

## COMPARING H.R. 38 AND S. 446 FEDERALLY MANDATED CONCEALED CARRY RECIPROCITY

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**SUMMARY** H.R. 38, “The Concealed Carry Reciprocity Act of 2017,” and S. 446, “The Constitutional Concealed Carry Reciprocity Act of 2017,” would both allow dangerous people to carry guns nationwide regardless of the laws in which they are carrying. Introduced by Rep. Richard Hudson (R-NC) and Sen. John Cornyn (R-TX), respectively, these bills would pose serious challenges to law enforcement, who would be unable to verify that an individual with an out-of-state concealed weapons permit is legally carrying a loaded firearm.

**PERMITLESS CARRY:** Twelve “permitless carry” states have eliminated their permitting standards for carrying a concealed weapon, meaning a person may carry without even a background check.

- H.R. 38 and S. 446 would both allow residents of permitless carry states to carry concealed in other states, even if those states require their own residents to have a permit.

**STATE SHOPPING:** Federally mandated concealed carry would allow individuals to “state shop” in order to be permitted by the state with the lowest permitting standards.

- H.R. 38 would allow these state shoppers to carry concealed using their easily obtained out-of-state permit even within their home state.
- S. 446 would still require a person’s permit to be recognized by his or her home state when the individual carries in that state only.

**LOCAL LAWS:** States regulate firearms differently and some states allow local communities to determine their own firearm regulation. Federally mandated concealed carry would override those local laws, forcing all states to allow individuals who may be untrained or unpermitted to carry concealed weapons within their borders.

- **H.R. 38** would also nullify current law that prohibits the concealed carry of loaded firearms in school zones by individuals not licensed by that state. This would allow untrained individuals to carry a loaded gun in K-12 schools, potentially in states where they cannot even legally purchase a gun.

**EFFECT ON LAW ENFORCEMENT:** Federally mandated concealed carry would require law enforcement to become experts concerning regulations in all 50 states in order to determine whether an individual is authorized to carry a concealed handgun. Officers would need to be able to verify concealed weapons permits from across the country, but unlike with driver’s licenses, no national database—and sometimes no statewide database—exists for concealed weapons permits. Some permits lack a photograph of its holder, while some look like a paper library card.

- H.R. 38 would impose a threat of personal litigation against law enforcement officers should he or she mistakenly question a person’s legal authority to possess a firearm. As a result, officers would fear conducting a thorough investigation, deterring them from effectively doing their jobs and keeping our communities safe.
- S. 446 would often leave law enforcement officers in the dark regarding whether the armed individuals they encounter are legally authorized to do so.