

State Gun Safety Laws

AAP Firearms Policy

In 2012, the Academy reaffirmed its commitment to protection of children from firearm-related injury and violence through its policy statement “Firearm-Related Injuries Affecting the Pediatric Population.” According to the policy, the absence of guns in homes and communities is the most reliable and effective measure to prevent firearm-related injuries and violence in children and adolescents. The AAP supports a number of specific measures to reduce the detrimental effects of guns in the lives of children and adolescents, including: regulation of the manufacture, sale, purchase, ownership, and use of firearms; a ban assault weapons; and expanded regulations of handguns for civilian use. To prevent gun-related death and injuries, the AAP recommends that pediatricians provide firearm safety counseling to patients and their parents.

Current Gun Safety Laws

The attached chart outlines 7 AAP recommended public policies that to prevent gun injuries and violence. This resource was developed to aid AAP chapters and members in determining opportunities for firearm injury and violence prevention advocacy within their states. The policies include:

Assault Weapon/High Capacity Magazine Bans

The federal assault weapons ban, which prohibited the sale and manufacture of certain military-style semiautomatic weapons and high capacity magazines in the US expired in 2004. Despite AAP advocacy efforts, the federal assault weapons ban has languished in Congress since the expiration. Meanwhile, states have enacted their own bans on assault weapons such as semiautomatic rifles and pistols, along with high-capacity magazines, typically defined as cartridges which hold more than 10 rounds of ammunition at a time. High capacity magazines have been used in most of the high profile mass shootings in the United States including those at Columbine High School (Colorado), Virginia Tech, Tucson, Aurora (Colorado), Oak Creek (Wisconsin), and Newtown (Connecticut).

Universal Background Check Requirements

Current federal law requires background checks to be performed on anyone purchasing a firearm at a federally licensed gun dealer. However, in most states, private gun sales between owners and sales of firearms at gun shows and flea markets are not regulated. States with universal background check laws require that all sales of firearms take place through a licensed dealer who can perform a background check prior to the sale of the firearm.

Waiting Period Requirements

Laws imposing waiting periods require that a specified number of days elapse between the time a firearm is purchased and it is physically transferred to the purchaser. The purpose of a waiting period is to give law enforcement officials sufficient time to perform a background check and provide a “cooling off” period to help guard against impulsive acts.

Licensing of Gun Owners & Purchasers

Licensing laws require an individual to obtain a license or permit authorizing the individual to purchase and/or possess a firearm. Although licensing laws vary, those that are the most comprehensive require all gun owners—not just owners of handguns or prospective firearm purchasers—to obtain a license. That license will only be issued after the applicant has provided proof of residency and fingerprints, and/or passed written and performance-based tests showing that the applicant knows how to safely load, fire, and store a gun, and has knowledge of relevant firearms laws. Licensing laws have the following goals: to reduce the number of unintentional shootings by ensuring that gun owners know how to safely use and store firearms; to increase compliance with existing firearms laws by requiring gun owners to demonstrate knowledge of those laws; and to decrease illegal gun sales and possession by ensuring that all licensees are eligible to possess firearms under federal and state law.

Safe Storage Laws

The presence of unlocked guns in the home increases the risk of both accidental gun injuries and intentional shootings. A recent study found that more than 75% of the guns used in youth suicide attempts and unintentional injuries were stored in the residence of the victim, a relative, or a friend. At least 2 studies have found that the risk of suicide increases in homes where guns are kept loaded and/or unlocked. Child access prevention (CAP) laws impose criminal liability on adults who negligently leave firearms accessible to children or otherwise allow children access to firearms. States are also considering legislation that would require guns to be stored locked and unloaded with no regard to whether or not children are present.

Locking Devices/Trigger Locks

Firearm locking devices include a wide range of disabling devices designed to keep unauthorized users from gaining access to guns, and to make unintentional deaths and injuries less likely. These mechanisms include: internal locks, which are normally mounted in the grip of the gun, and either lock the manual thumb safety into place or internally secure the hammer; and external trigger locks, the most common of which cover the trigger mechanism on either side with two metal or plastic pieces that clamp around the trigger guard and completely cover the trigger. Locking device/trigger lock laws can either require that all gun owners store their firearm locked using this device or require that gun dealer provide trigger locks at the point of sale.

Design Safety for Handguns

The federal Consumer Product Safety Act, which imposes health and safety standards on consumer products, exempts firearms and ammunition from its requirements. “Junk” handguns or “Saturday Night Specials” are cheaply manufactured weapons made with inferior metals. Cheap and easy to conceal, they are more likely to malfunction or misfire. These types of weapons are disproportionately used by criminal young adult and juvenile offenders. AAP policy recommends that all firearms be subjected to safety design restrictions.

For more information about state gun laws, please contact the AAP State Advocacy Team at stgov@aap.org.

STATE GUN SAFETY LAWS

State	Assault Weapons Ban	Universal Background Checks	Waiting Period Requirements	Licensing of Gun Owners & Purchasers	Safe Storage Laws	Locking Devices/Trigger Locks	Design Safety for Handguns
Alabama							
Alaska							
Arizona							
Arkansas							
California	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Colorado		<input checked="" type="checkbox"/>					
Connecticut	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Delaware		<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>		
Dist of Columbia	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	
Florida			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		
Georgia							
Hawaii	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Idaho							
Illinois		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Indiana							
Iowa					<input checked="" type="checkbox"/>		
Kansas							
Kentucky							
Louisiana							
Maine							
Maryland	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Massachusetts	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Michigan						<input checked="" type="checkbox"/>	
Minnesota					<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Mississippi							
Missouri							
Montana							

STATE GUN SAFETY LAWS

State	Assault Weapons Ban	Universal Background Checks	Waiting Period Requirements	Licensing of Gun Owners & Purchasers	Safe Storage Laws	Locking Devices/Trigger Locks	Design Safety for Handguns
Nebraska							
Nevada		<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>		
New Hampshire					<input checked="" type="checkbox"/>		
New Jersey	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
New Mexico							
New York	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
North Carolina					<input checked="" type="checkbox"/>		
North Dakota							
Ohio						<input checked="" type="checkbox"/>	
Oklahoma							
Oregon		<input checked="" type="checkbox"/>					
Pennsylvania		<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>	
Rhode Island		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
South Carolina							<input checked="" type="checkbox"/>
South Dakota							
Tennessee							
Texas					<input checked="" type="checkbox"/>		
Utah							
Vermont							
Virginia					<input checked="" type="checkbox"/>		
Washington		<input checked="" type="checkbox"/>					
West Virginia							
Wisconsin					<input checked="" type="checkbox"/>		
Wyoming							
Total	8	13	5	4	18	12	8