failed to disclose any material fact in the application.

Mental Health Disposition Reporting DPS is charged with establishing a procedure to provide records to the NICS on persons who are subject to various mental health orders and dispositions, and to correct the records for relief from disabilities and other subsequent court orders. Clerks of court are required to provide DPS with records not later than 30 days after an order or disposition is entered. (See Federal Firearm Reporting, Government Code §411.052; Relief from Disabilities in Mental Health Cases, Health & Safety Code §574.088.)

2012/2013 Legislation A new subchapter authorizes a person whose guardianship was terminated because the person's capacity was completely restored to file an application with the court that created the guardianship for an order requesting the removal of the person's disability to purchase a firearm imposed under federal law. Estates Code §1202.201; HB 2407 (2013).

Relevant Laws Texas Estates Code §1202.201; Government Code, Chapter 411, Subchapter H and §§ 411.052 and 411.0521; Health & Safety Code §574.088; Penal Code Chapter 46.

Reviewing Agency Texas Department of Public Safety.

Firearms Information Website <http://www.txdps.state.tx.us/rsd/chl/index.htm>

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Utah

Summary of Firearm Transfer Laws

December 31, 2013

State conducts NICS transfer checks and NICS-alternative permit checks

Transfer Permits Utah does not require a permit to receive a transferred firearm. A Utah concealed firearm permit (CFP) has been qualified by ATF as an alternative to a NICS transfer check. In addition, an individual with a CFP is exempt from the transfer check required by state law. The permit is valid for five years unless suspended or revoked.

Background Checks Utah is a NICS Point-of-Contact and the Bureau of Criminal Identification (BCI) conducts background checks required by state and federal law. State law requires a check on an unlicensed individual who purchases a firearm from a licensed firearms dealer. If a purchaser presents a CFP, the dealer is required to verify with BCI that the permit is valid. In addition, BCI conducts checks on CFP applicants. If an applicant is found to be qualified, BCI is required to issue a permit within 60 days after receiving an application.

Waiting Period No state requirement.

Transfer Permit and Background Check Fees The criminal history background check fee for a sale of a firearm is \$7.50. Current application fees for a CFP are \$46 for in state applicants and \$51 for out of state applicants.

Submission of False Information It is a felony for a person who purchases or transfers a firearm to willfully and intentionally make a false statement of the information required for a criminal background check. An individual who knowingly and willfully provides false information on an application for a CFP is guilty of a misdemeanor, and the application may be denied or the permit may be suspended or revoked.

Appeals of Denials A person who is denied a firearm may appeal to BCI and further to the Commissioner of Public Safety. An appeal may also be filed with the FBI or the state that maintains the prohibitory record. A denial of a CFP application may be appealed to the Concealed Firearm Review Board.

Retention of Records State law allows BCI to retain data on approved transactions for a maximum period of 20 days. Dealer numbers and transaction numbers and dates must be maintained for 12 months. BCI is required to maintain a record of any CFP issued.

Registration No state requirement.

Other Transfer Regulations None.

Prohibited Firearms None.

Prohibited Persons It is unlawful for a category one or category two restricted person to purchase, transfer, or possess any firearm. A category one restricted person is a person who: has been convicted of any violent felony; is on parole or probation for any felony; is on parole from a secure facility; has been adjudicated delinquent within the past 10 years for an offense which, if committed by an adult, would have been a violent felony; or is an illegal or unlawful alien. A category two restricted person is a person

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who: has been convicted of any felony; has been adjudicated delinquent within the past seven years for an offense which, if committed by an adult, would have been a felony; is an unlawful user of a controlled substance; is in possession of a dangerous weapon and is knowingly and intentionally in unlawful possession of a controlled substance; has been found not guilty by reason of insanity or mentally incompetent to stand trial for a felony; has been adjudicated mentally defective or committed to a mental institution; has been dishonorably discharged from the armed forces; or has renounced U.S. citizenship. It is unlawful to knowingly transfer a firearm to a restricted person. A minor under 18 years of age may not possess a handgun and may not possess a short-barreled rifle or shotgun or a fully automatic weapon except as provided by federal law. It is unlawful for any person to: provide a handgun to a minor; transfer a short-barreled rifle or shotgun or a fully automatic weapon to a minor; or sell any firearm to a minor who is not accompanied by a parent or guardian. A parent or guardian may not intentionally or knowingly provide or permit possession of a firearm by any minor who has been convicted of a violent felony or adjudicated in juvenile court for an offense which would constitute a violent felony if the minor were an adult.

A CFP applicant must be 21 years of age or older, and BCI may deny an applicant who: has been or is convicted of a felony, a crime of violence, an offense involving alcohol, narcotics, controlled substances, moral turpitude, or domestic violence, or adjudicated by a state or federal court as mentally incompetent, and is not qualified to purchase and possess a firearm pursuant to state and federal law. In addition, BCI may deny an application if there is reasonable cause to believe that the applicant has been or is a danger to self or others.

Mental Health Disposition Reporting Every magistrate or clerk of a court responsible for court records in Utah is required to furnish the Department of Public Safety with information pertaining to certain dispositions, within 30 days of the disposition. The applicable dispositions include judgments of not guilty by reason of insanity and findings of mental incompetence to stand trial for a felony offense, an offense against a person or a weapons offense, and judgments of guilty with a mental illness. If a court grants a petition to remove a firearm disability related to mental health, the petitioner's name must be removed from the state database. The State of Utah is still awaiting approval by ATF of its process for the removal of the disability associated with 18 U.S.C. 922(g)(4) and corresponding removal from the NICS Index.

2012/2013 Legislation An amendment makes it a crime for a person to sell, transfer, or otherwise dispose of any firearm to any person, knowing or having reasonable cause to believe that the recipient is a restricted person. Ch. 317, HB 395 (2012). A new section allows a person to petition a court to remove a firearm disability related to mental health. If a petition is granted, the person's name must be removed from state databases. (The State of Utah is still awaiting approval by ATF of its process for the removal of the disability associated with 18 U.S.C. 922(g)(4) and corresponding removal from the NICS Index.) Ch. 424, SB 0080 (2013).

Relevant Laws Utah Code: Title 53, Chapter 5 & Chapter 10, § 208.1; Title 76, Chapter 10, §§ 501-532.

Reviewing Agency Utah Bureau of Criminal Identification.

Firearms Information Website <http://publicsafety.utah.gov/bci/FirearmLaws.html>

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Vermont
Summary of Firearm Transfer Laws
December 31, 2013

FBI conducts NICS transfer checks

Transfer Permits State law does not require a permit to receive a transferred firearm.

Background Checks The state is not a NICS Point-of-Contact. Licensed firearms dealers in Vermont are required to contact the FBI for all NICS transfer checks.

Waiting Period No state requirement.

Transfer Permit and Background Check Fees None.

Submission of False Information No relevant state law.

Appeals of Denials A person who is denied a firearm by the FBI may appeal pursuant to federal law.

Retention of Records All pawnbrokers and retail merchants dealing in firearms are required to keep a book in which they shall record sales and second hand purchases of handguns. Such record shall include information on the transaction, the firearm, and the purchaser or seller. The pawnbroker or merchant is required to preserve the record book for six years after the date of last entry.

Registration No state requirement.

Other Transfer Regulations Residents of Vermont may purchase rifles and shotguns in another state, provided that such residents conform to the applicable provisions of federal law and the provisions of law applicable to such purchase in Vermont and in the state in which the purchase is made. Residents of a state other than Vermont may purchase rifles and shotguns in Vermont, provided that such residents conform to the applicable provisions of federal law and the provisions of law applicable to such purchase in Vermont and in the state in which such persons reside.

Prohibited Firearms A person who possesses, sells, or offers for sale a zip gun shall be imprisoned or fined or both.

Prohibited Persons Vermont law prohibits a person, firm, or corporation, other than a parent or guardian, from selling or furnishing a firearm to a minor under the age of 16 years. (An instructor or a teacher may furnish firearms to pupils for instruction and drill.) A handgun cannot be possessed or controlled by a child under the age of 16 years without the consent of a parent or guardian.

Mental Health Disposition Reporting No relevant state law.

2012/2013 Legislation No significant changes.

Relevant Laws Vermont Statutes Title 13, Chapter 85, §§ 4001-4016.

Reviewing Agency Vermont Criminal Information Center

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Virginia Summary of Firearm Transfer Laws December 31, 2013

State conducts NICS transfer checks

Transfer Permits Virginia law does not require a permit to receive a transferred firearm.

Background Checks The state is a NICS Point-of-Contact. The Virginia State Police (VSP) conducts all checks required by state and federal law. State law requires background checks on unlicensed persons who apply to purchase a firearm from a licensed dealer. After receiving information from a dealer by telephone or electronic means, VSP has until the close of the third business day to advise the dealer whether or not the transferee is prohibited. The required check may be requested by mail or delivery of the written consent form to VSP. If VSP does not inform the dealer of a prohibition within ten days after the form is mailed, the transfer may proceed.

Waiting Period No state requirement.

Transfer Permit and Background Check Fees The criminal history record check cost is \$2, except for a transaction involving an out-of-state resident, which is \$5. The funds are collected by the State Police and remitted to General Funds of the Commonwealth.

Submission of False Information Virginia law makes it a felony to willfully and intentionally make a materially false statement on the state's consent form or on a firearm transaction record required by federal law.

Appeals of Denials A person who is denied a firearm may request correction of a criminal history record or appeal to VSP, or institute a civil action within 30 days of such denial.

Retention of Records Data on approved transactions may be retained by VSP for no more than 30 days. Multiple handgun transaction records and a log of requests (with purchaser names, dealer and approval numbers, and transaction dates) may be maintained for 12 months.

Registration Every machine gun in Virginia must be registered with VSP within 24 hours after its acquisition or, in the case of semi-automatic weapons which are converted, modified or otherwise altered to become machine guns, within 24 hours of the conversion, modification or alteration. A transferor of a registered machine gun is required to notify VSP in writing of the date of transfer and the name and address of the transferee.

Other Transfer Regulations A Virginia resident who attempts to purchase a firearm must provide proof of residency in the state for at least 30 days. Long guns may be purchased in Virginia by persons who are citizens of the U.S. or persons who are lawfully admitted for permanent U.S. residence but are residents of other states. A Virginia resident may make a purchase, trade, or transfer of a firearm in another state, provided that the transaction complies with the laws of that state and of the U.S., and that a NICS check is performed prior to the transaction.

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Prohibited Firearms It is unlawful to possess a sawed-off shotgun or a sawed-off rifle (except in certain circumstances), or to sell, transfer, or possess a plastic firearm or certain semi-automatic shotguns.

Prohibited Persons It is unlawful for a firearm to be purchased or possessed by a person who: is acquitted of a listed offense by reason of insanity; has been adjudicated legally incompetent or mentally incapacitated; has been involuntarily admitted to a facility or ordered to mandatory outpatient treatment; or was the subject of a temporary detention order and subsequently agreed to voluntary admission. State law also prohibits: purchase of a firearm by a person who is subject to a domestic violence protective order issued in Virginia or another U.S. jurisdiction; purchase of a handgun by any person who has been convicted of two misdemeanor drug offenses within 36 months (unless five years have expired since the second conviction); possession of a firearm by a person who has been convicted of a felony or adjudicated delinquent as a juvenile in certain circumstances under the laws of Virginia or another U.S. jurisdiction; possession of an assault firearm or other firearm by a person who is not a U.S. citizen nor lawfully admitted for permanent residence; and possession of a handgun or an assault firearm by a person under 18 years of age (except in certain circumstances). Some prohibited persons may be eligible for relief from disabilities.

It is a felony to transfer any firearm to a person who the transferor knows is prohibited from possessing or transferring a firearm. It is also a felony for any dealer to willfully and intentionally transfer a firearm in violation of state law, or for any person to purchase a firearm with the intent to resell it to a known prohibited person or to transport it out of Virginia for resale to a known prohibited person.

Mental Health Disposition Reporting Virginia law provides that court records involving treatment of an incompetent defendant, involuntary inpatient or outpatient mental health treatment, voluntary admission after a temporary detention, and acquittal by reason of insanity must be forwarded to the state's central records exchange. Relief from disabilities orders must also be forwarded to the records exchange. Data that affects a person's eligibility to purchase, possess, or transfer a firearm shall be forwarded by VSP to the NICS.

2012/2013 Legislation An amendment eliminated the prohibition on purchasing more than one handgun in a 30-day period. Ch. 37 & 257, SB 323 (2012). The list of persons for whom it is illegal to sell, barter, give, or furnish a firearm if the seller knows that the person is prohibited from possessing or transporting a firearm was amended to add persons who are subject to certain mental health orders. Ch. 797, SB 1378 (2013).

Relevant Laws Code of Virginia: Title 18.2, Chapter 7, Article 7; §§ 19.2-169.2, 19.2-390 & 37.2-819.

Reviewing Agency Virginia State Police Firearms Transaction Program.

Firearms Information Website http://www.vsp.state.va.us/Firearms_VFTP.shtml

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Washington

Summary of Firearm Transfer Laws

December 31, 2013

Local agencies conduct NICS handgun transfer checks and NICS-alternative permit checks FBI conducts NICS long gun transfer checks

Transfer Permits State law does not require a permit to receive a transferred firearm. A Washington Concealed Pistol License (CPL) issued on or after July 22, 2011 has been qualified by ATF as an alternative to a NICS transfer check. However, state legislation has not yet been changed to indicate that background checks are not required when a person has a valid CPL. A CPL is valid for five years from the date of issue.

Background Checks County sheriffs and municipal police chiefs conduct background checks on applicants for a CPL. A license shall be issued to a qualified applicant within 30 days after the filing of an application, or up to 60 days for a person who lacks required identification or has not been a resident of the state for the previous 90 consecutive days.

Washington is a partial NICS Point-of-Contact for handgun transfers. A licensed dealer is required to deliver a handgun purchaser's application by certified mail, fax, or in person to the police chief of the municipality or the sheriff of the county of which the purchaser is a resident. The handgun may be delivered to the purchaser when the dealer is notified of an approval or after five business days have elapsed from the time of receipt of the application by the checking agency. The delivery waiting period may be extended for certain persons who lack required identification, are new state residents, have an outstanding warrant, or have a record with a missing disposition. If a handgun purchaser lacks a CPL, the sheriff or police chief checks state databases and the NICS. If a handgun purchaser has a CPL, the sheriff or police chief checks state databases and the dealer contacts the FBI for a NICS check. A dealer also contacts the FBI for a NICS check on a person with or without a CPL who purchases a long gun.

Waiting Period As explained above, there is not a fixed waiting period that applies to all transfers.

Transfer Permit and Background Check Fees The fee for an original CPL is \$36 plus any FBI charges passed on to the applicant. A renewal costs \$32.

Submission of False Information A person who knowingly makes a false statement regarding identity or eligibility requirements on the application to purchase a handgun, or makes a false statement regarding citizenship or identity on a CPL application, is guilty of false swearing.

Appeals of Denials An application may be made in the applicant's county of residence or in Thurston County for a writ of mandamus directing an agency to issue a wrongfully refused CPL, to approve a wrongfully denied application to purchase, or to correct erroneous information that caused a wrongful decision. A denial of a firearm transfer by the FBI may be appealed pursuant to federal law.

Retention of Records State law requires a police chief or sheriff to retain or destroy handgun purchase applications in accordance with the requirements of 18 U.S.C. 922. A dealer is required to send a copy of a handgun purchase application to the department of licensing and to retain a copy for six years. An issuing authority is required to send a copy of a CPL to the department of licensing and retain a copy for six years. The department may keep copies or records of CPL and handgun purchase applications.

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Registration No state requirement.

Other Transfer Regulations A state dealer's license is required for a person who is engaged in the business of selling firearms at wholesale or retail or who is required to have a federal firearms license. No person other than a licensed dealer may make any loan secured by a mortgage, deposit, or pledge of a pistol. Washington residents may purchase long guns in another state if such residents conform to federal law and are eligible to purchase or possess such weapons in Washington and in the state of purchase. Residents of other states may purchase long guns in Washington if they conform to federal law and are eligible to purchase or possess such weapons in Washington and in their state of residence.

Prohibited Firearms It is unlawful for any person to manufacture, own, buy, sell, loan, furnish, transport, or have in possession or under control any machine gun, short-barreled shotgun, or short-barreled rifle, except in certain circumstances.

Prohibited Persons A person is guilty of unlawful possession of a firearm in the first degree if the person owns, possesses, or controls any firearm after having been convicted or found not guilty by reason of insanity in Washington or elsewhere of any serious offense. It is unlawful possession of a firearm in the second degree if a person owns, possesses, or controls any firearm: after having been convicted or found not guilty by reason of insanity in Washington or elsewhere of any felony that is not a serious offense or of an offense committed by one family or household member against another; after having been involuntarily committed for mental health treatment under the laws of Washington or another jurisdiction; if the person is under 18 years of age (except in certain circumstances); or if the person is free on bond or personal recognizance pending trial, appeal, or sentencing for a serious offense. Offenders under the supervision of the department of corrections shall not own, use, or possess firearms. It is a felony for any person who is not a U.S. citizen to possess any firearm unless the person is a lawful permanent resident, has obtained an alien firearm license, or qualifies for an exemption. A person at least 18 years of age but less than 21 may possess a handgun only in certain places.

A CPL shall be issued unless the applicant: is ineligible to possess a firearm under state or federal law; has a CPL in revoked status; is under 21 years of age; is subject to a court order or injunction regarding firearms; is free on bond or personal recognizance pending trial, appeal, or sentencing for a felony offense; has an outstanding warrant for his or her arrest from any court of competent jurisdiction for a felony or misdemeanor; or has been ordered to forfeit a firearm under state law within one year before filing an application.

Mental Health Disposition Reporting Court records of persons who were found not guilty by reason of insanity or committed for mental health treatment must be transmitted within three judicial days to the department of licensing and to the NICS Index. Court orders that restore firearm rights must be transmitted within three judicial days to the department of licensing, the department of social and health services, and the NICS Index.

2012/2013 Legislation Various state agencies are required to participate in a work group convened to make a proposal for consolidation of statewide involuntary commitment data needed for verification of eligibility to possess a firearm. Ch. 216, SB 5282-S (2013).

Relevant Laws Revised Code of Washington Chapter 9.41.

Reviewing Agency Washington State Patrol.

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Firearms Information Website <http://www.dol.wa.gov/business/firearms/>

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West Virginia
Summary of Firearm Transfer Laws
December 31, 2013

FBI conducts NICS transfer checks

Transfer Permits State law does not require a permit to receive a transferred firearm.

Background Checks The state is not a NICS Point-of-Contact. Licensed firearms dealers in West Virginia are required to contact the FBI for all NICS transfer checks.

Waiting Period No state requirement.

Transfer Permit and Background Check Fees None.

Submission of False Information No relevant state law.

Appeals of Denials A person who is denied a transfer of a firearm by the FBI may appeal pursuant to federal law.

Retention of Records No state requirement.

Registration No state requirement.

Other Transfer Regulations None.

Prohibited Firearms It is unlawful for any person to carry, transport, or possess any machine gun or submachine gun or any other fully automatic weapon, unless the person has fully complied with federal statutes and rules.

Prohibited Persons State law prohibits possession of a firearm by a person who: has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year; is habitually addicted to alcohol; is an unlawful user of or habitually addicted to any controlled substance; has been adjudicated as a mental defective or involuntarily committed to a mental institution; is an alien illegally or unlawfully in the U.S.; has been dishonorably discharged from the armed forces; is subject to a domestic violence protective order that meets specified requirements; or has been convicted of a misdemeanor offense of assault or battery under West Virginia law or a federal or state statute that includes certain elements, or has been convicted in any court of any jurisdiction of a comparable misdemeanor crime of domestic violence. A person subject to the above prohibitions may petition the circuit court to regain the ability to possess a firearm, except that persons convicted of a domestic violence misdemeanor are prohibited from expungement of the conviction or restoration of firearm rights. It is also unlawful for a firearm to be possessed by a person who has been convicted in this state or any other jurisdiction of a felony crime of violence against the person of another, a felony sexual offense, or a felony controlled substance offense involving a Schedule I controlled substance other than marijuana or a Schedule II or a Schedule III controlled substance. Restoration of rights statutes do not apply to persons convicted of such offenses. A person under the age of 18 years who is not married or otherwise emancipated shall not possess a handgun except in certain circumstances. It is unlawful to knowingly sell, rent, give, or lend a firearm to a person prohibited by West Virginia or federal law.

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Mental Health Disposition Reporting The name of any person who has been adjudicated to be mentally defective or who has been committed for treatment of a mental illness shall be provided to the West Virginia State Police for inclusion in the central state mental health registry. Upon receipt of the information being received by the central state mental health registry, it may be transmitted to the NICS and to county sheriffs. If a court order restores a petitioner's ability to possess a firearm, state officials are required to remove the petitioner's name from the central registry and to inform the federal entity that operates the NICS.

2012/2013 Legislation An amendment clarifies that a domestic violence protective order must prohibit the respondent from possessing any firearm. HB 4307 (2012). The statute that allows a person to petition the circuit court for restoration of firearm rights was amended to clarify the information that must be provided to the court by the petitioner and the prosecuting attorney of the county. SB 507 (2012).

Relevant Laws West Virginia Code Chapter 61, Articles 7 and 7A.

Reviewing Agency West Virginia Supreme Court of Appeals.

Firearms Information Website <http://www.ago.wv.gov/gunreciprocity/Pages/default.aspx>

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Wisconsin Summary of Firearm Transfer Laws December 31, 2013

State conducts NICS handgun transfer checks
FBI conducts NICS long gun transfer checks

Transfer Permits Wisconsin law does not require a permit to receive a transferred firearm.

Background Checks The state is a partial NICS Point-of-Contact, with the Wisconsin Department of Justice (DOJ) conducting background checks required by state and federal law. State law requires a "firearms restriction record search" on a person who applies for a handgun transfer from a licensed firearms dealer. DOJ also conducts the check on a person who applies for a handgun transfer and a long gun transfer at the same time. Firearms dealers in Wisconsin must contact the FBI for a check on a person who applies for a long gun only transfer or redeems a pawned firearm.

Waiting Period A firearms dealer may not transfer a handgun until 48 hours have elapsed from the time that the firearms dealer has received a confirmation number regarding the firearms restrictions record search from DOJ and the dealer has not been notified that the transfer would be in violation of state law. If the search indicates a felony charge without a recorded disposition, the waiting period is extended to the end of the third complete working day commencing after the day on which the finding is made.

Transfer Permit and Background Check Fees DOJ charges a firearms dealer a \$10 fee, to be collected from the transferee, for each firearms restrictions record search.

Submission of False Information A transferee who intentionally fails to provide truthful information is subject to a fine and imprisonment.

Appeals of Denials A person who is denied a handgun may request a review by the DOJ Crime Information Bureau. The bureau's decision may be appealed to the Administrator of the Division of Law Enforcement Services. A further appeal may be filed in state court. A denial of a long gun transfer by the FBI may be appealed pursuant to federal law.

Retention of Records State law requires that DOJ destroy within 30 days all records regarding a firearms restriction record search that found a transferee not prohibited from possessing a firearm. DOJ may maintain records necessary to comply with federal law and a log of dates of requests for checks, along with confirmation, approval, disapproval, and dealer identification numbers. Within three years after issuing an approval number, DOJ shall destroy all corresponding information in the log.

Registration No state requirement.

Other Transfer Regulations It is lawful for a resident of Wisconsin or a corporation or other business entity maintaining a place of business in the state to purchase or otherwise obtain a rifle or shotgun in a contiguous state if the transfer complies with federal law and the laws of both states.

Prohibited Firearms No person may sell, possess, use, or transport any machine gun or other full automatic weapon, except in certain circumstances. No person may sell, offer to sell, transport, purchase,

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possess, or go armed with a short-barreled shotgun or short-barreled rifle, except in certain circumstances.

Prohibited Persons State law prohibits firearm possession by a person who has been: convicted of a felony in this state or of a similar crime elsewhere; adjudicated delinquent for an act committed on or after April 21, 1994 that would be a felony if committed by an adult in this state; found not guilty of a felony in this state by reason of mental disease or defect; found not guilty of or not responsible for a crime elsewhere that would be a felony in this state by reason of insanity or mental disease, defect or illness; ordered not to possess a firearm due to a specified mental health disposition; or enjoined or ordered not to possess a firearm under a state or tribal domestic abuse injunction. Some prohibited persons may be eligible for restoration of firearm rights. In addition, it is unlawful for any person under 18 years of age to possess a firearm except in certain circumstances. It is unlawful for any person to intentionally sell, loan, or give a firearm to a person under 18 years of age.

Mental Health Disposition Reporting DOJ maintains a database that includes a listing of persons ordered not to possess a firearm due to: a commitment after being found a danger to self or public safety; a commitment to treatment for alcoholism; having a guardian appointed for them; or an order for protective services or protective placement. The information is received from the circuit courts and provided in a timely manner to the NICS.

2012/2013 Legislation An amendment allows the department of justice to charge a firearms dealer a \$10 fee, to be collected from the transferee, for each firearms restrictions record search. Act 20, AB 40 (2013).

Relevant Laws Wisconsin Statutes § 175.30; § 175.35; § 941.20 et seq.; § 948.60. Wisconsin Administrative Code, Chapter Jus 10.

Reviewing Agency Wisconsin Department of Justice.

Firearms Information Website <http://www.doj.state.wi.us/dles/cib/firearms-unit>

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Wyoming

Summary of Firearm Transfer Laws

December 31, 2013

FBI conducts NICS transfer checks **State conducts NICS-alternative permit checks**

Transfer Permits State law does not require a permit to receive a transferred firearm. A Wyoming concealed firearm permit has been qualified by ATF as an alternative to a NICS transfer check. A permit is valid for five years from the date of issuance unless revoked.

Background Checks The State is not a NICS Point-of-Contact. Licensed firearms dealers in Wyoming are required to contact the FBI for all NICS transfer checks. The Wyoming Division of Criminal Investigation (DCI) conducts background checks on applicants for concealed firearm permits, after receiving applications from county sheriffs. Within 60 days after receiving a complete application, DCI shall either issue the permit or deny the application based upon statutory grounds.

Waiting Period No state requirement.

Transfer Permit and Background Check Fees The concealed firearm permit fee is \$64 and a fingerprint processing fee is also charged.

Submission of False Information A materially false answer to any question on a concealed firearm permit application or the submission of any materially false document may subject the applicant to criminal prosecution.

Appeals of Denials A person who is denied a concealed firearm permit may submit additional documentation and request reconsideration by DCI. A denied applicant may seek further review in state district court.

Retention of Records DCI is required to maintain an automated listing of permit holders and pertinent information that is available to all Wyoming law enforcement agencies.

Registration No state requirement.

Other Transfer Regulations None.

Prohibited Firearms None.

Prohibited Persons A concealed firearm permit shall be issued to any person who is a resident of the U.S. and has been a resident of Wyoming for not less than six months prior to filing the application (unless the person has a valid permit from another state), is at least 21 years of age, does not suffer from a physical infirmity which prevents the safe handling of a firearm, and is not ineligible to possess a firearm pursuant to federal or state law. Further, a permit shall be issued to any person who: has not been committed to a state or federal facility for the abuse of a controlled substance within one year prior to applying for a permit; has not been convicted of a felony violation of the Wyoming Controlled Substances Act or similar laws of any other state or the U.S. and has not been pardoned; has not been convicted of a misdemeanor violation of the Wyoming Controlled Substances Act or similar laws of any other state or the U.S. within one year prior to applying for a permit; does not chronically or habitually

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use alcoholic liquor to the extent that normal faculties are impaired; demonstrates familiarity with a firearm; is not currently adjudicated to be legally incompetent; and not been committed to a mental institution. DCI may deny a permit if the applicant has been found guilty of or has pled nolo contendere to one or more crimes of violence constituting a misdemeanor offense within the three year period prior to the date on which the application is submitted.

Wyoming law prohibits knowing possession of any firearm by any person who has previously pleaded guilty to or been convicted of committing or attempting to commit a violent felony, or a felony of intentionally and knowingly causing or attempting to cause bodily injury to a peace officer engaged in the lawful performance of official duties, and has not been pardoned.

Mental Health Disposition Reporting No relevant state law.

2012/2013 Legislation No relevant changes.

Relevant Laws Wyoming Statutes Title 6, Chapter 8, Article 1.

Reviewing Agency Wyoming State Attorney General's Office, Division of Criminal Investigation.

Firearms Information Website <http://wyomingdci.wyo.gov/dci-criminal-justice-information-systems-section/concealed-firearms-permits>

The summaries prepared for this publication should be used for general informational and educational purposes only. These summaries do not (and are not intended to) constitute legal advice. As such, readers are on notice that they should not rely on the information in the summaries as an alternative to legal advice from a qualified attorney. If you have questions regarding the subject matter covered by these summaries, you are advised to consult the state websites listed in the report and contact an appropriately qualified professional.

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The summaries prepared for this publication should be used for general informational and educational purposes only. These summaries do not (and are not intended to) constitute legal advice. As such, readers are on notice that they should not rely on the information in the summaries as an alternative to legal advice from a qualified attorney. If you have questions regarding the subject matter covered by these summaries, you are advised to consult the state websites listed in the report and contact an appropriately qualified professional.

TABLE 1

National Instant Criminal Background Check System (NICS) checking agencies, FBI or state point of contact (POC), for firearm transfers, December 31, 2013

State	FBI conducts checks for all firearms^a	POC conducts checks for all firearms	POC checks handguns FBI checks long guns
Total	30	13	7
Alabama	•	—	—
Alaska	•	—	—
Arizona	•	—	—
Arkansas	•	—	—
California	—	•	—
Colorado	—	•	—
Connecticut	—	•	—
Delaware	•	—	—
Florida	—	•	—
Georgia	•	—	—
Hawaii ^b	—	•	—
Idaho	•	—	—
Illinois	—	•	—
Indiana	•	—	—
Iowa ^b	—	—	•
Kansas	•	—	—
Kentucky	•	—	—
Louisiana	•	—	—
Maine	•	—	—
Maryland	—	—	•
Massachusetts	•	—	—
Michigan	•	—	—
Minnesota	•	—	—
Mississippi	•	—	—
Missouri	•	—	—
Montana	•	—	—
Nebraska ^b	—	—	•
Nevada	—	•	—
New Hampshire	—	—	•
New Jersey	—	•	—
New Mexico	•	—	—
New York	•	—	—
North Carolina ^b	—	—	•
North Dakota	•	—	—
Ohio	•	—	—
Oklahoma	•	—	—
Oregon	—	•	—
Pennsylvania	—	•	—
Rhode Island	•	—	—
South Carolina	•	—	—

TABLE 1

National Instant Criminal Background Check System (NICS) checking agencies, FBI or state point of contact (POC), for firearm transfers, December 31, 2013

State	FBI conducts checks for all firearms^a	POC conducts checks for all firearms	POC checks handguns FBI checks long guns
South Dakota	•	–	–
Tennessee	–	•	–
Texas	•	–	–
Utah	–	•	–
Vermont	•	–	–
Virginia	–	•	–
Washington ^b	–	–	•
West Virginia	•	–	–
Wisconsin	–	–	•
Wyoming	•	–	–

• Checks are conducted for transfers or permits required for transfers.

– Not applicable.

^aThe FBI also conducts all NICS checks for the District of Columbia, Guam, Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands.

^bStates with local agencies as points of contact.

TABLE 2

Types of background checks and permits for firearm transfers, December 31, 2013

Jurisdiction	Handgun transfers			Long gun transfers			Exempt carry permit ^d
	Instant check ^a	Purchase permit ^b	Other approval ^c	Instant check ^a	Purchase permit ^b	Other approval ^c	
Federal	•	—	—	•	—	—	—
Dist. of Columbia	—	•	—	—	•	—	—
State totals	13	12	5	11	4	2	20
Alabama	—	—	—	—	—	—	—
Alaska	—	—	—	—	—	—	•
Arizona	—	—	—	—	—	—	•
Arkansas	—	—	—	—	—	—	•
California	—	—	•	—	—	•	—
Colorado	•	—	—	•	—	—	—
Connecticut	•	•	—	•	—	—	—
Delaware	—	—	—	—	—	—	—
Florida	•	—	—	•	—	—	—
Georgia	—	—	—	—	—	—	•
Hawaii	—	•	—	—	•	—	—
Idaho	—	—	—	—	—	—	•
Illinois	•	•	—	•	•	—	—
Indiana	—	—	—	—	—	—	—
Iowa	—	•	—	—	—	—	•
Kansas	—	—	—	—	—	—	•
Kentucky	—	—	—	—	—	—	•
Louisiana	—	—	—	—	—	—	—
Maine	—	—	—	—	—	—	—
Maryland ^e	—	•	•	—	—	—	—
Massachusetts	—	•	—	—	•	—	—
Michigan	—	•	—	—	—	—	•
Minnesota ^f	—	•	•	—	—	—	•
Mississippi	—	—	—	—	—	—	•
Missouri	—	—	—	—	—	—	—
Montana	—	—	—	—	—	—	•
Nebraska	—	•	—	—	—	—	•
Nevada	•	—	—	•	—	—	•
New Hampshire	•	—	—	—	—	—	—
New Jersey	•	•	—	•	•	—	—
New Mexico	—	—	—	—	—	—	—
New York	—	•	—	—	—	—	—
North Carolina	—	•	—	—	—	—	•
North Dakota	—	—	—	—	—	—	•
Ohio	—	—	—	—	—	—	—
Oklahoma	—	—	—	—	—	—	—
Oregon	•	—	—	•	—	—	—
Pennsylvania	•	—	—	•	—	—	—
Rhode Island	—	—	•	—	—	•	—
South Carolina	—	—	—	—	—	—	•

This document is a research report submitted to the U.S. Department of Justice. This report has not been published by the Department. Opinions or points of view expressed are those of the author(s) and do not necessarily reflect the official position or policies of the U.S. Department of Justice.

TABLE 2**Types of background checks and permits for firearm transfers, December 31, 2013**

Jurisdiction	Handgun transfers			Long gun transfers			Exempt carry permit^d
	Instant check^a	Purchase permit^b	Other approval^c	Instant check^a	Purchase permit^b	Other approval^c	
South Dakota	-	-	-	-	-	-	-
Tennessee	•	-	-	•	-	-	-
Texas	-	-	-	-	-	-	•
Utah	•	-	-	•	-	-	•
Vermont	-	-	-	-	-	-	-
Virginia	•	-	-	•	-	-	-
Washington	-	-	•	-	-	-	-
West Virginia	-	-	-	-	-	-	-
Wisconsin	•	-	-	-	-	-	-
Wyoming	-	-	-	-	-	-	•

• Indicates type of check conducted or type of permit issued by agencies within the jurisdiction.

- Not applicable.

^a Require a seller to transmit a buyer's application to a checking agency by telephone or computer; the agency is required to respond immediately or as soon as possible.

^b Require a buyer to obtain, after a background check, a government-issued document such as a permit, license, or identification card that must be presented to a seller in order to receive a firearm.

^c Require a seller to transmit an application to a checking agency, with transfers delayed until a waiting period expires or the agency completes a check.

^d State concealed weapons permits, issued after a background check, that exempts the holder from a new check at the time of purchase under an ATF ruling or state law.

^e Handgun requirements also apply to transfers of certain assault weapons.

^f Handgun and assault weapon buyers may obtain a purchase permit or use the other approval process.

TABLE 3**Regulation of firearm transfers by licensed dealers and unlicensed transferors, December 31, 2013**

Jurisdiction	Handgun transfers		Long gun transfers	
	Licensed dealers ^a	Unlicensed transferors ^a	Licensed dealers ^a	Unlicensed transferors ^a
Federal	•	–	•	–
Dist. of Columbia	•	•	•	•
State totals	28	16	19	10
Alabama ^b	•	–	•	–
Alaska	–	–	–	–
Arizona	–	–	–	–
Arkansas	–	–	–	–
California	•	•	•	•
Colorado	•	•	•	•
Connecticut	•	•	•	•
Delaware ^b	•	•	•	•
Florida	•	–	•	–
Georgia ^b	•	–	•	–
Hawaii	•	•	•	•
Idaho	–	–	–	–
Illinois	•	•	•	•
Indiana ^b	•	–	–	–
Iowa	•	•	–	–
Kansas	–	–	–	–
Kentucky	–	–	–	–
Louisiana	–	–	–	–
Maine	–	–	–	–
Maryland ^c	•	•	–	–
Massachusetts	•	•	•	•
Michigan	–	•	–	–
Minnesota ^c	•	–	–	–
Mississippi	–	–	–	–
Missouri	–	–	–	–
Montana	–	–	–	–
Nebraska	•	•	–	–
Nevada ^d	•	–	•	–
New Hampshire	•	–	–	–
New Jersey	•	•	•	•
New Mexico	–	–	–	–
New York ^e	•	•	•	•
North Carolina	•	•	–	–
North Dakota	–	–	–	–
Ohio	–	–	–	–
Oklahoma	–	–	–	–
Oregon ^e	•	–	•	–
Pennsylvania	•	•	•	–
Rhode Island	•	•	•	•

TABLE 3**Regulation of firearm transfers by licensed dealers and unlicensed transferors, December 31, 2013**

Jurisdiction	Handgun transfers		Long gun transfers	
	Licensed dealers^a	Unlicensed transferors^a	Licensed dealers^a	Unlicensed transferors^a
South Carolina	–	–	–	–
South Dakota	–	–	–	–
Tennessee	•	–	•	–
Texas	–	–	–	–
Utah	•	–	•	–
Vermont	–	–	–	–
Virginia	•	–	•	–
Washington	•	–	–	–
West Virginia	–	–	–	–
Wisconsin	•	–	–	–
Wyoming	–	–	–	–

· Pursuant to the jurisdiction's laws, a buyer must present a permit or undergo a background check (or both) before the seller may transfer a firearm.

- Not applicable.

^a Includes transfers at any location unless otherwise noted.

^b State law requires licensed dealers to request NICS checks conducted by the FBI.

^c Handgun requirements also apply to transfers of certain assault weapons.

^d Unlicensed transferors are not required to request a background check but may do so voluntarily.

^e Unlicensed transferors at a gun show must request a background check; those at other locations may voluntarily request a check.

TABLE 4**Waiting periods and fees for firearm transfers and permits, December 31, 2013**

	Waiting period ^a		Checking agency fee ^b		
	Handgun transfer	Long gun transfer	Transfer check	Purchase permit	Exempt carry
Alaska	–	–	–	–	91.50
Arizona	–	–	–	–	60.00
Arkansas	–	–	–	–	100.00 ^c
California	10 days	10 days	19.00	–	–
Colorado	–	–	Varies	–	–
Connecticut	–	14 days	None	136.50 ^d	–
Dist. of Columbia	10 days	10 days	–	48.00	–
Florida	3 days	–	8.00	–	–
Georgia	–	–	–	–	35.00
Hawaii	14 days	14 days	–	Varies	–
Idaho	–	–	–	–	20.00 ^c
Illinois	3 days	1 day	2.00	10.00	–
Iowa	3 days	–	–	Varies	50.00 ^c
Kansas	–	–	–	–	132.50
Kentucky	–	–	–	–	60.00
Maryland	7 days ^e	–	20.00	50.00	–
Massachusetts	–	–	–	100.00	–
Michigan	–	–	–	None	105.00
Minnesota	7 days ^e	–	None	None	100.00
Mississippi	–	–	–	–	132.00
Montana	–	–	–	–	50.00
Nebraska	–	–	–	5.00	100.00
Nevada	–	–	25.00	–	60.00 ^c
New Hampshire	–	–	None	–	–
New Jersey	7 days	–	None	Varies	–
New York	–	–	–	Varies	–
North Carolina	–	–	–	5.00	80.00
North Dakota	–	–	–	–	60.00
Ohio	–	–	–	50.00	–
Oregon	–	–	10.00	–	–
Pennsylvania	–	–	5.00	–	–
Rhode Island	7 days	7 days	Varies	–	–
South Carolina	–	–	–	–	50.00
Tennessee	–	–	10.00	–	–
Texas	–	–	–	–	140.00
Utah	–	–	7.50	–	51.00
Virginia	–	–	5.00	–	–
Washington	–	–	None	–	–
Wisconsin	2 days	–	10.00	–	–
Wyoming	–	–	–	–	64.00 ^c

– State does not have a waiting period or that type of check or permit.

^aTime period after a transfer application is filed with a seller or a permit application is filed with a checking agency, which must expire before the transfer or issuance of the permit may be completed. The period may be waived or extended in some cases.

^bMaximum fee that may be charged by a checking agency for conducting a background check or issuing a permit. A reduced fee may be charged in some cases. Dealers may also charge a fee in some states.

^cChecking agency may add a fee for fingerprinting or other charges.

^dFee for a pistol permit; the fee for an eligibility certificate is \$101.50.

^eWaiting period also applies to an assault weapon transfer.

TABLE 5**Forums for appeals of firearm transfer and permit denials, December 31, 2013**

Jurisdiction	Type of check	Denying agency	Other agency	Court system
Federal	Instant check	•	–	•
Alaska	Exempt carry	•	–	–
Arizona	Exempt carry	•	–	•
Arkansas	Exempt carry	•	–	•
California	Other approval	•	–	–
Colorado	Instant check	•	–	–
Connecticut	Instant check	•	–	–
	Purchase permit	–	•	–
Dist. of Columbia	Purchase permit	•	–	•
Florida	Instant check	•	–	–
Georgia	Exempt carry	–	–	•
Idaho	Exempt carry	–	–	•
Illinois	Instant check	•	–	•
	Purchase permit	•	–	•
Iowa	Purchase permit	–	–	•
	Exempt carry	–	–	•
Kansas	Exempt carry	•	•	•
Kentucky	Exempt carry	•	–	•
Maryland	Other approval	•	–	•
Massachusetts	Purchase permit	–	–	•
Michigan	Purchase permit	–	–	•
	Exempt carry	–	–	•
Minnesota	Purchase permit	–	–	•
	Exempt carry	•	–	•
Mississippi	Exempt carry	•	–	•
Montana	Exempt carry	–	–	•
Nebraska	Purchase permit	–	–	•
	Exempt carry	•	–	•
Nevada	Instant check	•	–	–
	Exempt carry	–	–	•
New Hampshire	Instant check	•	–	•
New Jersey	Instant check	•	–	–
	Purchase permit	–	–	•
North Carolina	Purchase permit	–	–	•
	Exempt carry	–	–	•
North Dakota	Exempt carry	•	–	•
Oregon	Instant check	•	–	–
Pennsylvania	Instant check	•	•	•
South Carolina	Exempt carry	•	–	–
Tennessee	Instant check	•	–	–
Texas	Exempt carry	–	–	•
Utah	Instant check	•	–	–
	Exempt carry	–	•	–
Virginia	Instant check	•	–	•
Washington	Other approval	–	–	•
Wisconsin	Instant check	•	–	•
Wyoming	Exempt carry	•	–	•

• Statute or regulation provides a specific procedure to appeal a denial.

- Not applicable.

TABLE 6
Prohibited and restricted firearms, December 31, 2013

Jurisdiction	Assault weapon	Machine gun	Short barrel rifle	Short barrel shotgun	Unsafe handgun	Other types^a
Federal	—	•	•	•	—	•
Dist. of Columbia	•	•	•	•	•	•
State totals	9	39	32	40	6	11
Alabama	—	—	•	•	—	—
Alaska	—	•	•	•	—	—
Arizona	—	•	•	•	—	—
Arkansas	—	•	•	•	—	•
California	•	•	•	•	•	•
Colorado	—	•	•	•	—	—
Connecticut	•	•	—	•	—	—
Delaware	—	•	—	•	—	—
Florida	—	•	•	•	—	—
Georgia	—	•	•	•	—	—
Hawaii	•	•	•	•	•	—
Idaho	—	—	—	—	—	—
Illinois	—	•	•	•	•	•
Indiana	—	•	—	•	—	—
Iowa	—	•	•	•	—	•
Kansas	—	•	—	•	—	—
Kentucky	—	—	—	—	—	—
Louisiana	—	•	•	•	—	—
Maine	—	•	—	—	—	—
Maryland	•	•	•	•	•	—
Massachusetts	•	•	•	•	•	—
Michigan	—	•	•	•	—	—
Minnesota	—	•	—	•	•	—
Mississippi	—	—	—	—	—	—
Missouri	—	•	•	•	—	—
Montana	—	—	•	•	—	—
Nebraska	—	•	•	•	—	—
Nevada	—	•	•	•	—	—
New Hampshire	—	—	—	—	—	—
New Jersey	•	•	—	•	—	—
New Mexico	—	—	—	—	—	—
New York	•	•	•	•	—	•
North Carolina	—	•	•	•	—	•
North Dakota	—	•	•	•	—	—
Ohio	—	•	•	•	—	•
Oklahoma	—	—	•	•	—	—
Oregon	—	•	•	•	—	—
Pennsylvania	—	•	—	•	—	•
Rhode Island	—	•	•	•	—	—
South Carolina	•	•	•	•	—	—
South Dakota	—	•	—	•	—	—

TABLE 6
Prohibited and restricted firearms, December 31, 2013

Jurisdiction	Assault weapon	Machine gun	Short barrel rifle	Short barrel shotgun	Unsafe handgun	Other types^a
Tennessee	–	•	•	•	–	–
Texas	–	•	•	•	–	•
Utah	–	–	–	–	–	–
Vermont	–	–	–	–	–	•
Virginia	•	•	•	•	–	•
Washington	–	•	•	•	–	–
West Virginia	–	•	–	–	–	–
Wisconsin	–	•	•	•	–	–
Wyoming	–	–	–	–	–	–

Note: See Glossary for definitions of firearm types. The table does not include firearm accessories.

· Possession is prohibited or allowed only in certain circumstances, or there is a registration requirement.

- Not applicable.

^aSee jurisdictional summaries for details

TABLE 7

Prohibited persons: statutory basis for denial of firearm transfers or possession, December 31, 2013

Jurisdiction	Felony^a	Misde- meanor^b	Fugitive	Mental health^c	Court order^d	Drug abuse^e	Alcohol abuse^e	Minor age	Juvenile offense	Aliens^f
Federal	•	•	•	•	•	•	–	•	–	•
Dist.of Columbia	•	•	–	•	•	•	•	•	–	–
State totals	49	28	15	34	28	31	20	49	27	17
Alabama	•	–	–	•	–	•	•	•	–	–
Alaska	•	–	–	–	•	•	•	•	•	–
Arizona	•	•	–	•	–	–	–	•	•	•
Arkansas	•	–	–	•	•	–	–	•	–	–
California	•	•	–	•	•	•	–	•	•	–
Colorado	•	–	–	–	–	–	–	•	•	–
Connecticut	•	•	–	•	•	–	–	•	•	•
Delaware	•	•	•	•	•	•	•	•	•	–
Florida	•	•	–	•	•	•	•	•	•	–
Georgia	•	•	–	–	–	–	–	•	•	–
Hawaii	•	•	•	•	•	•	•	•	•	•
Idaho	•	–	–	–	–	–	–	•	–	–
Illinois	•	•	–	•	•	•	–	•	•	•
Indiana	•	•	–	•	•	•	•	•	•	–
Iowa	•	•	–	–	•	–	–	•	•	–
Kansas	•	–	–	•	–	•	•	•	•	–
Kentucky	•	–	–	–	–	–	–	•	•	–
Louisiana	•	•	–	–	–	–	–	•	–	–
Maine	•	–	–	•	•	–	–	•	•	–
Maryland	•	•	•	•	•	•	•	•	•	–
Massachusetts	•	•	•	•	•	•	•	•	•	•
Michigan	•	•	–	•	•	–	–	•	–	•
Minnesota	•	•	•	•	–	•	–	•	•	•
Mississippi	•	–	–	–	–	•	•	•	–	–
Missouri	•	–	•	•	–	•	•	•	–	–
Montana	•	•	–	–	•	–	–	•	–	–
Nebraska	•	•	•	–	•	–	–	•	–	–
Nevada	•	–	•	•	•	•	–	•	–	•
New Hampshire	•	–	–	–	•	•	–	•	–	–
New Jersey	•	•	–	•	•	•	•	•	•	–
New Mexico	•	–	–	–	–	–	–	•	–	–
New York ⁹	•	•	•	•	•	•	–	•	–	•
North Carolina	•	–	•	•	•	•	–	•	–	•
North Dakota	•	•	–	•	–	–	–	•	–	–
Ohio	•	–	•	•	–	•	•	•	•	–
Oklahoma	•	–	–	•	–	•	•	•	•	–
Oregon	•	•	•	•	–	–	–	•	•	–
Pennsylvania	•	•	•	•	•	•	•	•	•	•
Rhode Island	•	–	•	•	•	•	•	•	–	•
South Carolina	•	–	•	•	–	•	•	•	–	•
South Dakota	•	•	–	–	–	•	–	•	–	–
Tennessee	•	•	–	•	•	•	•	•	–	–

TABLE 7**Prohibited persons: statutory basis for denial of firearm transfers or possession, December 31, 2013**

Jurisdiction	Felony^a	Misde- meanor^b	Fugitive	Mental health^c	Court order^d	Drug abuse^e	Alcohol abuse^e	Minor age	Juvenile offense	Aliens^f
Texas	•	•	–	–	•	•	•	•	–	–
Utah	•	–	–	•	–	•	–	•	•	•
Vermont	–	–	–	–	–	–	–	•	–	–
Virginia	•	•	–	•	•	•	–	•	•	•
Washington	•	•	–	•	–	•	–	•	•	•
West Virginia	•	•	–	•	•	•	•	•	–	•
Wisconsin	•	–	–	•	•	–	–	•	•	–
Wyoming	•	–	–	–	–	–	–	–	–	–

Note: Does not include state laws that incorporate federal prohibitions. Types of firearms covered by statutes varies.

• Indicates a basis under the jurisdiction's laws for prohibition of firearm transfers or possession or for denial of a permit required for a firearm transfer. Concealed carry permit restrictions are not included.

– Not applicable.

^aAn offense with a penalty of imprisonment for 1 year or more, or designated a felony by law.

^bAn offense with a penalty of incarceration for less than 1 year, or designated a misdemeanor by law.

^cIncludes adjudications of mental illness or incapacity, and involuntary or voluntary commitments for inpatient or outpatient mental health treatment.

^dAn order to prevent domestic violence, witness intimidation, stalking, or other criminal acts.

^eA substance-related conviction, addiction to a substance, or intoxication during a firearm transfer.

^fAn illegal alien or a non-U.S. citizen not entitled to an exception that allows firearm possession.

^gProhibitions concerning fugitives, drug abusers, and aliens became effective on January 15, 2014.

TABLE 8**Minors: firearm transfer and possession restrictions based on age or juvenile offender status, December 31, 2013**

Jurisdiction	Minimum age for unrestricted transfer and possession		Juvenile offender restrictions	
	Handgun	Long gun	Handgun	Long gun
Federal	21	18	–	–
Dist. of Columbia	21	21	–	–
State totals	–	–	27	24
Alabama	18	–	–	–
Alaska	18	18	•	–
Arizona	18	18	•	•
Arkansas	18	18	–	–
California	21	18	•	•
Colorado	18	18	•	•
Connecticut	21	18	•	•
Delaware	21	18	•	•
Florida	18	18	•	•
Georgia	18	–	•	–
Hawaii	21	21	•	•
Idaho	18	18	–	–
Illinois	21	21	•	•
Indiana	18	18	•	–
Iowa	21	18	•	•
Kansas	18	–	•	•
Kentucky	18	–	•	•
Louisiana	18	18	–	–
Maine	18	18	•	•
Maryland	21	18	•	•
Massachusetts	21	18	•	•
Michigan	21	18	–	–
Minnesota	18	18	•	•
Mississippi	18	18	–	–
Missouri	18	18	–	–
Montana	14	14	–	–
Nebraska	21	18	–	–
Nevada	18	18	–	–
New Hampshire	18	–	–	–
New Jersey	21	18	•	•
New Mexico	19	–	–	–
New York	21	16	–	–
North Carolina	18	12	–	–
North Dakota	18	–	–	–
Ohio	21	18	•	•
Oklahoma	18	18	•	•
Oregon	18	18	•	•
Pennsylvania	18	18	•	•
Rhode Island	21	18	–	–

TABLE 8**Minors: firearm transfer and possession restrictions based on age or juvenile offender status, December 31, 2013**

Jurisdiction	Minimum age for unrestricted transfer and possession		Juvenile offender restrictions	
	Handgun	Long gun	Handgun	Long gun
South Carolina	18	–	–	–
South Dakota	18	–	–	–
Tennessee	18	18	–	–
Texas	18	18	–	–
Utah	18	18	•	•
Vermont	16	16	–	–
Virginia	18	18	•	•
Washington	21	18	•	•
West Virginia	18	–	–	–
Wisconsin	18	18	•	•
Wyoming	–	–	–	–

Note: Ages indicate that the jurisdiction has no restriction on purchase or possession by or transfer to persons over that age. Concealed carry permit age requirements are not included.

• A restriction on persons who were adjudicated delinquent or committed an offense that would cause a firearm prohibition if committed by an adult.

– Not applicable.

TABLE 9**Mental health disposition reporting required by law, December 31, 2013**

State	Reporting agencies ^a		Reporting required to	
	Courts	Mental institutions	State agency	FBI / NICS
Total	37	11	35	30
Alabama	•	–	•	•
Alaska	–	–	–	–
Arizona	•	–	•	–
Arkansas	•	–	•	–
California	•	•	•	–
Colorado	•	–	•	–
Connecticut	•	•	•	•
Delaware	–	•	–	•
Florida	•	–	•	•
Georgia	•	–	•	•
Hawaii ^b	–	•	–	–
Idaho	•	–	•	•
Illinois	•	•	•	•
Indiana	•	•	•	•
Iowa	•	–	•	•
Kansas	•	–	•	•
Kentucky	•	–	•	•
Louisiana	•	–	•	•
Maine	•	–	•	•
Maryland	•	•	–	•
Massachusetts	–	–	–	–
Michigan	•	–	•	–
Minnesota	•	–	•	•
Mississippi	–	–	–	–
Missouri	•	–	•	•
Montana	–	–	–	–
Nebraska	•	–	•	–
Nevada	•	–	•	•
New Hampshire	–	–	–	–
New Jersey	•	–	•	•
New Mexico	–	–	–	–
New York	•	•	•	•
North Carolina	•	–	–	•
North Dakota	•	–	•	•
Ohio	•	•	•	–
Oklahoma	–	–	–	–
Oregon	•	•	•	•
Pennsylvania	•	–	•	•
Rhode Island	–	–	–	–
South Carolina	•	–	•	•
South Dakota	–	–	–	–
Tennessee	•	•	•	•
Texas	•	–	•	•

TABLE 9**Mental health disposition reporting required by law, December 31, 2013**

State	Reporting agencies ^a		Reporting required to	
	Courts	Mental institutions	State agency	FBI / NICS
Utah	•	–	•	–
Vermont	–	–	–	–
Virginia	•	–	•	•
Washington	•	–	•	•
West Virginia	•	–	•	•
Wisconsin	•	–	•	•
Wyoming	–	–	–	–

Note: See state summaries for types of dispositions required to be reported. Table does not include voluntary reporting procedures.

- Not applicable.

^aFederal agencies are required to report dispositions to the FBI/NICS. The District of Columbia does not have a reporting requirement.

^bState law requires reporting to county chiefs of police for background checks.

TABLE 10**New and amended firearm transfer laws enacted in 2012**

Jurisdiction	Bill summary	Topic
California	A peace officer serving a protective order indicating that a respondent possesses a firearm must request that the firearm be immediately surrendered. The court is required to determine if the proposed subject of the order has a registered firearm. Chapter 765, SB 1433.	Prohibited persons
District of Columbia	The requirements for obtaining a firearm registration certificate were amended, which included repealing the requirement for a vision test and providing that an individual who is legally blind may not register a firearm. L19-0170, B19-0614.	Prohibited persons
District of Columbia	A new subsection provides that any declaration, certificate, verification, or statement made for purposes of firearm registration shall be made under penalty of perjury. L19-0170, B19-0614.	Submission of false information
Florida	An amendment provides that a person may not possess any firearm if a final injunction is currently in force to restrain that person from committing acts of stalking or cyberstalking. Chapter 153, HB 1099.	Prohibited persons
Kentucky	A new section makes it a crime to engage in a fraudulent firearm transaction by knowingly soliciting a firearm transfer that is illegal, providing false information to a seller, or procuring another to engage in prohibited conduct. Ch. 121, HB 563.	Submission of false information
Louisiana	A new law makes it a crime for a person to knowingly solicit a firearm sale that is illegal, provide false information to a seller with intent to deceive, or willfully procure another person to engage in prohibited conduct. Act 335, SB 572.	Submission of false information
Maryland	Amendments prohibit a person from possessing a regulated firearm, rifle, or shotgun if the person was previously convicted of an offense under the laws of another state or the United States that would constitute a crime of violence or a violation of specified provisions of law if committed in Maryland. Chapter 276, SB 640.	Prohibited persons
Michigan	An individual who purchases a pistol from a federally licensed firearms dealer in compliance with 18 USC 922(t) is no longer required to obtain a license to purchase. PA 377, HB 5225.	Transfer permits
Michigan	An amendment allows residents of Michigan to purchase long guns in any state and allows residents of any state to purchase long guns in Michigan if the sale conforms to federal law and the laws of the state of purchase. PA 378, SB 984.	Other transfer regulations
Mississippi	A new law makes it a crime to knowingly solicit a licensed dealer or private seller to transfer a firearm unlawfully, or to provide materially false information to a firearm seller. Ch. 494, HB 353.	Submission of false information
Nebraska	An amendment provides that a court may issue a domestic abuse protection order that enjoins the respondent from possessing or purchasing a firearm. LB 310.	Prohibited persons

TABLE 10**New and amended firearm transfer laws enacted in 2012**

Jurisdiction	Bill summary	Topic
New Mexico	The statute that allowed residents of New Mexico to purchase firearms in contiguous states and allowed residents of contiguous states to purchase firearms in New Mexico was repealed. SB 26.	Other transfer regulations
South Carolina	The article that regulated retail dealers of handguns was repealed, including a provision that prohibited sales of unsafe handguns. The requirement that restricted South Carolina residents to purchasing long guns in contiguous states was removed so that purchases may be made in any state. H 4494.	Other transfer regulations
South Dakota	For purposes of prohibited person laws, the term firearm was clarified by amendment to specifically include any antique firearm and any muzzle loading rifle, shotgun, or pistol, including muzzle loading weapons that are designed to use black powder or a black powder substitute and cannot use fixed ammunition. HB 1198.	Prohibited persons
Utah	An amendment makes it a crime for a person to sell, transfer, or otherwise dispose of any firearm to any person, knowing or having reasonable cause to believe that the recipient is a prohibited person. Ch. 317, HB 395.	Prohibited persons
Virginia	An amendment eliminates the prohibition on purchasing more than one handgun in a 30-day period. Chapters 37 & 257, SB 323, HB 940.	Other transfer regulations
West Virginia	The license to carry a deadly weapon statute was amended to require that, for both initial and renewal applications, a county sheriff shall check the NICS and West Virginia criminal history records. SB 353.	Background checks
West Virginia	An amendment clarifies that a domestic violence protective order must prohibit the respondent from possessing any firearm. HB 4307.	Prohibited persons
West Virginia	The statute that allows a person to petition the circuit court for restoration of firearm rights was amended to clarify the information that must be provided to the court by the petitioner and the prosecuting attorney of the county. SB 507.	Mental health disposition reporting

TABLE 11**New and amended firearm transfer laws enacted in 2013**

Jurisdiction	Bill summary	Topic
United States	The ban on firearms that cannot be detected by airport x-ray machines was extended for ten years. PL 113-57, HR 3626.	Prohibited firearms
Alabama	If a probate judge's order for involuntary commitment is based on evidence that the committed person has a history of inappropriate use of a dangerous instrument or deadly weapons or has threatened to use firearms or other dangerous weapons, an amendment provides that the order shall be immediately forwarded to the state's criminal justice information center for entry into the NICS. Act 290, SB 133.	Mental health disposition reporting
Arkansas	A new section makes it unlawful to provide false information to a licensed dealer or private seller with a purpose to deceive the dealer or seller concerning the lawfulness of a transfer of a firearm. Act 507, HB 1503.	Submission of false information
Arkansas	An amendment makes a denial of a concealed handgun license application subject to the state's administrative procedures act. Act 1328, SB 1111.	Appeals of denials
California	The ten-day waiting period for a firearm may be extended up to 30 days to determine the outcome of a mental health evaluation or a criminal arrest or charge, or to determine if the purchase would violate the state's one handgun in 30 days limit. Ch. 737, AB 500.	Waiting period
California	The requirement of obtaining a safety certificate before purchasing a handgun was expanded to include most long gun sales, effective January 1, 2015. Ch. 761, AB 683.	Other transfer regulations
California	An amendment provides that only individuals, not other legal entities, may obtain a permit to acquire an assault weapon or a 50-caliber BMG rifle. Ch. 729, AB 170.	Prohibited firearms
California	A person who communicates a serious threat of physical violence against a reasonably identifiable victim to a licensed psychotherapist is now prohibited from possessing a firearm for five years, an increase from the six months mandated by prior law. Ch. 747 AB 1131.	Prohibited persons
Colorado	A new law requires any person who seeks to transfer possession of a firearm and is not a licensed gun dealer to arrange for a licensed dealer to obtain the required background check on the prospective transferee. HB 1229.	Background checks
Colorado	The Colorado Bureau of Investigation is now required to recoup the cost of performing an instant criminal background check by charging a fee to a prospective transferee. HB 1228.	Fees
Colorado	The state court administrator is now required to electronically report certain mental health orders to the Colorado Bureau of Investigation. New procedures have also been established for subsequent changes to a court record and for relief from a firearms disability caused by a mental health record. HB 1229.	Mental health disposition reporting

TABLE 11
New and amended firearm transfer laws enacted in 2013

Jurisdiction	Bill summary	Topic
Connecticut	An eligibility certificate is needed to acquire a long gun if a transferee lacks a pistol permit or handgun eligibility certificate, beginning April 1, 2014. An applicant for a long gun eligibility certificate must be at least 18 years of age. PA 13-3, PA 13-220.	Transfer permits
Connecticut	Before a private transfer of a long gun may occur, a background check on the transferee must be conducted by the state's special licensing and firearms unit. PA 13-3, PA 13-220.	Background checks
Connecticut	A two-week waiting period for certain long gun transfers will be eliminated, starting April 1, 2014, the date the requirement to present a state-issued credential for all non-exempt long gun transfers takes effect. PA 13-3.	Waiting period
Connecticut	The list of banned assault weapons was expanded. Anyone who, before April 4, 2013, lawfully possessed a newly banned weapon may keep it by applying to register it with the state police by January 1, 2014. PA 13-3, PA 13-220.	Prohibited firearms
Connecticut	A person who was confined in a psychiatric hospital by probate court order within the preceding 60 months (12 months under prior law) or voluntarily admitted to a psychiatric hospital during the preceding six months (except for alcohol or drug treatment admissions) is now ineligible for a pistol permit, eligibility certificate, or ammunition certificate. PA 13-3.	Prohibited persons
Delaware	Amendments require that a criminal history background check be performed in connection with the sale or transfer of a firearm between unlicensed persons, except in certain circumstances. Background checks would be performed by licensed firearms dealers. 79 Del. Laws, c. 20; HB 35.	Background checks
Florida	An amendment broadens the definition of a person who cannot be sold a firearm due to a commitment to a mental institution to include a person who has an involuntary examination and is then voluntarily admitted for outpatient or inpatient treatment, if certain conditions are met. Ch. 249, HB 1355.	Prohibited persons
Florida	A person's agreement to voluntary admission to a mental institution must be filed with the county court clerk and presented to a judge or magistrate for review. If the review determines that the person is an imminent danger to self or others, the record must be submitted to the department of law enforcement. Ch. 249, HB 1355.	Mental health disposition reporting
Hawaii	In order to register a firearm procured out-of-state, an individual must pay the FBI fingerprint fee (unless prints are already on file) and undergo a background check. The time period to register such a firearm was extended to five days. Act 254, SB 69.	Registration
Idaho	A new section provides for an enhanced concealed weapon license with more rigorous training requirements. Ch. 242, HB 192.	Transfer permits

TABLE 11
New and amended firearm transfer laws enacted in 2013

Jurisdiction	Bill summary	Topic
Illinois	Any unlicensed person who desires to transfer a firearm to another unlicensed person is required to contact the Illinois State Police, or enlist a licensed dealer to do so, in order to verify the prospective transferee's eligibility to receive the firearm. PA 0508, HB 1189.	Background checks
Illinois	A licensed firearms dealer may charge a fee not to exceed \$10 for processing a transaction between unlicensed persons. PA 0508, HB 1189.	Fees
Kansas	An amendment clarifies that the expungement of a prior felony conviction does not relieve the individual of complying with any state or federal law relating to the use, shipment, transportation, receipt, or possession of firearms by a person previously convicted of a felony. SB 21.	Prohibited persons
Kentucky	The time period allowed for the Kentucky State Police to issue a concealed firearms license or deny an application was reduced from 90 days to 60 days. Ch. 73, SB 150.	Background checks
Louisiana	Laws that prohibited the possession or transfer of certain types of firearms without prior approval of the department of public safety and corrections were repealed. An amended law prohibits the possession or transfer of any firearm that has not been registered or transferred in accordance with federal law. Act 398, HB 277.	Prohibited firearms
Louisiana	Each district clerk of court is required, as of January 1, 2014, to report to the state supreme court for forwarding to the NICS database the names and other identifying information of adults who are prohibited from possessing a firearm under state or federal law due to certain convictions and mental health adjudications. A judgment that restores a person's firearm rights shall be reported and forwarded in the same manner. Act 403, HB 717.	Mental health disposition reporting
Maryland	A handgun qualification license issued by the state police for 10 years is now required to purchase, rent, or receive a handgun. Ch. 427, SB 281.	Transfer permits
Maryland	A person who moves into the state with the intent of residency must register all regulated firearms with the state police within 90 days of establishing residency. Ch. 427, SB 281.	Registration
Maryland	In addition to assault pistols, assault long guns and copycat weapons are now designated as "assault weapons" and prohibited, with certain exceptions. Ch. 427, SB 281.	Prohibited firearms
Maryland	Amendments added to the types of mental health dispositions that disqualify a person from possessing a regulated firearm or a long gun. Ch. 427, SB 281.	Prohibited persons
Maryland	Courts and mental health care facilities are now required to report dispositions that disqualify a person from possessing a firearm to the NICS, through a secure state portal. Ch. 427, SB 281.	Mental health disposition reporting

TABLE 11**New and amended firearm transfer laws enacted in 2013**

Jurisdiction	Bill summary	Topic
Minnesota	A new subdivision requires a court to provide information to the NICS on a person who is charged with a crime of violence and placed in a pretrial diversion program, and on a person who is convicted of a gross misdemeanor that disqualifies the person from possessing a firearm. Ch. 86, SF 671.	Mental health disposition reporting
Mississippi	An amendment allows a concealed handgun license to be obtained by a person who is not yet 21 years of age but is at least 18 years of age and is a member or veteran of the U.S. armed forces. HB 2.	Transfer permits
Montana	An amendment designates all information on a concealed weapons permit application to be confidential criminal justice information. Ch. 111, SB 145.	Submission of false information
New Jersey	A person who unlawfully possessed a handgun, long gun, or assault firearm on August 8, 2013, was given 180 days to transfer or surrender the firearm. Ch. 117, A3796.	Prohibited firearms
New Jersey	The list of persons prohibited from obtaining a handgun purchase permit or a firearms purchaser identification card was amended to add persons who are named on the FBI's terrorist watch list. Ch. 114, A3687.	Prohibited persons
New Jersey	A new law directs state officials to collect such data as may be required to determine if a person is disqualified from possessing or receiving a firearm under federal or state law, and to transmit such data to the NICS. Ch. 115, A3717.	Mental health disposition reporting
New York	All handgun licenses are now required to be recertified to the state police every five years after the date of issuance. Ch. 1, S2230.	Transfer permits
New York	A new article provides that a private transfer may not occur unless a NICS check on the transferee is conducted by a licensed dealer. Ch. 1, S2230.	Background checks
New York	A new section authorizes a statewide license and records database to be maintained by the state police. Ch. 1, S2230.	Retention of records
New York	A "one-feature" test is now used to define an assault weapon. All assault weapons, as newly defined and formerly defined, must be registered by January 15, 2014, or transferred to a licensed firearms dealer or an out-of-state buyer. Ch. 1, S2230.	Registration
New York	An amendment provides that a handgun license shall not be issued to a person who: is a fugitive from justice; is an illegal or unlawful alien; has been dishonorable discharged from the armed forces; has renounced U.S. citizenship; has been involuntarily committed or civilly confined to a mental hygiene facility; or had a guardian appointed. Ch. 1, S2230.	Prohibited persons
New York	Records of certain persons subject to guardianship must now be transmitted to a state agency for the purposes of determining eligibility to possess a license or a firearm. Ch. 1, S2230.	Mental health disposition reporting

TABLE 11**New and amended firearm transfer laws enacted in 2013**

Jurisdiction	Bill summary	Topic
North Carolina	The scope of the offense of allowing access by a child under the age of 12 to a firearm was expanded to any person, not just a parent, guardian, or person standing in loco parentis. SL 369, HB 937.	Prohibited persons
North Carolina	The scope of the offense of possession of a firearm by persons acquitted of certain crimes by reason of insanity or persons determined to be incapable to proceed with a criminal case was narrowed to exempt persons whose firearm rights have been restored. SL 369, HB 937.	Prohibited persons
North Dakota	A new subsection requires a concealed weapons license applicant to undergo a NICS check. Ch.491, HB 1327.	Background checks
North Dakota	An amendment provides that offenses involving the use of alcohol or narcotics must have been committed within ten years prior to the date of a concealed weapons license application in order to disqualify the applicant. Ch. 491, HB 1327.	Prohibited persons
Rhode Island	The punishment for giving false information in securing a firearm or license was amended by adding the possibility of a fine. Ch. 455 & 464; S0860, H5991.	Submission of false information
South Carolina	A new section provides that it is unlawful for a person who has been adjudicated as a mental defective or committed to a mental institution to ship, transport, possess, or receive a firearm or ammunition. Act 22, H3560.	Prohibited persons
South Carolina	A new section requires a court to submit information of persons who have been adjudicated as a mental defective or committed to a mental institution to the State Law Enforcement Division (SLED), for forwarding to the NICS. The court is also required to submit an order that removes a firearm prohibition to SLED for forwarding to the NICS. Act 22, H3560.	Mental health disposition reporting
Tennessee	A new section requires an inpatient treatment facility to report data on an involuntarily committed person to local law enforcement. The law enforcement agency is required to report the information to the NICS Index and the state department of safety. Ch. 300, SB 789.	Mental health disposition reporting
Texas	A new subchapter authorizes a person whose guardianship was terminated because the person's capacity was completely restored to file an application with the court that created the guardianship for an order requesting the removal of the person's disability to purchase a firearm imposed under federal law. HB 2407.	Prohibited persons
Utah	A new section allows a person to petition a court to remove a firearm disability related to mental health. If a petition is granted, the person's name must be removed from state databases. If ATF approves the state's removal process, the person's name will also be removed from the NICS Index. Ch. 424, SB 0080.	Mental health disposition reporting

TABLE 11**New and amended firearm transfer laws enacted in 2013**

Jurisdiction	Bill summary	Topic
Virginia	The list of persons to whom it is illegal to transfer a firearm if the seller knows that the person is prohibited from possessing or transporting a firearm was amended to add persons who were: found legally incompetent or mentally incapacitated; involuntarily admitted to a mental health facility or sent for involuntary outpatient treatment; or subject to a temporary detention order and subsequently agreed to voluntary admission to a mental health facility. Ch. 797, SB 1378.	Prohibited persons
Washington	Various state agencies are required to participate in a work group convened to make a proposal for consolidation of statewide involuntary commitment data needed for verification of eligibility to possess a firearm. Ch. 216, SB 5282-S.	Mental health disposition reporting
Wisconsin	An amendment provides that the department of justice shall charge a firearms dealer a \$10 fee, to be collected from the transferee, for each firearms restrictions record search. Act 20, AB 40.	Fees

APPENDIX**Citations to federal and state firearm transfer laws, December 31, 2013**

Jurisdiction	Title of laws	Main sections
Federal	U. S. Code	18 U.S.C. Chapter 44; 22 U.S.C. 2278; 26 U.S.C. Chapter 53
Alabama	Code	§ 13A-11-50 et seq.; § 22-52-10.8; § 41-9-649
Alaska	Statutes	§ 11.61.200; § 11.61.210; § 11.61.220; § 18.65.700 et seq.; § 18.66.100
Arizona	Revised Statutes	§ 13-3101 et seq.; § 36-540
Arkansas	Code	§ 5-73-101 et seq.; § 5-73-301 et seq.; § 12-12-209; § 16-85-716
California	Codes	Penal Part 6, Title 4; Welfare & Institutions Div. 8, Ch. 3
Colorado	Revised Statutes	Title 12, Articles 26, 26.1 & 27; Title 13, Article 5, §§ 142 & 142.5; Title 18, Article 12; Title 24, Article 33.5, § 424
Connecticut	General Statutes	§ 17a-500; § 29-27 et seq.; § 53-202 et seq.; § 53-217a et seq.
Delaware	Code	§ 11-1441 et seq.; § 16-5161; § 24-901 et seq.
Dist. of Columbia	Official Code	§ 7-2502.01 et seq.; § 22-4508
Florida	Statutes	Chapter 790
Georgia	Official Code	Title 10, Ch. 1, Art. 6; Title 16, Ch. 11, Art. 4; Title 43, Ch. 16
Hawaii	Revised Statutes	Title 10, Chapter 134
Idaho	Code	Title 18, Chapter 33; Title 66, Chapter 3
Illinois	Compiled Statutes	§ 405:5/6-130.1; § 430:65/0.01 et seq.; § 720:5/24-1 et seq.
Indiana	Code	§ 34-26-2-12; § 35-47-1-1 et seq.
Iowa	Code	§ 702.7; § 724.1 et seq.
Kansas	Statutes	Chapter 21, Article 63; Chapter 75, Article 7c
Kentucky	Revised Statutes	Chapters 237 and 527
Louisiana	Revised Statutes	§ 13:1753; § 14:35.3; § 14:91; § 14:94 et seq.; § 28:57; § 40:1379.3; § 40:1751 et seq.
Maine	Revised Statutes	Title 15 §393; Title 17-A §§ 554-A, 554-B, 1051 & 1052; Title 25 §1541
Maryland	Codes	Crim. Law Title 4; Crim.Pro. §3-106 & §3-112; Pub. Safe. Title 5
Massachusetts	General Laws	Chapter 140, §§ 121 to 131P; Chapter 269, §10
Michigan	Compiled Laws	Chapter 28 §§ 421-435; Chapter 750 §§ 222-239a
Minnesota	Statutes	245.041; 253B.24; 609.66; 609.67; 624.71 et seq.
Mississippi	Code	§45-9-101; Title 97, Chapter 37
Missouri	Revised Statutes	§43.503; Chapter 571; §630.140
Montana	Code	§40-15-201; §45-5-206; Title 45, Chapter 8, Part 3.
Nebraska	Revised Statutes	§ 28-1201 et seq.; § 42-924; § 69-2401 et seq
Nevada	Revised Statutes	§ 33.031; § 179A.163; § 202.253 et seq.; § 202.3653 et seq.; § 244.364
New Hampshire	Revised Statutes	Chapters 159 and 159-D
New Jersey	Statutes	§§ 2C:39-1 et seq.; §§ 2C:58-1 et seq.; § 30:4-24.3, § 30:4-24.3a
New Mexico	Statutes	§ 30-7-1 et seq.
New York	Laws	Penal Articles 265 & 400; Gen. Bus. Articles 39-DD & 39-DDD
North Carolina	General Statutes	Ch. 14, Art. 35, 36A, 39, 52A, 53A, 54A, & 54B; Ch. 122C, §§ 54 & 54.1
North Dakota	Century Code	§ 12-60-24; Title 62.1
Ohio	Revised Code	Title 29, Chapter 2923; § 5122.311
Oklahoma	Statutes	§§ 21-1271.1 et seq
Oregon	Revised Statutes	§ 166.170 et seq.
Pennsylvania	Consolidated Statutes	Title 18, § 908 & Chapter 61
Rhode Island	General Laws	Chapter 11-47; § 8-8.1-3; § 15-15-3
South Carolina	Code of Laws	Title 16, Ch. 23, Art. 1, 3, & 5; Title 23, Ch. 31, Art. 1, 4, 5, & 10
South Dakota	Codified Laws	Title 22, Chapter 14; Title 23, Chapter 7
Tennessee	Code	§§ 33-3-115 & 33-3-117; Title 39, Chapter 17, Part 13
Texas	Codes	Estates §1202.201; Government Chapter 411, Subchapter H and §§ 411.052 and 411.0521; Health & Safety §574.088; Penal Chapter 46. Title 53, Ch. 5 & Ch. 10, § 208.1; Title 76, Ch. 10, §§ 501-532
Utah	Code	Title 13, Chapter 85, §§ 4001-4016
Vermont	Statutes	Title 13, Chapter 85, §§ 4001-4016
Virginia	Code	Title 18.2, Chapter 7, Article 7; §§ 19.2-169.2, 19.2-390 & 37.2-819
Washington	Revised Code	Chapter 9.41
West Virginia	Code	Chapter 61, Articles 7 and 7A
Wisconsin	Statutes	§ 175.30; § 175.35; § 941.20 et seq.; § 948.60
Wyoming	Statutes	Title 6, Chapter 8, Article 1