



Survey of State Procedures Related to Firearm Sales, 1997

**Prepared by the
Regional Justice Information Service
St. Louis, Missouri**

December 1998, NCJ-173942

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Background

This report is the third edition of the Bureau of Justice Statistics document. The first edition, released in May 1996 (NCJ-160763), described procedures related to presale firearm background checks in each of the 50 States and other United States jurisdictions as of April 1996. The second edition, released in September 1997 (NCJ-165705), described procedures related to presale firearm background checks in each of the 50 States and other United States jurisdictions as of the end of 1996. This edition updates the earlier publications and describes the procedures and practices in effect as of the end of 1997. The scope of the individual State summaries has been expanded to provide information not included in the second edition. (References to "States" in this publication generally apply to a territory, commonwealth or district as well.)

This report is prepared as part of the BJS Firearm Inquiry Statistics (FIST) project, a component of the BJS National Criminal History Improvement Program (NCHIP). The FIST project was established in 1995 to collect data describing the impact of presale firearm checks required under Federal or State law.

Data collected under the FIST program are also included in BJS Bulletins. The first Bulletin, **Presale Firearm Checks**, NCJ-162787, was released in February 1997 and described inquiries and rejections related to all firearm sales between February 1994 (the effective date of the Brady Act requirements) and June 1996. A second BJS Bulletin, **Presale Handgun Checks 1996**, NCJ-165704, was released in

September 1997 and focused only on inquiries and rejections related to attempted handgun sales during 1996. The most recent BJS Bulletin, **Presale Handgun Checks 1997**, NCJ-171130, was released in June 1998 and focused on inquiries and rejections related to attempted handgun sales during 1997.

BJS anticipates that the procedural information presented in this report will be used together with the statistical information presented in the Bulletins to provide the user with a more complete understanding of the impact of presale firearm check requirements.

Survey methodology. Data for this report were collected from agencies designated by their respective States as authorized to perform record checks for handgun purchasers and to determine if applications are acceptable under the Brady Act, or, particularly in the case of Brady-alternative States, under applicable State legislation. For purposes of this report, these agencies are referred to as CLEOs (Chief Law Enforcement Officers). Depending on the State, CLEOs may be either a single State agency servicing the entire State or one or more local agencies. The status of the reporting agency is described on the individual State summaries, and a list of State contacts is in Appendix A.

Descriptions of procedures, as reported in this publication, and statistical data presented in the Bulletins, were voluntarily provided on survey questionnaires. BJS also provided States with software for direct reporting of statistical information. The software, which

was designed to minimize State burdens associated with data collection, was used at the option of the State. To ensure accuracy, a copy of each State's summary in this publication was forwarded to the State for review, and clarifying comments were used to refine the summary. Data collection and collation, and supplementary legal research, were provided by the Regional Justice Information Service (REJIS), the BJS grantee for the FIST Project.

Consistent with confidentiality and privacy protection procedures, no data were collected under the project in a form identifiable to any individual. Additionally, the software provided to assist States in submitting data contains a purging mechanism which destroys data in accordance with applicable Federal or State law.

The Brady Act. The State summaries included in this report outline procedures that are consistent with Federal law as of December 31, 1997. The interim provisions of the Brady Handgun Violence Prevention Act (Brady Act), PL 103-159 (107 Stat. 1536), amending the Gun Control Act of 1968 (18 U.S.C. Chapter 44) prohibited sale of a handgun by a Federal Firearm Licensee (FFL) for 5 days or until the licensee had been advised that, based on a background check, a prospective purchaser was not prohibited from purchase under Federal or State law. The interim provisions of the Brady Act also permitted States with prohibitory statutes comparable to Federal law to follow a variety of alternative procedures. These "Brady-alternative States" generally employed either an "instant check

system” or a “permit or other approval-type system.”

Effective November 30, 1998, before the sale of any firearm, Federal firearm licensees must follow the permanent provisions of the Brady Act. These provisions require either instant background checks through the National Instant Criminal Background Check System (NICS) or BATF-approved permits.

The Federal Gun Control Act (GCA), at 18 U.S.C. 922, prohibits the transfer of any firearm to any person who —

- is under indictment for, or has been 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 unlawfully in the United States;
- was discharged from the armed forces under dishonorable conditions;
- has renounced United States citizenship;
- is subject to a court order restraining him or her from harassing, stalking, or threatening an intimate partner or child; or
- has been convicted in any court of a misdemeanor crime of domestic violence.

Additionally, the Federal Gun Control Act of 1968 (GCA) makes it unlawful for any licensed importer, licensed manufacturer, licensed dealer, or collector to transfer a long gun to a person less than 18 years of age or any other firearm to a person less than 21 years of age. (The GCA contains other restrictions on firearms transfers as well, and readers are advised to consult the full text of the statute on the Web sites listed in the Preface.)

State Legislation. The information provided for each State in this report may include procedures and prohibitions required under State as well as Federal legislation. In some cases, for example, States have imposed procedural or prohibitory requirements which go beyond the baseline requirements of Federal law. With respect to the impact of State restoration of revoked handgun ownership privileges, readers are urged to contact the Bureau of Alcohol, Tobacco and Firearms (BATF) for further information.

As noted in the individual summaries or the *Appendix* tables, this report may describe State procedures and prohibitions applicable to both handguns and other firearms.

Statistical and legal changes over time. Changes in the number of handgun sale inquiries and denials, and the rate of overall or specific categories of rejections may reflect a variety of factors. These include changes in State law, revisions in State policy, changes in State organization, and the status and availability of different categories of records. The regular release of updated information in these BJS documents is intended to highlight such changes. Thus, all appendices included in the previous edition of this

publication have been updated. In addition, a new appendix summarizes revisions of background check procedures, additional restrictions on purchases, and other significant changes in State firearms laws between the effective date of the Brady Act through the end of 1997.

Significant post-Brady changes include implementation of an instant check or a permit or other approval-type system by several States to qualify for the Brady-alternative designation. Numerous States enacted additional restrictions on purchases, including several prohibitions against juveniles or persons who committed serious criminal offenses as minors. Increased restrictions on persons who commit domestic violence were added at the Federal and State levels. As noted in the second edition of this publication, the GCA was amended, effective October 1996, to prohibit firearm sales to persons convicted of any misdemeanor involving domestic violence. In addition to these purchase restrictions, several States enacted new legislation to permit court-ordered seizures of firearms from persons subject to domestic violence restraining orders.

To aid in further legal research, a new appendix provides citations to the relevant firearm laws for each of the jurisdictions summarized.

DEFINITIONS OF CATEGORIES INCLUDED IN STATE SUMMARIES

[Explanatory Note - When used below, "State" refers to any United States jurisdiction, whether it be a State, commonwealth, district or territory. The definitions are not alphabetized; they follow the format as used in each State summary.]

Source of Information. The State agency which provided information for the survey. Indicates whether that agency is the Chief Law Enforcement Officer (CLEO) for the State, and lists any other agencies which perform CLEO functions.

Additional Restrictions on Purchase. State laws restricting handgun or long gun purchasers who would not be prohibited by Federal law.

Limitations on Use. The general scope of State limitations on activities such as carrying and discharging handguns and long guns.

Permits. Whether a permit, license, identification card or other document issued by a CLEO is required for the purchase, possession or carrying of handguns and long guns.

Handgun Registration. Whether the State maintains a registry of handgun owners. A long gun registry is listed if the State maintains one.

Scope of Sales Covered. Whether the State requires a background check for firearm transfers not covered by the Brady Act, such as sales by private individuals or pawnshops, or redemptions by persons who pawn handguns.

Restoration of Rights. Whether a convicted felon's right to own or possess firearms can be restored automatically or by pardon, court order, or other process.

Background Checks. The State's procedures for conducting background checks of firearms purchasers, including time limits imposed on CLEOs by State law. Indicates whether State law requires a waiting period after a buyer applies and before a seller can complete a firearm transfer.

Information on the Application. Purchaser and firearm information requested on the State's application, including any that is required by State law. Indicates whether the standard BATF form (contents listed in Appendix Table 5) is used.

Inquiry Process. Time required, on the average, for the State's CLEO(s) to process routine firearm purchase applications requiring no research, and applications which require research into missing arrest dispositions and other questions.

Fees Charged. The amounts charged to firearms purchasers for background checks or the issuance of documents needed for purchase.

State Data. Databases maintained by the State which are normally available to the CLEO(s) during the course of a background check. If the files are not fully automated, the extent of database automation is indicated.

Retention of Applications. The length of time that approved and rejected firearm purchase applications are retained by the CLEO(s), including retention periods required by Federal or State law.

Statistics Maintained. Categories of handgun crimes or incidents tracked by the State.

Current Activity. The number of handgun applications and disapprovals, and the rejection rate, for the States that maintain statewide data.

Post-Brady Legislation. A summary of revisions of Brady-related procedures and other significant changes in State firearms law which were passed or became effective between February 28, 1994 and December 31, 1997.

Relevant Laws. Citations to State statutes governing the transfer and use of firearms.

Alabama

A Brady State: 4,040,587 population

Source of Information. Information was provided by the Alabama Bureau of Investigation and the Alabama Criminal Justice Information Center, which are not CLEOs. The CLEOs in the State are the 67 county sheriffs.

Additional Restrictions on Purchase. Alabama prohibits the purchase of handguns by persons who are habitually intoxicated.

Limitations on Use. The State places limitations on carrying a concealed handgun, and forbids the carrying or discharge of handguns and long guns within certain areas and premises.

Permits. Alabama does not require a permit to purchase handguns or long guns. A permit is required to carry a concealed handgun.

Handgun Registration. Handguns are not registered in Alabama.

Scope of Sales Covered. In addition to Federal Firearm Licensee sales, the State requires background checks for sales by pawnshops.

Restoration of Rights. Alabama does not allow a convicted felon's right to own a handgun to be restored.

Background Checks. Firearm dealers request background checks on handgun purchasers by sending applications to the sheriffs via registered or certified mail. The results of background checks are sent back to the dealers. Alabama requires a 48-hour waiting period before completion of a handgun transfer.

Information on the Application. Alabama's application includes the following information: first name, last name, date of birth, place of birth, current address, prior address, occupation, social security number, race, sex, height, weight, date and hour of application plus the make, model, caliber, and manufacturer's number of the weapon.

Inquiry Process. No information is available.

Fees Charged. There are no State-mandated fees. Any fees charged are within the discretion of the local CLEOs.

State Data. Alabama makes fugitive, criminal history, probation / parole, and domestic violence restraining order data available to each CLEO via the statewide computer network.

Retention of Applications. Approved applications are retained for a maximum period of 20 days, as permitted by the Brady Act. Rejected applications are retained at the discretion of the CLEOs.

Statistics Maintained. Alabama maintains statistics on handguns stolen or recovered, and on events which involve handguns and drugs, homicides, assaults or violence against a police officer.

Current Activity. No statewide information is available.

Post-Brady Legislation. An amendment forbid carrying or possessing a deadly weapon on the premises of a public school.

Relevant Laws. Code of Alabama 13A-11 et seq.

Alaska

A Brady State: 550,043 population

Source of Information. Information was provided by the Alaska Department of Public Safety, which is the CLEO for part of the State. The other CLEOs are 34 local police agencies.

Additional Restrictions on Purchase. Alaska prohibits knowingly selling handguns or long guns to persons whose physical or mental condition is substantially impaired by intoxicating liquor or controlled substances. Handguns cannot be possessed by persons who were adjudicated a delinquent minor, within the past 10 years, for conduct that would constitute a felony if committed by an adult.

Limitations on Use. The State places limitations on carrying a concealed handgun, and forbids the carrying or discharge of handguns and long guns within certain areas and premises.

Permits. Alaska does not require a permit to purchase handguns or long guns. A permit is required to carry a concealed handgun.

Handgun Registration. Handguns are not registered in Alaska.

Scope of Sales Covered. In addition to Federal Firearm Licensee sales, the State requires background checks for pawnshop sales and redemptions, and transfers between individuals, including sales occurring at gun shows.

Restoration of Rights. Alaska allows a convicted felon's right to own a handgun to be restored if the conviction is pardoned or set aside, or at least 10 years have elapsed since the person's unconditional discharge on the prior offense.

Background Checks. Handgun sellers contact either the State agency or a local police agency for background checks on purchasers. The results of background checks are sent back to the sellers.

Information on the Application. Alaska uses the standard BATF form.

Inquiry Process. No information is available.

Fees Charged. There are no State-mandated fees. Any fees charged are at the discretion of the local CLEO.

State Data. Alaska makes fugitive, criminal history, and domestic violence restraining order/misdemeanor data available to each CLEO via the statewide computer network. These files are fully automated.

Retention of Applications. Approved applications are retained for a maximum period of 20 days, as permitted by the Brady Act. Rejected applications are retained at the discretion of the CLEOs.

Statistics Maintained. No statewide information is available.

Current Activity. No statewide information is available.

Post-Brady Legislation. A new law provided for permits to carry concealed handguns. Amendments prohibited discharge of a firearm from a vehicle or at a building or a school.

Relevant Laws. Alaska Statutes 11.61.190 et seq; 18.65.700 et seq.

Arizona

A Brady State: 3,665,228 population

Source of Information. Information was provided by the Arizona Department of Public Safety, which is the CLEO for the State.

Additional Restrictions on Purchase. The State prohibits possession of handguns and long guns by persons previously adjudicated delinquent, unless their rights have been restored. It is illegal to knowingly transfer a handgun or long gun to a person who intends to use the firearm in the commission of any felony.

Limitations on Use. Arizona places limitations on carrying concealed handguns and long guns, and forbids the carrying or discharge of firearms within certain areas and premises.

Permits. Arizona does not require a permit to purchase handguns or long guns. Carrying a concealed handgun requires a permit.

Handgun Registration. Handguns are not registered.

Scope of Sales Covered. Only handgun sales by Federal Firearm Licensees are subject to background checks requirements in the State.

Restoration of Rights. Arizona allows a convicted felon's right to own a handgun to be restored unless the person committed a "dangerous offense." Persons convicted of "serious offenses" must wait 10 years (all other felons 2 years) after completion of the sentence before applying for a court order restoring civil rights. Since July 1988, firearm rights as well as civil rights must be included on the court order.

Background Checks. The CLEO conducts checks on handgun purchase applicants. Dealers contact the CLEO by 1-800 number, regular telephone, fax, or mail. Results of background checks are reported to the dealers.

Information on the Application. Arizona uses the standard BATF form.

Inquiry Process. Applications which require no research are normally processed in less than 5 minutes. Applications requiring research normally take less than 5 days.

Fees Charged. No fee is charged.

State Data. The CLEO has access to fugitive and criminal history (including probation/parole) data from the statewide computer network. These files are fully automated and contain 100% of the data available at the State level. In addition, the CLEO has access to sex offender registration and department of corrections data.

Retention of Applications. Approved applications are retained for a maximum period of 20 days, as permitted by the Brady Act. Rejected applications are retained for 5 years.

Statistics Maintained. Arizona maintains statistics on events which involve handguns and homicides, assaults, and other specific activities.

Current Activity. In 1997 Arizona processed 62,266 applications; 2,277 were disapproved. This represents a rejection rate of 3.7%.

Post-Brady Legislation. New laws provided for concealed weapon permits and a handgun clearance center to conduct instant checks on handgun purchasers. Additional restrictions on purchases were enacted. Restoration of the right to possess a firearm was limited for certain offenders.

Relevant Laws. Arizona Revised Statutes 13-905 et seq; 13-3101 et seq.

Arkansas

A Brady State: 2,350,725 population

Source of Information. Information was provided by the Arkansas State Police, the CLEO for the State during 1997, and the Office of the Attorney General, which became the CLEO in 1998.

Additional Restrictions on Purchase. Arkansas does not place any additional restrictions on the purchase of handguns or long guns.

Limitations on Use. The State limits carrying concealed handguns and long guns, and forbids the carrying or discharge of firearms within certain areas and premises.

Permits. Arkansas does not require a permit to purchase handguns or long guns. A permit is required to carry a concealed handgun.

Handgun Registration. Handguns are not registered in Arkansas.

Scope of Sales Covered. Only handgun sales by Federal Firearm Licensees are subject to background checks requirements in the State.

Restoration of Rights. The governor can restore a felon's right to own a handgun upon a recommendation from a chief law enforcement officer if the underlying offense did not involve the use of a weapon and occurred more than 8 years ago. Restoration of rights can also occur with a pardon.

Background Checks. The State Police conducts background checks on handgun purchase applicants when requested by firearm dealers. Applications are received in person or by 1-900 number or certified mail. If an application is rejected, that result is reported to the dealer. If an application is not rejected, the 5-day waiting period is allowed to expire. Fingerprints are used if there is a question of identity.

Information on the Application. Arkansas uses the standard BATF form.

Inquiry Process. The State Police reports only application denials to inquiring dealers. Applications that require extended research are normally processed in less than 5 days.

Fees Charged. The State Police charges \$15 for the background check and an additional \$3 for using the 1-900 number.

State Data. The State Police has access to fugitive, criminal history, and domestic violence restraining order/misdemeanor data from the statewide computer network. These files are fully automated.

Retention of Applications. Approved applications are retained for a maximum period of 20 days, as permitted by the Brady Act. Rejected applications are retained indefinitely.

Statistics Maintained. Arkansas maintains statistics on events which involve a handgun and homicides, assaults, and other specific activities.

Current Activity. In 1997, Arkansas processed 14,556 applications; 202 were disapproved, a rejection rate of 1.4%.

Post-Brady Legislation. A new law authorized issuance of concealed weapon licenses. Amendments increased penalties for illegally possessing or furnishing a firearm.

Relevant Laws. Arkansas Code 5-73-101 et seq.

California

A Brady-Alternative State: 29,760,021 population

Source of Information. Information was provided by the California Department of Justice, which is the CLEO for the State.

Additional Restrictions on Purchase. The State restricts the purchase of handguns and long guns by persons who were convicted of misdemeanors specified in State law, were adjudged wards of the juvenile court (until age 30), did not complete a firearm safety course or show proof of exemption, or communicated a threat to a licensed psychotherapist.

Limitations on Use. California places limits on carrying a concealed handgun or long gun, and forbids carrying or discharging firearms within certain areas and premises.

Permits. A permit is not required to purchase handguns or long guns. Carrying a concealed firearm requires a permit.

Handgun Registration. The State does not register handguns, but the automated files maintain a record of handgun purchases and transfers. New residents are required to report handgun ownership.

Scope of Sales Covered. All sales by California licensed firearms dealers are covered, as well as sales and redemptions at pawnshops and sales from one individual to another.

Restoration of Rights. California allows restoration of the right to own firearms if the subject is granted a Governor's pardon or if the underlying case is reopened and the subject is allowed to plead to a lesser charge.

Background Checks. The CLEO conducts checks on purchases of handguns and long guns, and informs firearm sellers of the denials via mail or telephone. Effective April 1, 1997, the State implemented a "paperless" process, and reduced the waiting period to 10 days.

Information on the Application. The State requires the name, sex, home address, local address if traveling, California driver's license, California ID card or military ID card number, Basic Firearms Safety Certificate or exemption number, height, weight, descent, hair color, eye color, date of application, and, if a handgun, the make, model, type, and serial number of the weapon.

Inquiry Process. Applications are processed within the 10-day waiting period.

Fees Charged. The CLEO charges \$14 for a check on a single handgun or an unlimited number of long guns, and \$10 for additional handguns purchased at the same time.

State Data. The CLEO has access to fugitive, State and Federal criminal record, court restraining orders, probation/parole, juvenile, mental health, and domestic abuse files. These files are fully automated.

Retention of Applications. All applications prior to April 1, 1997 are kept on microfiche indefinitely. All applications after April 1, 1997 are maintained in an automated file indefinitely.

Statistics Maintained. The State tracks handgun and long gun sales and denials, stolen or recovered handguns, handgun accidents, and events which involve a handgun and drugs, homicides, and other specific activities.

Current Activity. In 1997, California processed 204,409 applications; 1,839 were disapproved, a rejection rate of 0.9%.

Post-Brady Legislation. Highlights included authorization to participate in the NICS and a law allowing seizure of firearms from domestic violence offenders.

Relevant Laws. California Penal Code 417.3; 626.9; 12000 et seq; Family Code 6389.

Colorado

A Brady-Alternative State: 3,294,394 population

Source of Information. Information was provided by the Colorado Bureau of Investigation, which is the CLEO for the State.

Additional Restrictions on Purchase. The State will not authorize a handgun purchase if the applicant is guilty of certain misdemeanors specified in State law.

Limitations on Use. Colorado places limitations on carrying concealed handguns and long guns, and forbids carrying or discharging firearms within certain areas and premises.

Permits. The State does not require a permit to purchase handguns or long guns. A permit is required to carry a concealed handgun.

Handgun Registration. Handguns are not registered in Colorado.

Scope of Sales Covered. Only handgun sales by Federal Firearm Licensees require background checks. As of March 1997, pawnshop redemptions were excluded from coverage.

Restoration of Rights. Convicted felons are not allowed to regain the right to possess a handgun in the State.

Background Checks. The CLEO conducts instant background checks on handgun purchase applicants. The dealer requests a check by using a 1-800 number, and the CLEO is allowed a maximum period of one day to complete processing.

Information on the Application. Colorado's application includes the following information: name, address, race, sex, date of birth, Social Security number (optional), date of request, and the action taken.

Inquiry Process. For applications which require no research, the process takes less than 1 minute. Applications requiring research take less than 1 day.

Fees Charged. The CLEO charges \$10 for the background check.

State Data. The CLEO has access to fugitive, criminal history, probation/parole, juvenile, and domestic abuse restraining order/misdemeanor data from the statewide computer network. These files are fully automated.

Retention of Applications. The CLEO purges approved applicant information within 48 hours; denied applicant information is purged after 2 years.

Statistics Maintained. Colorado maintains statistics on the number of handgun application approvals and denials, including reasons for denials.

Current Activity. In 1997, Colorado processed 46,853 applications; 2,476 were disapproved, a rejection rate of 5.3%.

Post-Brady Legislation. A new law established an instant check system for handgun sales. An amendment forever prohibited felons from possessing firearms.

Relevant Laws. Colorado Revised Statutes 12-26.5-101 et seq; 18-12-101 et seq.

Connecticut

A Brady-Alternative State: 3,287,116 population

Source of Information. Information was provided by the Connecticut State Police, which is the CLEO for the State.

Additional Restrictions on Purchase. Connecticut prevents handguns from being purchased by applicants who committed any of eleven misdemeanors pertaining to firearms and dangerous weapons, or did not complete a firearm safety course, or whose suitability can be questioned because of involvement in police incidents.

Limitations on Use. The State places limitations on carrying concealed handguns and forbids carrying or discharging firearms within certain areas and premises.

Permits. Connecticut requires a valid Eligibility Certificate or Pistol Permit to purchase handguns without a 14-day waiting period. An authorization number is also required at the time of sale. A permit is not required to purchase long guns; however, a 14-day waiting period is required without a pistol permit, eligibility certificate or hunting license. The pistol permit is also required to carry a handgun.

Handgun Registration. The State's firearm registration form includes sale, weapon, buyer and seller information.

Scope of Sales Covered. Background checks on handgun and long gun purchasers are required for transfers by Federal Firearm Licensees, individuals and pawnshops (including redemptions).

Restoration of Rights. Connecticut allows rights to be restored if the person goes to the Board of Pardons and has the conviction cleared from the record.

Background Checks. The CLEO conducts checks on applicants for pistol permits and eligibility certificates, and on handgun and long gun purchases. The CLEO can be contacted by regular telephone, mail, certified mail or fax, or in person. A 14-day waiting period is required for firearm transfers without proper permits.

Information on the Application. The State's application includes the sale authorization number, name, address, race, sex, height, weight, date of birth, Social Security and operator's license numbers, dealer information, date of application, date action taken, and the action taken.

Inquiry Process. Applications requiring no research are normally processed in less than 15 minutes; those which require research normally take less than 3 days.

Fees Charged. A maximum fee of \$35 will be charged for pistol permits and eligibility certificates.

State Data. Fugitive, criminal history, probation/parole, and domestic abuse restraining order/misdemeanor data are available to the CLEO from the statewide computer network. Access to juvenile data will be expanded in October 1998.

Retention of Applications. Connecticut keeps rejected applications to purchase firearms for 10 years. Dealers keep approved applications for 5 years.

Statistics Maintained. The State's Crime Analysis Unit maintains statistics on confiscated handguns and on events which involve handguns and gangs, homicides and other activities.

Current Activity. No information is available.

Post-Brady Legislation. New statutes added restrictions on purchase, and permit, background check, fee and data collection requirements. An amendment modified waiting period requirements.

Relevant Laws. Connecticut General Statutes 29-27et seq; 53-202 et seq; 53-217a.

Delaware

A Brady-Alternative State: 666,168 population

Source of Information. Information was provided by the Delaware State Police, which is the CLEO for the State.

Additional Restrictions on Purchase. Delaware prevents handguns and long guns from being purchased by applicants who committed misdemeanors involving assault or drug violations within the past 5 years, or have been adjudicated as delinquent for conduct which if committed by an adult would constitute a felony, and have not reached the age of 25.

Limitations on Use. The State limits carrying a concealed handgun and requires that long guns be unloaded while being carried in a motor vehicle. Carrying or discharging firearms within certain areas and premises is forbidden.

Permits. Delaware does not require a permit to purchase handguns or long guns. A permit is required to carry a concealed handgun.

Handgun Registration. Handguns are not registered in Delaware.

Scope of Sales Covered. Sales by Federal Firearm Licensees require background checks in the State. In addition, checks may be run on private sales, which is an option and not a requirement.

Restoration of Rights. A convicted felon's right to own a handgun may be restored through a governor's pardon.

Background Checks. Firearm sellers request instant checks on handgun and long gun purchasers by using a 1-800 number. The CLEO reports background check results by telephone.

Information on the Application. Delaware's application includes the following information: name, address, race, sex, date of birth, Social Security number, date of request, date action taken, and the action taken. If the application is rejected, the type, make, model, and serial number of the weapon are recorded.

Inquiry Process. For applications which require no research, the process normally takes less than 6 minutes. Applications requiring research normally take less than 14 minutes.

Fees Charged. No fees are charged.

State Data. The CLEO has access to fugitive, criminal history, probation/parole, juvenile, mental health, and domestic violence restraining order/misdemeanor data from the statewide computer network. These files are fully automated except for mental health, which is partially automated.

Retention of Applications. Delaware keeps the approved applications for 60 days and the rejected applications indefinitely.

Statistics Maintained. Delaware maintains statistics on handgun accidents as well as statistics on events which involve a handgun and homicides, drugs, and other specific activities.

Current Activity. In 1997, Delaware processed 11,369 applications; 491 were disapproved, a rejection rate of 4.3%.

Post-Brady Legislation A new statute prohibited the possession of weapons on school property or at State recreational facilities.

Relevant Laws Delaware Code 11-1441 et seq.

Florida

A Brady-Alternative State: 12,937,926 population

Source of Information. Information was provided by the Florida Department of Law Enforcement (FDLE), which is the CLEO for the State.

Additional Restrictions on Purchase. The State prohibits the sale of handguns and long guns to persons who have had adjudication of guilt withheld or imposition of sentence suspended on a felony charge and 3 years have not elapsed since the completion date of any court provisions.

Limitations on Use. Florida limits carrying concealed handguns, and forbids carrying or discharging firearms within certain areas and premises.

Permits. No permit is required to purchase handguns or long guns. A license to carry a concealed firearm can be used for purchases without a new background check.

Handgun Registration. Handguns are not registered in Florida.

Scope of Sales Covered. In addition to sales by Federal Firearm Licensees, background checks on handgun and long gun applicants are required for sales by pawnshops. However, pawnshop redemptions are not covered unless the gun is redeemed more than 90 days after being pawned.

Restoration of Rights. Florida allows a convicted felon's right to own a handgun to be restored through a governor's pardon and, if necessary, a pardon from the State where the felony conviction occurred.

Background Checks. The CLEO conducts instant checks when requested by a seller using a 1-800 number or a fax. State law requires a 3-day waiting period for handgun transfers. If a handgun application is not rejected by the end of the 3-day waiting period, the transaction can be completed. Long gun purchasers do not have a waiting period.

Information on the Application. Florida uses the standard BATF form.

Inquiry Process. For applications which require no research, the process normally takes less than 3 minutes. Applicants requiring research take less than 3 days.

Fees Charged. The CLEO charges \$8 for the background check.

State Data. The CLEO has access to the following statewide data: fugitive, criminal history, domestic violence misdemeanors/restraining orders, juvenile, drug use, mental health, State disqualifiers, and probation/parole.

Retention of Applications. Approved applications are retained for less than 2 days; rejected applications are retained indefinitely.

Statistics Maintained. Information may be obtained by contacting the Florida Department of Law Enforcement Firearm Purchase Program.

Current Activity. In 1997, Florida processed 198,922 applications; 7,348 were disapproved, a rejection rate of 3.7%.

Post-Brady Legislation. No significant changes.

Relevant Laws. Florida Statutes 790.001 et seq.

Georgia

A Brady-Alternative State: 6,478,216 population

Source of Information. Information was provided by the Georgia Bureau of Investigation, Crime Information Center, which is the CLEO for the State.

Additional Restrictions on Purchase. Applicants must have resided in the State for at least 3 months in order to purchase handguns.

Limitations on Use. Georgia limits carrying concealed handguns and forbids carrying or discharging handguns and long guns within certain areas and premises.

Permits. Georgia does not require a permit to purchase handguns or long guns. A permit is required to carry a handgun.

Handgun Registration. Handguns are not registered in Georgia.

Scope of Sales Covered. In addition to sales by Federal Firearm Licensees, background checks are required for pawnshop sales. However, pawnshop redemptions are not covered unless the gun is redeemed more than 1 year after being pawned.

Restoration of Rights. Georgia allows a convicted felon's right to own a handgun to be restored if the person is granted a pardon and the Pardon and Parole Board specifically restores the right to possess a firearm.

Background Checks. The CLEO conducts instant checks on handgun purchase applicants when requested by a firearm seller using a 1-800 number. The results of the checks are sent back to the sellers. The CLEO is allowed 1 day to complete a check, but the time can be extended if the applicant's criminal history record is not immediately available.

Information on the Application. Georgia's application contains the following information: name, sex, race, date of birth, and Social Security number or other identification number.

Inquiry Process. For applications which require no research, the process normally takes less than 5 minutes. Applications requiring research normally take less than 1 day.

Fees Charged. The CLEO charges \$5 for the background check.

State Data. Georgia has access to databases for fugitive, criminal history, probation and parole, mental health, and domestic violence misdemeanor data. These files are fully automated.

Retention of Applications. The Georgia Consent Form is attached to ATF 4473 and retained by the dealer. The State does not keep a record of approved sales. Rejected applications are kept on record for 90 days.

Statistics Maintained. No statewide information is available.

Current Activity. In 1997, Georgia processed 83,673 applications; 7,136 were disapproved, a rejection rate of 8.5%.

Post-Brady Legislation. A new law established an instant check system for handgun transfers which occurred after January 1, 1996. An amendment exempted a pawnshop redemption from background check requirements if it occurs within 12 months of the handgun being pawned.

Relevant Laws. Official Code of Georgia 16-11-101 et seq.

Hawaii

A Brady-Alternative State: 1,108,229 population

Source of Information. Information was provided by the Hawaii Criminal Justice Information Center and the Honolulu Police Department. The CLEOs in the State are four local police departments.

Additional Restrictions on Purchase. Hawaii prohibits issuing a permit for handguns or long guns to persons who have committed violent misdemeanors or illegal sales of drugs; are addicted to intoxicating liquor; or have significant behavioral, emotional or mental disorders. Persons acquiring a handgun are required to complete a firearm safety course.

Limitations on Use. The State places limitations on carrying handguns and long guns concealed or within certain areas and premises.

Permits. Hawaii mandates a permit to acquire handguns and long guns. A license is needed to carry a handgun.

Handgun Registration. Handguns and long guns are required to be registered in Hawaii.

Scope of Sales Covered. In addition to Federal Firearm Licensee sales, the State requires a background check for sales by individuals. Handguns may not be pawned in the State.

Restoration of Rights. Hawaii allows a convicted felon's right to own a handgun to be restored through a governor's pardon.

Background Checks. The CLEOs perform background checks on applicants for permits to acquire handguns and long guns. A 14-day waiting period is required before issuance of a permit, and all applications must be approved or denied within 20 days. A permit to acquire a handgun must be used within 10 days after issuance.

Information on the Application. Hawaii requires an applicant's name, address, race, sex, height, weight, date and place of birth, hair and eye color, Social Security and telephone numbers, fingerprints, business address, occupation, aliases, nicknames, maiden name, scars, marks and tattoos, photograph, and mental health history.

Inquiry Process. No information is available.

Fees Charged. First time applicants are charged \$24 to subsidize the FBI fingerprint check.

State Data. The State maintains an automated control repository which includes criminal history and domestic violence misdemeanor data. Mental health data is recorded manually.

Retention of Applications. CLEOs keep approved and rejected applications on file indefinitely.

Statistics Maintained. No statewide information is available.

Current Activity. No statewide information is available.

Post-Brady Legislation. The firearms permit statute was amended to require training for persons acquiring handguns and to allow CLEOs to charge a fee to cover the FBI fingerprint check. Registration of long guns was mandated. Amendments allowed the police to seize firearms from domestic violence offenders, and revoked the exemption from seizure formerly available to law enforcement officers.

Relevant Laws. Hawaii Revised Statutes 134-1 et seq.

Idaho

A Brady-Alternative State: 1,006,749 population

Source of Information. Information was provided by the Idaho Department of Law Enforcement, which is the CLEO for the State.

Additional Restrictions on Purchase. The State does not place any additional restrictions on the purchase of handguns or long guns.

Limitations on Use. Idaho limits carrying concealed handguns and long guns and forbids carrying or discharging firearms within certain areas and premises.

Permits. A permit is not required to purchase handguns or long guns. Permits are required for concealed weapons and, if issued after March 22, 1995, can be used to purchase handguns without a new background check.

Handgun Registration. Handguns are not registered in Idaho.

Scope of Sales Covered. Only firearm dealers registered with the State may access the instant check system to sell handguns. Sales between individuals and redemptions by pawnshops do not require background checks.

Restoration of Rights. The State allows a convicted felon's right to own a handgun to be restored automatically after completion of imprisonment, probation or parole (except for certain felony offenses).

Background Checks. The CLEO conducts instant checks on applicants for purchases of handguns. Registered dealers request checks by using a 1-800 number or a regular telephone. The results of background checks are reported to the dealers. As an alternative, a dealer may request a background check from the buyer's local sheriff, subject to the 5-day waiting period.

Information on the Application. Idaho's application requires the following information: name, sex, race, and date of birth. The following fields are optional: address, height, weight, and Social Security number.

Inquiry Process. For applications which require no research, the process normally takes less than 3 minutes. Applications requiring research normally are processed in less than 1 hour.

Fees Charged. Applicants are not charged for background checks. The CLEO charges registered dealers an annual \$100 fee.

State Data. The CLEO has access to fugitive, criminal history, and domestic violence protective order/misdemeanor data on the statewide computer network, as well as a sex offender registry. These files are fully automated.

Retention of Applications. The CLEO keeps approved applications for less than 5 days and rejected applications for 6 months.

Statistics Maintained. Idaho maintains statistics on events which involve a handgun and homicides, gangs, and other specific activities.

Current Activity. In 1997, Idaho processed 22,761 applications; 790 were disapproved, a rejection rate of 3.5%.

Post-Brady Legislation. A new chapter allowed firearms dealers to access an instant check system for handgun transfers. Subsequent amendments exempted certain license holders from background check requirements, and allowed dealers the option of requesting a check from a buyer's local sheriff.

Relevant Laws. Idaho Code 18-3302 et seq; 19-5401 et seq.

Illinois

A Brady-Alternative State: 11,430,602 population

Source of Information. Information was provided by the Illinois State Police, which is the CLEO for the State.

Additional Restrictions on Purchase. The State prohibits issuing a Firearm Owner's Identification (FOID) card to a person who is prohibited by any Illinois statute or federal law. State law includes prohibitions similar to the federal restrictions, and further prohibits persons who are under 21 years of age and have been convicted of a misdemeanor other than a traffic offense or adjudged delinquent; or are mentally retarded.

Limitations on Use. Illinois places limitations on carrying handguns and long guns in vehicles and forbids carrying concealed firearms.

Permits. Illinois requires residents to possess a valid Firearm Owner's Identification (FOID) card in order to purchase firearms or ammunition.

Handgun Registration. Guns are registered by some local governments, but not by the State.

Scope of Sales Covered. Background checks are required for sales by licensed dealers, and for pawnshop sales and redemptions. Sales between private individuals are not covered. However, records of transactions between private individuals must be kept for 10 years.

Restoration of Rights. A convicted felon's right to own a firearm may be restored if he or she is granted relief from Illinois convictions. An application for relief is made to the Director of the State Police, whose decision can be appealed to the courts.

Background Checks. The CLEO conducts background checks on applicants for FOID cards, most of whom apply by mail. A maximum period of 30 days is allowed to process the FOID card applications. When a valid card is used for a purchase, the dealer requests an instant check through the Firearm Transfer Inquiry Program (FTIP) Unit of the State Police, using one of two 1-900 numbers. The waiting period required to purchase is 24 hours for a long gun and 72 hours for a handgun.

Information on the Application. The FOID application requires name, address, date of birth, race, sex, height, weight, eye color, hair color, a recent picture, and answers to specific questions regarding eligibility factors.

Inquiry Process. FTIP purchase inquiries requiring limited analysis are completed in less than 1 minute. Inquiries requiring complete analysis are completed within 24-72 hours, depending on the type of firearm.

Fees Charged. The CLEO charges \$2 for an FTIP inquiry at the time of purchase and \$5 for the FOID card, which is good for 5 years.

State Data. The CLEO has access to automated files with national, fugitive, criminal history and conviction data from the statewide computer network. Other files cover mental health, and domestic violence restraining orders and misdemeanors.

Retention of Applications. Approved FTIP transactions from 1-900 calls are kept for 1 year; rejected transactions are kept for 5 years. FOID card applications are retained on microform.

Statistics Maintained. Illinois maintains statistics on stolen or recovered handguns, and on events which involve a handgun and homicides, gangs, and other specific activities.

Current Activity. In 1997, Illinois processed 171,865 FTIP inquiries from 1-900 calls; 1,943 were disapproved, a rejection rate of 1.1%.

Post-Brady Legislation. See Appendix Table 6.

Relevant Laws. Compiled Statutes 430:65/0.01 et seq; 720:5/24-1 et seq; 725:5/112A-14.5.

Indiana

A Brady-Alternative State: 5,544,159 population

Source of Information. Information was provided by the Indiana State Police, which is the CLEO for the entire State.

Additional Restrictions on Purchase. Indiana does not allow sales of handguns to persons who are under 23 years of age and were adjudicated a delinquent child for an act that would be a felony if committed by an adult; are alcohol abusers; or attempt a purchase while in a state of intoxication.

Limitations on Use. Indiana places limitations on carrying concealed handguns and forbids carrying or discharging firearms within certain areas and premises.

Permits. Indiana does not require a permit to purchase handguns or long guns. A license is required to carry a handgun; the license can also be used for a purchase without a new background check.

Handgun Registration. Handguns are voluntarily registered in Indiana.

Scope of Sales Covered. In addition to sales by Federal Firearm Licensees, background checks are required for handgun transfers from one individual to another. Handguns cannot be pawned in the State.

Restoration of Rights. Indiana allows a convicted felon's right to own a handgun to be restored through a full pardon from the governor, if 15 years have elapsed since the time of the offense.

Background Checks. The CLEO conducts background checks on purchase applications received through the mail from handgun sellers. Disapprovals are reported to sellers by telephone. If an application is approved, the State's required 7-day waiting period is allowed to expire.

Information on the Application. Indiana's application contains the following information: date and hour of the transfer, name, address, occupation, sex, eye color, hair color, race, complexion, age, place of birth, date of birth, nationality, height, weight, build, scars and marks, plus the make, model, caliber, and serial number of the handgun. Fingerprints may be required.

Inquiry Process. Applications are normally processed within the 7-day waiting period.

Fees Charged. The CLEO does not charge a fee for background checks.

State Data. The CLEO has access to criminal history data from the statewide computer network. This file is fully automated and contains 100% of the data available at the State level.

Retention of Applications. The CLEO does not retain approved applications but retains rejected applications indefinitely.

Statistics Maintained. No statewide information is available.

Current Activity. In 1997, Indiana processed 207,611 handgun license and purchase applications; 1,167 were disapproved, a rejection rate of 0.6%.

Post-Brady Legislation. The State's prohibition against transferring possession of firearms to persons under 18 years of age was extended to assault weapons. A new chapter, effective November 30, 1998, establishes a system by which dealers will call the State Police for background checks and receive a response during the call or by return call without delay.

Relevant Laws. Indiana Code 35-47-1 et seq.

Iowa

A Brady-Alternative State: 2,776,755 population

Source of Information. Information was provided by the Iowa Department of Public Safety, which is the CLEO for State employees. The other CLEOs in the State are the 99 county sheriffs.

Additional Restrictions on Purchase. Iowa prohibits the sale of handguns to anyone who has a history of repeated acts of violence or is addicted to alcohol.

Limitations on Use. Iowa places limitations on carrying handguns and long guns concealed or within certain areas and premises.

Permits. Iowa requires an annually renewed permit to acquire handguns, unless the purchaser holds a valid permit to carry firearms. A permit is not required to purchase long guns.

Handgun Registration. Handguns are not registered in Iowa.

Scope of Sales Covered. Permit regulations pertain to all handgun sales by Federal Firearm Licensees and pawnshops, as well as sales from one individual to another. However, redemptions by the person who pawned a gun are not covered by State law.

Restoration of Rights. Iowa allows a convicted felon's right to own a handgun to be restored through a pardon.

Background Checks. The CLEOs conduct background checks on applicants for permits to acquire handguns. Permits may not be issued without the check being completed. If approved, the sheriff issues a permit that is valid for 1 year. Iowa has a minimum 3-day waiting period because the permit is valid 3 days after being issued.

Information on the Application. Iowa's application includes the following information: name, address, date of birth, Social Security number (optional), date of request, date action taken, and the action taken.

Inquiry Process. No information is available.

Fees Charged. There are no State-mandated fees. Any fees charged are at the discretion of the CLEOs.

State Data. CLEOs have access to fugitive, criminal history, and domestic abuse restraining order/misdemeanor data on the statewide computer network. These files are fully automated. The CLEOs also have access to some probation, parole, and juvenile data.

Retention of Applications. CLEOs keep the approved applications for 4 years and rejected applications for 3 years.

Statistics Maintained. No statewide information is available.

Current Activity. No statewide information is available.

Post-Brady Legislation. No significant changes.

Relevant Laws. Iowa Code 702.7; 724.1 et seq.

Kansas

A Brady State: 2,477,574 population

Source of Information. Information was provided by the Kansas Bureau of Investigation, which is not a CLEO. The CLEOs in the State are the 123 local sheriffs and police departments.

Additional Restrictions on Purchase. Kansas restricts possession of firearms by certain persons who were adjudicated a juvenile offender because of the commission of an act which if done by an adult would constitute a disqualifying offense.

Limitations on Use. The State limits carrying handguns and long guns concealed or within certain areas and premises.

Permits. Kansas does not require a permit to purchase handguns or long guns.

Handgun Registration. Handguns are not registered in Kansas.

Scope of Sales Covered. In addition to Federal Firearm Licensees sales, the State requires a background check for pawnshop sales.

Restoration of Rights. Kansas allows a convicted felon's right to own a handgun to be restored after 5 or 10 years (depending on the type of crime) from the date of conviction or release from imprisonment (whichever period is longer). Restoration is not allowed if the offense involved possession of a firearm.

Background Checks. Firearm sellers requesting background checks on handgun purchasers contact the CLEOs via telephone, fax, or regular or certified mail. Applications are also accepted in person. The CLEOs use a statewide computer network to contact the State's central repository and receive a qualified or disqualified message.

Information on the Application. Kansas uses the standard BATF form.

Inquiry Process. The background check process usually takes less than 1 day.

Fees Charged. There are no State-mandated fees. Any fees charged are at the discretion of the CLEOs.

State Data. Kansas provides criminal history, domestic violence misdemeanor, and juvenile offender data to each CLEO via the statewide computer network. Complete criminal history records are disseminated to the CLEOs and to other authorized recipients via mail.

Retention of Applications. Approved applications are retained for a maximum period of 20 days, as permitted by the Brady Act. Rejected applications are retained at the discretion of the CLEOs.

Statistics Maintained. Kansas maintains statistics on stolen or recovered handguns, as well as statistics on events which involve a handgun and homicides, gangs, and other specific activities.

Current Activity. No statewide information is available.

Post-Brady Legislation. Amendments to criminal possession of a firearm laws restricted persons who possess handguns as juveniles, were convicted of certain firearm offenses in other jurisdictions, or were convicted of involuntary manslaughter while driving under the influence of alcohol or drugs.

Relevant Laws. Kansas Statutes 21-4201 et seq.

Kentucky

A Brady State: 3,685,296 population

Source of Information. Information was provided by the Kentucky State Police, which is the CLEO for most of the State. The sheriffs of Marshall, Ballard, Callaway, and Boyd counties also function as CLEOs.

Additional Restrictions on Purchase. The State does not place any additional restrictions on the purchase of handguns or long guns.

Limitations on Use. Kentucky places limitations on carrying concealed handguns and long guns, and forbids carrying or discharging firearms within certain areas and premises.

Permits. Kentucky does not require a permit to purchase handguns or long guns. A license is required to carry a concealed firearm.

Handgun Registration. The State does not register handguns.

Scope of Sales Covered. Only sales by Federal Firearm Licensees require background checks in Kentucky.

Restoration of Rights. Kentucky allows a convicted felon's right to own a handgun to be restored through a governor's pardon.

Background Checks. Firearm dealers can request background checks on handgun purchase applicants by mail, fax, or certified mail. If the application is rejected, the denial is telephoned to the dealer with only the message number from the background check response. The applicant will receive a denial letter stating the charge, contributing agency, date of criminal history, and disposition, if available.

Information on the Application. In addition to the data required on the standard BATF form, Kentucky requires the Social Security number.

Inquiry Process. Background checks normally take no longer than 3 days.

Fees Charged. No fees are charged.

State Data. CLEOs have access to fugitive, criminal history, and domestic violence restraining order data from the statewide computer network. These files are fully automated.

Retention of Applications. Approved applications are retained for a maximum period of 20 days, as permitted by the Brady Act. The CLEOs retain the rejected applications indefinitely.

Statistics Maintained. Kentucky maintains statistics on handguns stolen or recovered, as well as statistics on events which involve a handgun and homicides, assaults, drugs, and other specific activities.

Current Activity. In 1997, the Kentucky State Police processed 79,574 applications for areas covered by the agency. The State Police disapproved 1,973 applications, a rejection rate of 2.5%.

Post-Brady Legislation. A new statutory section provided for licenses to carry concealed firearms. New statutes prohibited possession of a firearm on the property of an elementary school or a high school, and allowed a court to restrict firearm possession by a person charged with domestic violence.

Relevant Laws. Kentucky Revised Statutes 237.030 et seq; 431.064; 527.010 et seq.

Louisiana

A Brady State: 4,219,973 population

Source of Information. Information was provided by the Louisiana State Police, which is not a CLEO. The CLEOs for the State are 63 sheriffs and the New Orleans Police Department.

Additional Restrictions on Purchase. The State does not place additional restrictions on the purchase of handguns or long guns.

Limitations on Use. Louisiana places limitations on carrying a concealed handgun and forbids the carrying or discharge of handguns and long guns within certain areas and premises.

Permits. The State does not require a permit to purchase handguns or long guns. A permit is required to carry a concealed handgun.

Handgun Registration. Handguns are not registered in Louisiana.

Scope of Sales Covered. Only sales by Federal Firearm Licensees are subject to background checks requirements in the State.

Restoration of Rights. A convicted felon's right to own a handgun can be restored in Louisiana through a governor's pardon or by a sheriff. Except for certain offenders, persons conviction free for ten years after completion of their sentence may apply to the sheriff of their parish of residence for a permit to possess firearms.

Background Checks. The CLEOs conduct background checks on applicants for purchases of handguns. Firearm dealers request the checks by sending purchase applications to the CLEOs.

Information on the Application. Louisiana uses the standard BATF form.

Inquiry Process. No information is available.

Fees Charged. There are no State-mandated fees. Any fees charged are at the discretion of the CLEOs.

State Data. Louisiana makes criminal history and fugitive data available to each CLEO via the statewide computer network. These files are fully automated. A domestic violence restraining order registry was scheduled to go online in 1998.

Retention of Applications. Approved applications are retained for a maximum period of 20 days, as permitted by the Brady Act. Rejected applications are retained at the discretion of the CLEOs.

Statistics Maintained. No statewide information is available.

Current Activity. No statewide information is available.

Post-Brady Legislation. An amendment provided for issuance of concealed handgun permits by the Department of Public Safety and Corrections.

Relevant Laws. Louisiana Revised Statutes 14:91; 14:95; 14:95.1; 40:1379.3; 40:1751 et seq.

Maine

A Brady State: 1,227,928 population

Source of Information. Information was provided by the Maine State Police, which is the CLEO for unincorporated areas of the State. The other CLEOs are 128 local police agencies.

Additional Restrictions on Purchase. Maine prohibits sales of handguns to certain persons who have engaged in conduct as juveniles that if committed by an adult would have been a disqualifying offense.

Limitations on Use. The State places limitations on carrying concealed handguns and long guns and forbids the carrying or discharge of firearms within certain areas and premises.

Permits. Maine does not require a permit to purchase handguns or long guns. A permit to carry a concealed weapon is required.

Handgun Registration. Handguns are not registered in Maine.

Scope of Sales Covered. Only sales by Federal Firearm Licensees are subject to background checks requirements in the State.

Restoration of Rights. Maine allows a convicted felon's right to own a handgun to be restored by the Commissioner of Public Safety, a court order, or a governor's pardon. An application to the Commissioner can be made if 5 years without additional violations have elapsed since completion of the sentence.

Background Checks. Firearm dealers request background checks on handgun purchasers by sending applications to the local police departments or the State police.

Information on the Application. Maine uses the standard BATF form.

Inquiry Process. The State police normally process approved applications within 24 hours, and rejected applications within 72 hours.

Fees Charged. No fees are charged.

State Data. Maine makes fugitive, criminal history, and Department of Motor Vehicle data available to each CLEO. These files are maintained manually and are accessed via teletype. The local police check court files for domestic violence restraining orders.

Retention of Applications. Approved applications are retained for a maximum period of 20 days, as permitted by the Brady Act. Rejected applications are retained indefinitely.

Statistics Maintained. No statewide information is available.

Current Activity. No statewide information is available.

Post-Brady Legislation. The transfer of a firearm to a minor without parental consent was forbidden by a new law.

Relevant Laws. Maine Revised Statutes 15.393; 17A.554; 25.2001 et seq.

Maryland

A Brady-Alternative State: 4,781,468 population

Source of Information. Information was provided by the Maryland State Police Licensing Division, the CLEO for the State.

Additional Restrictions on Purchase. The State prohibits transfers of handguns to persons who are habitually intoxicated or visibly under the influence of alcohol or drugs; were convicted of any common law offense or misdemeanor that carries more than a 2-year term of imprisonment; or participate in straw purchases. Applicants must have resided in the State for 1 month, and are limited to purchasing one handgun every 30 days.

Limitations on Use. Maryland limits carrying a concealed handgun, and forbids carrying or discharging firearms within certain areas and premises.

Permits. The State does not require a permit to purchase handguns or long guns. A permit issued by the Secretary of the Maryland State Police is required to carry a handgun.

Handgun Registration. Maryland maintains a permanent record of all completed sales of handguns and other regulated firearms.

Scope of Sales Covered. Dealers selling regulated firearms in Maryland must have a regulated firearms dealers license issued by the State, in addition to a Federal Firearms License. Background checks are required for all handgun sales, including those which occur at pawnshops and gun shows, or between individuals. Pawnshop redemptions are not considered to be sales.

Restoration of Rights. The right to own a firearm may be restored through a governor's pardon, provided that more than 10 years have passed since the conviction and no other criminal violations have occurred.

Background Checks. Handgun sellers request checks by submitting purchase applications to the CLEO by certified mail or fax. Maryland requires a minimum 7-day waiting period for all transfers.

Information on the Application. The application includes the name, address, race, sex, height, weight, hair color, eye color, date and place of birth, driver's identification number, Social Security number, occupation, date of request, date action taken, action taken, and the type, make, model, and serial number of the weapon.

Inquiry Process. Applications requiring no research take approximately 5 days. Applications which require research normally take less than 1 month.

Fees Charged. The CLEO charges a \$10 application fee.

State Data. The CLEO has access to fugitive, criminal history, domestic violence restraining order/misdemeanor, and probation/parole data. Fugitive and criminal history files are fully automated.

Retention of Applications. A permanent record of all completed applications of regulated firearms is maintained. Rejected applications are maintained for 3 years.

Statistics Maintained. Maryland maintains statistics on events which involve a handgun and homicides, robbery, and other specific activities.

Current Activity. In 1997, Maryland processed 31,599 applications; 275 were disapproved, a rejection rate of 0.9%.

Post-Brady Legislation. Amendments added purchase restrictions, revised existing restrictions, established a waiting period, and limited the use of firearms on school property or in a vehicle.

Relevant Laws. Code of Maryland 27-36A et seq; 27-441 et seq.

Massachusetts

A Brady-Alternative State: 6,016,425 population

Source of Information. Information was provided by the Massachusetts Department of Public Safety, which is not a CLEO. The CLEOs in the State are 270 local police departments.

Additional Restrictions on Purchase. Applicants must be able to satisfy the CLEO that they have a proper purpose for purchasing a firearm and are a suitable person. The State prohibits possession of handguns or long guns by persons who are not U.S. citizens; have been treated or confined for habitual drunkenness; or were adjudicated or released from confinement as a youthful offender within the prior 5 years.

Limitations on Use. The State places restrictions on carrying handguns and long guns and forbids the carrying or discharge of firearms within certain areas and premises.

Permits. Unless a purchaser possesses a license to carry, the State requires a firearm identification card to purchase any firearm and, further, requires a permit to purchase a handgun.

Handgun Registration. Handguns and long guns purchased in Massachusetts are registered; new residents who own handguns must notify the State.

Scope of Sales Covered. Massachusetts requires a background check for sales by Federal Firearm Licensees and for all other firearm transfers. Handguns cannot be pawned in the State.

Restoration of Rights. A convicted felon's right to own a handgun may be restored through a governor's pardon, or following five years after completion of the sentence without additional violations.

Background Checks. The local police departments conduct background checks on applicants for documents required to purchase firearms. The CLEOs are allowed 30 days to process identification card applications.

Information on the Application. The application includes the following information: name, address, telephone number, place of birth, business address, employer, occupation, build, complexion, eye color, hair color, height, weight, date of birth, Social Security number, mother's maiden name, father's name, applicant's other names, fingerprints, photograph, and references.

Inquiry Process. No information is available.

Fees Charged. The fee for an identification card or a permit to purchase is \$2.

State Data. Massachusetts provides fugitive, criminal history, probation/parole, juvenile, and domestic violence restraining order/misdemeanor data on the statewide computer network. These files are fully automated. Manual files are kept on mental health data.

Retention of Applications. The CLEOs keep copies of approved and rejected applications indefinitely.

Statistics Maintained. No statewide information is available.

Current Activity. No statewide information is available.

Post-Brady Legislation. Amendments to the identification card and license to carry statutes barred issuance of either to a person adjudicated or released from confinement as a youthful offender in the prior 5 years.

Relevant Laws. Massachusetts Laws 140-121 et seq.

Michigan

A Brady-Alternative State: 9,295,297 population

Source of Information. Information was provided by the Michigan State Police. The CLEOs in the State are the 595 local sheriffs and police departments.

Additional Restrictions on Purchase. Michigan prohibits issuing licenses to purchase handguns to persons who the CLEO has probable cause to believe will use the gun to harm themselves or others, or violate the law.

Limitations on Use. The State limits carrying concealed handguns and forbids carrying or discharging handguns or long guns within certain areas and premises.

Permits. Michigan requires a license to purchase a handgun and a license to carry a concealed handgun.

Handgun Registration. The State requires registration of handguns.

Scope of Sales Covered. In addition to Federal Firearm Licensees sales, Michigan requires a background check for sales by private individuals. Gifts and loans are treated as sales. Handguns cannot be pawned.

Restoration of Rights. Felons convicted of nonviolent offenses regain the right to own a handgun 3 years after completion of their sentences. Violent offenders may have their rights restored 5 years after completion of a sentence, if approved by a county Concealed Weapons Licensing Board or the circuit court.

Background Checks. Prospective purchasers apply for licenses in person. The larger CLEOs generally have their own automated inquiry system, while other agencies use the statewide system to check on license applicants.

Information on the Application. The application includes the following information: name, address, race, sex, height, hair color, eye color, and date of birth. At the time of registration, the make, caliber, type, model, and serial number of the weapon are recorded.

Inquiry Process. Applications not needing research are normally processed by non-automated agencies in less than 1 hour, and by automated agencies in less than 5 minutes. Applications requiring research take less than 5 days.

Fees Charged. CLEOs are allowed to charge any fee not exceeding \$5 for a license.

State Data. Fully automated fugitive, criminal history, domestic violence restraining order, probation/parole, mental health, and juvenile (if reportable to the State) data is available to each CLEO. Some corrections data is also available. Domestic violence misdemeanors can be located through an automated pointer that requires manual research.

Retention of Applications. Approved applications are kept on file for 6 years. Rejected applications are kept at the discretion of the CLEOs.

Statistics Maintained. Michigan maintains statistics on handguns stolen, recovered, confiscated, or fired accidentally, as well as statistics on events which involve a handgun and homicides, gangs, and other specific activities.

Current Activity. No statewide information is available.

Post-Brady Legislation. Enumerated court orders and dispositions that prohibit purchase of a handgun were added by amendment to the handgun license statute.

Relevant Laws. Michigan Compiled Laws 28.421 et seq; 750.234(a) et seq.

Minnesota

A Brady-Alternative State: 4,375,099 population

Source of Information. Information was provided by the Minnesota Department of Public Safety, which is not a CLEO. The CLEOs in the State are 568 local sheriffs and police departments.

Additional Restrictions on Purchase. The State prohibits sales of handguns to certain persons who were convicted of or adjudicated delinquent for committing a crime of violence as a juvenile.

Limitations on Use. Minnesota requires a permit to carry a handgun and limits carrying a loaded long gun. Carrying or discharging a firearm within certain areas and premises is forbidden.

Permits. Minnesota allows its citizens to make single purchases of handguns or to obtain a transferee permit which is good for 1 year and can be used to purchase an unlimited number of handguns. A valid permit to carry constitutes a transferee permit. Purchasing a long gun does not require a permit.

Handgun Registration. Handguns are not registered in Minnesota.

Scope of Sales Covered. In addition to Federal Firearm Licensee sales, the State requires background checks for transfers between private individuals and pawnshop sales / redemptions.

Restoration of Rights. Persons convicted of committing crimes of violence may purchase handguns if 10 years have elapsed since restoration of civil rights or expiration of the sentence (whichever occurs first) and the person has not been convicted of any other crime of violence, or if the conviction has been expunged or the person has been pardoned.

Background Checks. The CLEOs conduct background checks on applicants for transferee permits or single purchases of handguns. Permit applicants may contact a CLEO directly, and a firearm seller may request a single purchase approval. The CLEOs are allowed a maximum period of 5 business days (7 days) to complete background checks.

Information on the Application. The following information is required: name, address, telephone number, driver's license number, sex, date of birth, height, weight, eye color, and distinguishing physical characteristics. Applicants must show an identification card with a color photograph.

Inquiry Process. No statewide information is available.

Fees Charged. State law does not allow any fees to be charged.

State Data. Minnesota makes criminal history, fugitive, juvenile and domestic violence restraining order data available to each CLEO via the statewide computer network. These files are fully automated. Manual files contain information on mental health and chemical dependency. Automation of mental health and domestic violence misdemeanor data is underway.

Retention of Applications. Approved and rejected applications are kept at the discretion of the local CLEOs.

Statistics Maintained. The State tracks handgun incidents which involve homicide or the death or injury of more than one person.

Current Activity. No statewide information is available.

Post-Brady Legislation. Amendments added restrictions on firearm possession, and required CLEOs to check mental health data.

Relevant Laws. Minnesota Statutes 609.224; 624.711 et seq.

Mississippi

A Brady State: 2,573,216 population

Source of Information. Information was provided by the Mississippi Department of Public Safety, which is not a CLEO. The CLEOs are 262 local sheriffs and police departments.

Additional Restrictions on Purchase. The State makes it unlawful to transfer a handgun to a person whom the transferor knows to be in a state of intoxication..

Limitations on Use. Mississippi places limitations on carrying concealed handguns and forbids carrying or discharging handguns and long guns within certain areas and premises.

Permits. Mississippi does not require a permit to purchase handguns or long guns. A permit is required to carry a concealed handgun.

Handgun Registration. Handguns are not registered in Mississippi.

Scope of Sales Covered. Only sales by Federal Firearm Licensees are subject to background checks requirements in the State.

Restoration of Rights. Mississippi allows a convicted felon's right to own a handgun to be restored through a governor's pardon.

Background Checks. The CLEOs conduct background checks on handgun purchase applicants when requested by a firearms dealer. The CLEOs receive applications in person or by mail, fax, or certified mail. Results of the background checks are reported to the dealers.

Information on the Application. Mississippi uses the standard BATF form.

Inquiry Process. The background check process normally takes less than 5 days.

Fees Charged. There are no State-mandated fees. Any fees charged are at the discretion of the CLEOs.

State Data. The State maintains an automated message switch that allows local CLEOs to access the National Crime Information Center (NCIC) and the Interstate Identification Index (III). Arrest and disposition data on felonies and misdemeanors became available online in 1998.

Retention of Applications. CLEOs retain approved applications for a maximum period of 20 days, as permitted by the Brady Act. Rejected applications are retained at the discretion of the CLEOs.

Statistics Maintained. No statewide information is available.

Current Activity. No statewide information is available.

Post-Brady Legislation. A reciprocity statute was added to the concealed handgun permit law.

Relevant Laws. Mississippi Code 45-9-101; 97-37 et seq.

Missouri

A Brady-Alternative State: 5,117,073 population

Source of Information. Information was provided by the Missouri State Highway Patrol, which is not a CLEO. The CLEOs in the State are the 114 local sheriffs, and the St. Louis County Police Department.

Additional Restrictions on Purchase. The State prohibits issuing a permit to persons who are habitually intoxicated, were convicted of misdemeanors specified by State law, or rendered a false statement on their application. Applicants must have resided in the State for 6 months and must be U.S. citizens.

Limitations on Use. The State prohibits the carrying of weapons concealed, and limits the carrying or discharge of handguns and long guns within certain areas and premises.

Permits. Missouri mandates a permit to acquire a handgun, but does not mandate a permit to acquire a long gun.

Handgun Registration. Handguns are not registered by the State, but are registered by some counties and municipalities.

Scope of Sales Covered. In addition to Federal Firearm Licensees sales, the State requires a background check for transfers between individuals and for pawnshop sales.

Restoration of Rights. Missouri allows a convicted felon's right to own a handgun to be restored through a governor's pardon.

Background Checks. The CLEOs conduct background checks on applicants for permits to acquire handguns and are allowed a maximum period of 7 business days to complete the process. Applicants generally contact a CLEO in person.

Information on the Application. Missouri's application includes the following information: name, residence and business addresses, height, hair color, eye color, date of birth, Social Security number, occupation, reason for desiring a permit, date of request, date action taken, reason for rejection, type, make, model, and serial number of the weapon, and the date and manner of the weapon's disposition.

Inquiry Process. No statewide information is available.

Fees Charged. The CLEOs charge \$10 for a permit.

State Data. Missouri makes fugitive, criminal history, domestic violence restraining order/misdemeanor, and probation/parole data available to each CLEO via a statewide computer network. These files are fully automated.

Retention of Applications. The local CLEOs keep the approved and rejected applications indefinitely.

Statistics Maintained. Missouri maintains statistics on handguns stolen, recovered, or fired accidentally.

Current Activity. No statewide information is available.

Post-Brady Legislation. The unlawful use of weapons statute was amended to prohibit discharge of a firearm at or from a motor vehicle, or at a building.

Relevant Laws. Missouri Revised Statutes 571.010 et seq.

Montana

A Brady State: 799,065 population

Source of Information. Information was provided by the Montana Department of Justice, which is not a CLEO. The CLEOs in the State are 56 local sheriffs and police departments.

Additional Restrictions on Purchase. Montana does not place additional restrictions on the purchase of handguns or long guns.

Limitations on Use. The State forbids the carrying of a concealed long gun and requires a concealed weapon permit to carry a concealed handgun on certain premises. Discharging a firearm within specified areas is prohibited.

Permits. Montana does not require a permit to purchase handguns or long guns, but does require concealed weapon permits.

Handgun Registration. The State does not register handguns.

Scope of Sales Covered. Only sales of handguns by Federal Firearm Licensees require background checks in the State.

Restoration of Rights. Montana allows a convicted felon's right to own a handgun to be restored by a governor's pardon or upon completion of the sentence (except for certain offenders who must apply to the court for a permit to purchase firearms).

Background Checks. Firearms dealers request background checks on handgun purchase applicants by sending applications to the CLEOs. The results of the checks are reported back to the dealers. Persons possessing concealed weapon permits are exempt from the federal 5-day waiting period.

Information on the Application. Montana uses the standard BATF form.

Inquiry Process. No information is available.

Fees Charged. There are no State-mandated fees. Any fees charged are at the discretion of the CLEOs.

State Data. Montana makes fugitive and criminal history data available to each CLEO via its statewide computer network. These files are fully automated. Some domestic violence data is also available.

Retention of Applications. Approved applications are retained for a maximum period of 20 days, as permitted by the Brady Act. Rejected applications are retained at the discretion of the CLEOs.

Statistics Maintained. Montana maintains statistics on events which involve a handgun and homicides.

Current Activity. No statewide information is available.

Post-Brady Legislation. Amendments clarified procedures for concealed weapon permits and deprivation of a convicted offender's right to possess a firearm.

Relevant Laws. Montana Code 45-8-301 et seq; 46-18-801.

Nebraska

A Brady-Alternative State: 1,578,385 population

Source of Information. Information was provided by the Nebraska State Patrol, which is not a CLEO. The CLEOs are 93 sheriffs and the Lincoln and Omaha Police Departments.

Additional Restrictions on Purchase. The State does not place additional restrictions on the purchase of handguns or long guns.

Limitations on Use. Nebraska limits carrying concealed handguns and forbids carrying or discharging long guns within certain areas and premises.

Permits. Nebraska requires a transfer certificate (valid for up to 3 years) to purchase a handgun. A permit is not required to purchase long guns.

Handgun Registration. Handguns are not registered in Nebraska.

Scope of Sales Covered. A transfer certificate is required for sales by Federal Firearm Licensees and other handgun transfers, with limited exceptions.

Restoration of Rights. Nebraska does not allow a convicted felon's right to own a handgun to be restored.

Background Checks. The CLEOs conduct background checks on applicants for handgun transfer certificates. Checks are requested from the local CLEO in person or by mail or fax. The results of the checks are reported by mail or fax. A maximum period of 2 days is allowed for a CLEO to investigate and decide on an application.

Information on the Application. Nebraska's application includes the following data: name, address, race, sex, height, weight, hair color, date of birth, Social Security number, date of request, date action taken, action taken plus the type, make, model, and serial number of the weapon.

Inquiry Process. For applications which require no research, the process normally takes less than 1 day. Applications requiring research normally take less than 2 days.

Fees Charged. Nebraska charges \$5 for the background check.

State Data. Nebraska makes fugitive, criminal history, and probation/parole data available to each CLEO via the statewide computer network. These files are automated and contain 75% of the data available at the State level. The State Patrol will research mental health data upon a request from a CLEO.

Retention of Applications. Approved and rejected applications are kept at the discretion of the CLEOs.

Statistics Maintained. Nebraska maintains statistics on events which involve a handgun and drugs, homicides, assaults, or violence against a police officer.

Current Activity. No statewide information is available.

Post-Brady Legislation. No significant changes.

Relevant Laws. Nebraska Revised Statutes 28-1202; 69-2401 et seq.

Nevada

A Brady State: 1,201,833 population

Source of Information. Information was provided by the Nevada Highway Patrol, which is the CLEO for the State.

Additional Restrictions on Purchase. The State does not place additional restrictions on the purchase of handguns or long guns.

Limitations on Use. Nevada places limitations on carrying concealed handguns and long guns and forbids carrying or discharging firearms within certain areas and premises.

Permits. The State does not require a permit to purchase handguns or long guns. A permit is required to carry a concealed firearm.

Handgun Registration. Handguns are not registered in Nevada except in Clark County.

Scope of Sales Covered. Only sales of handguns by Federal Firearm Licensees require background checks in Nevada. Private persons wishing to transfer a firearm may request a check on the transferee from the State records repository.

Restoration of Rights. Nevada allows a convicted felon's right to own a firearm to be restored if the person is honorably discharged from probation; firearms rights are specifically restored by a court order or a governor's pardon.

Background Checks. The CLEO conducts background checks on applicants for purchases of handguns. Firearms dealers request checks by using a 1-800 number or regular telephone number. A determination is rendered within 5 working days.

Information on the Application. Nevada's Federal Firearm Licensees use the BATF forms when preparing to conduct a firearm transaction.

Inquiry Process. For applications which require no research, the background check process normally takes less than 5 minutes. Applications requiring research normally are processed in less than 3 days.

Fees Charged. The CLEO charges \$15 for the background check.

State Data. The CLEO has access to fugitive, criminal history, and domestic violence misdemeanor data from the statewide computer network. These files are fully automated. Currently under development is a protective order registry.

Retention of Applications. Approved applications are retained for a maximum period of 20 days, as permitted by the Brady Act. Rejected applications are kept indefinitely.

Statistics Maintained. Nevada maintains statistics on events which involve a handgun and homicides, drugs, and other specific activities.

Current Activity. In 1997 Nevada processed 24,765 applications; 686 were disapproved, a rejection rate of 2.8%.

Post-Brady Legislation. New statutes provided for the issuance of concealed firearm permits, made certain permit information confidential, and allowed a person wishing to transfer a firearm to request a check on the transferee from the State records repository.

Relevant Laws. Nevada Revised Statutes 202-253 et seq.

New Hampshire

A Brady-Alternative State: 1,109,252 population

Source of Information. Information was provided by the New Hampshire State Police, which is the CLEO for the entire State.

Additional Restrictions on Purchase. The handgun purchase restrictions found in State law are similar to federal restrictions.

Limitations on Use. New Hampshire places limitations on carrying concealed handguns and forbids carrying firearms within certain areas and premises.

Permits. New Hampshire does not require a permit to purchase handguns or long guns. A permit is required to carry a concealed handgun.

Handgun Registration. Handguns are not registered in New Hampshire.

Scope of Sales Covered. In addition to Federal Firearm Licensees sales, background checks on handgun purchase applicants are required for sales by pawnshops. Sales between private individuals and pawnshop redemptions are not covered.

Restoration of Rights. New Hampshire does not allow a convicted felon's right to own a handgun to be restored.

Background Checks. Instant checks on handgun purchase applicants are conducted by the New Hampshire Department of Safety. Dealers can request checks by using a 1-900 number. The maximum period allowed for completing a background check is 1 day.

Information on the Application. New Hampshire's application includes the following information: name, race, sex, date of birth, Social Security and/or driver's license number, date of request, date action taken, and the action taken.

Inquiry Process. For applications which require no research, the process takes less than 5 minutes. Applications requiring research normally are processed in less than 4 hours.

Fees Charged. The CLEO charges \$7 for the background check.

State Data. The CLEO has access to fugitive, criminal history, and domestic violence restraining order data from the statewide computer network.

Retention of Applications. The CLEO retains the approved applications for 20 days and the rejected applications for 3 years.

Statistics Maintained. New Hampshire maintains statistics on stolen or recovered handguns, as well as statistics on events which involve a handgun and homicides, drugs, and other specific activities.

Current Activity. In 1997 New Hampshire processed 12,557 applications; 232 were disapproved, a rejection rate of 1.8%.

Post-Brady Legislation. A new chapter established a statewide instant check system for handgun purchases.

Relevant Laws. New Hampshire Revised Statutes 159:1 et seq.

New Jersey

A Brady-Alternative State: 7,730,188 population

Source of Information. Information was provided by the New Jersey State Police, the CLEO for some unincorporated areas. The other CLEOs are 505 local police departments.

Additional Restrictions on Purchase. The State prohibits issuing firearm purchase permits to persons who are habitually intoxicated, physically unable to handle firearms, or attempting to falsify their application. In addition, issuance of a permit must be in the interest of public health, safety, or welfare.

Limitations on Use. New Jersey places limitations on carrying handguns and long guns concealed or within certain areas and premises.

Permits. The State requires a permit to purchase a handgun, which is valid for 90 days. Long guns can be acquired with a firearms purchaser identification card. A permit is required to carry a handgun.

Handgun Registration. Handguns are registered in New Jersey at the time of purchase.

Scope of Sales Covered. All sales by Federal Firearm Licensees and from one individual to another are covered by State law. Handguns cannot be pawned.

Restoration of Rights. New Jersey allows a convicted felon's right to own a handgun to be restored if the person's criminal record is expunged.

Background Checks. CLEOs conduct checks on applicants for a permit to purchase a handgun or a firearms purchaser identification card. If no cause for denial exists, a permit or identification card shall be granted within 30 days (or 45 days for a non-resident application). Handgun transfers require a 7-day minimum waiting period.

Information on the Application. The application contains the following: name, address, date of birth, place of birth, citizenship, Social Security number, sex, height, weight, race, hair color, complexion, eye color, distinguishing physical characteristics, occupation, name and address of employer, and questions relating to criminal and disorderly conduct convictions, firearms permits previously denied, alcohol and drug use, physical defects or sickness, psychiatric conditions or treatment, and court orders related to domestic violence. Also included are the applicant's signature, the date of the application, and two referrals. First-time applicants are required to be fingerprinted.

Inquiry Process. For applications which require no research, the background check takes less than 1 month. Applications requiring research normally take less than 6 months.

Fees Charged. Fingerprint fees are \$49. Document fees are \$2 for a permit to purchase a handgun and \$5 for a firearms purchaser identification card.

State Data. New Jersey makes fugitive, criminal history, domestic violence restraining order/misdemeanor, juvenile, and probation/parole data available to each CLEO. Mental health files are under development and only partial data is available.

Retention of Applications. CLEOs retain approved and rejected applications indefinitely.

Statistics Maintained. No information is available.

Current Activity. In 1997, New Jersey processed 25,386 applications; 214 were disapproved, a rejection rate of 0.8%.

Post-Brady Legislation. See Appendix Table 6 for details.

Relevant Laws. New Jersey Statutes 2C:39-1 et seq; 2C:58-1 et seq.

New Mexico

A Brady State: 1,151,069 population

Source of Information. Information was provided by the New Mexico Department of Public Safety, which is the CLEO for some unincorporated areas. Other CLEOs are 112 local sheriffs and police departments.

Additional Restrictions on Purchase. The State does not place additional restrictions on the purchase of handguns or long guns.

Limitations on Use. New Mexico limits carrying concealed handguns and long guns, and forbids carrying or discharging firearms within certain areas and premises.

Permits. The State does not require a permit to purchase handguns or long guns.

Handgun Registration. Handguns are not registered in New Mexico.

Scope of Sales Covered. Only handgun sales by Federal Firearm Licensees require background checks in the State.

Restoration of Rights. New Mexico allows a convicted felon's right to own a handgun to be restored by a governor's pardon or upon the expiration of 10 years after completion of the sentence without additional violations.

Background Checks. CLEOs conduct background checks on handgun purchase applicants when requested by firearms dealers. The results of the checks are reported back to the dealers.

Information on the Application. New Mexico uses the standard BATF form.

Inquiry Process. For applications which require no research, the process normally takes less than 2 days. Applications requiring research normally are processed in less than 5 days.

Fees Charged. There are no State-mandated fees. Any fees charged are at the discretion of the CLEOs, and vary from \$0 to \$20.

State Data. New Mexico makes criminal history, domestic violence misdemeanor, and juvenile data available to each CLEO via the statewide network. These files are manual, and requests to search them are made by teletype from the CLEO to the Department of Public Safety.

Retention of Applications. The CLEOs keep the approved applications for a maximum of 20 days, as permitted by the Brady Act. Rejected applications are kept at the discretion of the CLEOs.

Statistics Maintained. New Mexico maintains statistics on events which involve a handgun and murder or assault of a police officer.

Current Activity. No statewide information is available.

Post-Brady Legislation. A new statute made it unlawful for a person under the age of 19 to possess a handgun. An amendment prohibited carrying a deadly weapon on any public school premises.

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

New York

A Brady-Alternative State: 17,990,455 population

Source of Information. Information was provided by the New York State Division of Criminal Justice Services, which is not a CLEO. The CLEOs in the State are 58 county judges.

Additional Restrictions on Purchase. New York prohibits issuing a handgun license to persons who are not of good moral character or have been convicted of a "serious offense," as defined by State law.

Limitations on Use. The State forbids carrying handguns and long guns within certain areas and premises. Carry restrictions can be added to handgun licenses at the discretion of the CLEOs.

Permits. New York requires a license to possess and carry a handgun.

Handgun Registration. Handguns are registered in New York.

Scope of Sales Covered. All sales by Federal Firearm Licensees are covered by State law, as well as pawnshop sales and redemptions. Firearms dealers are further required to possess a State license.

Restoration of Rights. New York may authorize a convicted felon's right to own a handgun to be restored. This procedure requires a court order.

Background Checks. Applicants for licenses to possess handguns apply in person at local sheriffs and police departments, which conduct background checks on behalf of the county judges. Fingerprints are forwarded to the State and to the FBI for processing. Applications must be acted upon within 6 months unless there is good cause for delay.

Information on the Application. New York's application includes the following information: name, address, race, sex, height, weight, hair color, eye color, date of birth, Social Security number, fingerprints, business address, previous address, occupation, character references, date of request, date action taken, action taken, reason for rejection plus the type, make, model, and serial number of the weapon.

Inquiry Process. No information is available.

Fees Charged. License fees vary by issuing authority, but are at least \$74, including a fingerprint processing charge.

State Data. Local CLEOs have access to criminal history, fugitive, mental health, and domestic violence restraining order/misdemeanor data at the State level.

Retention of Applications. Approved and rejected applications are retained indefinitely by the CLEOs.

Statistics Maintained. No statewide information is available.

Current Activity. No statewide information is available.

Post-Brady Legislation. The licensing statute was amended to provide that all information will be confidential except an applicant's name and address. Licensing procedures were revised for Nassau, Suffolk, and Westchester counties. An amendment allows a court to suspend or revoke a license, or order seizure of firearms from one subject to or in violation of a protective order.

Relevant Laws. New York Penal Law 265.00 et seq; 400.00 et seq; Criminal Procedure Law 530.14.

North Carolina

A Brady-Alternative State: 6,628,637 population

Source of Information. Information was provided by the North Carolina State Bureau of Investigation, which is not a CLEO. The CLEOs in the State are 100 county sheriffs.

Additional Restrictions on Purchase. An applicant for a handgun permit must not be habitually intoxicated or lack good moral character.

Limitations on Use. North Carolina places restrictions on carrying concealed handguns and forbids carrying or discharging firearms within certain areas and premises.

Permits. The State requires a permit to purchase handguns and to carry a concealed handgun.

Handgun Registration. Handguns are not registered in North Carolina.

Scope of Sales Covered. State handgun permit requirements apply to all sales by Federal Firearm Licensees, pawnshops and individuals. However, redemptions by the person who pawned a handgun are not covered by State law.

Restoration of Rights. North Carolina allows a convicted felon's right to own a handgun to be restored automatically 5 years after completion of the sentence without additional violations.

Background Checks. The CLEOs conduct background checks on applicants for handgun permits and are allowed 30 days to complete the checks.

Information on the Application. The exact fields on the application are at the discretion of the county sheriff. Most CLEOs require an extensive list of information.

Inquiry Process. No information is available.

Fees Charged. The State mandates a charge of \$5 for processing a permit application.

State Data. North Carolina makes fugitive, criminal history, probation/parole, domestic violence restraining order/misdemeanor, and motor vehicle data available to each CLEO via the statewide computer network. These files are fully automated.

Retention of Applications. The CLEOs retain approved applications for 5 years and rejected applications indefinitely.

Statistics Maintained. North Carolina maintains statistics on events which involve a handgun and homicides, suicides, and violence against a police officer.

Current Activity. No statewide information is available.

Post-Brady Legislation. Amendments to several statutes incorporated restrictions similar to the Federal prohibitions into State law. An amendment provided a 5-year duration for weapon purchase permits. A new article authorized permits to carry concealed handguns.

Relevant Laws. North Carolina General Statutes 14-269; 14-402 et seq.

North Dakota

A Brady State: 638,000 population

Source of Information. Information was provided by the North Dakota Bureau of Criminal Investigation, which is not a CLEO. The CLEOs in the State are 53 local sheriffs.

Additional Restrictions on Purchase. The State prevents handguns from being purchased if the applicant was convicted of a "Class A" misdemeanor involving violence or intimidation, committed while using or possessing a firearm or dangerous weapon.

Limitations on Use. North Dakota limits carrying concealed handguns and long guns and forbids carrying or discharging firearms within certain areas and premises.

Permits. The State does not require a permit to purchase handguns or long guns. A permit is required to carry concealed firearms.

Handgun Registration. Handguns are not registered in North Dakota.

Scope of Sales Covered. In addition to sales by Federal Firearms Licensees, a background check is required for sales by individuals and pawnshops. However, pawnshop redemptions are not covered.

Restoration of Rights. North Dakota allows a convicted felon's right to own a handgun to be restored 5 or 10 years after completion of the sentence with no additional violations, depending on the type of offense committed.

Background Checks. The CLEOs conduct background checks on handgun purchase applicants when requested by a seller. The applications are received in person or by regular or certified mail. The results of the checks are reported to the sellers.

Information on the Application. North Dakota uses the standard BATF form.

Inquiry Process. No information is available.

Fees Charged. Local CLEOs are allowed to charge up to \$10 for the background check.

State Data. North Dakota makes fugitive (50% is automated) and criminal history (75% is automated) data available to each CLEO via the statewide computer network. Court restraining order data is also available.

Retention of Applications. CLEOs keep the approved applications for a maximum of 20 days, as permitted by the Brady Act. Rejected applications are kept indefinitely.

Statistics Maintained. North Dakota maintains statistics on events which involve a handgun and homicides, drugs, and other specific activities.

Current Activity. No statewide information is available.

Post-Brady Legislation. No significant changes.

Relevant Laws. North Dakota Century Code 62.1-01 et seq.

Ohio

A Brady State: 10,847,115 population

Source of Information. Information was provided by the Ohio Bureau of Criminal Identification and Investigation, which is the CLEO for the State.

Additional Restrictions on Purchase. Ohio restricts the purchase of handguns by persons who are chronic alcoholics or were adjudicated a delinquent child for an offense that if committed by an adult would be a felony offense of violence or a drug offense.

Limitations on Use. The State forbids carrying or discharging handguns and long guns within certain areas and premises. Carrying concealed firearms is prohibited.

Permits. Ohio does not require a permit to purchase handguns or long guns.

Handgun Registration. Handguns are not registered in Ohio.

Scope of Sales Covered. Only sales of handguns by Federal Firearm Licensees require a background check.

Restoration of Rights. Ohio allows a convicted felon's right to own a handgun to be restored by a court of common pleas if the person has been law abiding since completion of the sentence.

Background Checks. The CLEO conducts background checks on handgun purchase applicants when requested by dealers using a 1-900 number. Only disapprovals are reported to the dealers. If disapproval is not communicated by the CLEO, the dealer can complete the transaction after the 5-day waiting period has expired.

Information on the Application. Ohio's application contains the following information: name, previous name and date of birth. The following fields are optional: address, sex, height, weight, Social Security number, State ID or Operators License number, business address, previous address, place of birth, occupation, race, hair color, eye color, and date of request.

Inquiry Process. For applications which require no research, the process normally takes less than 15 minutes. Applications requiring research normally are processed in less than 3 days.

Fees Charged. Ohio charges \$15 for the background check.

State Data. The CLEO has access to fugitive, criminal history, domestic violence restraining order/misdemeanor, and probation/parole data from the statewide computer network. These files are fully automated.

Retention of Applications. Ohio retains the approved applications for a maximum period of 20 days, as permitted by the Brady Act. Rejected applications are retained indefinitely.

Statistics Maintained. No statewide information is available.

Current Activity. In 1997, Ohio processed 55,074 applications; 473 were disapproved, a rejection rate of 0.9%.

Post-Brady Legislation. A new statute prohibited deadly weapon possession in courthouses. An amendment prohibited deadly weapon possession on school premises or in a school building or bus.

Relevant Laws. Ohio Revised Code 2923.11 et seq.

Oklahoma

A Brady State: 3,145,585 population

Source of Information. Information was provided by the Oklahoma State Bureau of Investigation, which is not a CLEO. The CLEOs are 440 local sheriffs and police departments.

Additional Restrictions on Purchase. The State prohibits the purchase of handguns by persons who are under the influence of alcohol or were adjudicated as a delinquent child within the past 10 years.

Limitations on Use. Oklahoma limits carrying concealed handguns and forbids carrying or discharging firearms within certain areas and premises.

Permits. Oklahoma does not require a permit to purchase handguns or long guns. A permit is required to carry a concealed handgun.

Handgun Registration. Handguns are not registered in Oklahoma.

Scope of Sales Covered. Only sales of handguns by Federal Firearm Licensees require a background check in the State.

Restoration of Rights. Oklahoma allows a convicted felon's right to own a handgun to be restored if the person was convicted of a non-violent offense and receives a complete pardon from the proper authority.

Background Checks. Firearms dealers request background checks on handgun purchase applicants from the CLEOs. The results of the background checks are reported to the dealers.

Information on the Application. Oklahoma uses the standard BATF form.

Inquiry Process. No information is available.

Fees Charged. There are no State-mandated fees. Any fees charged are at the discretion of the CLEOs.

State Data. Oklahoma makes criminal history data available to each CLEO via the statewide computer network. This file is fully automated.

Retention of Applications. The CLEOs keep approved applications for a maximum period of 20 days, as permitted by the Brady Act. Rejected applications are kept at the discretion of the CLEOs.

Statistics Maintained. No statewide information is available.

Current Activity. No statewide information is available.

Post-Brady Legislation. Statutes prohibiting certain persons from receiving firearms were amended to add persons adjudicated delinquent and to clarify the definition of incompetent persons. An amendment allowed restoration of the right to possess a handgun for nonviolent felons who have been pardoned. Amendments to statutes limiting the use of firearms added rifles and shotguns to the list of regulated weapons and prohibited discharging a firearm into any dwelling or any building used for public or business purposes. A new section established procedures for issuing licenses to carry concealed handguns, and an amendment specified premises where concealed carrying is forbidden.

Relevant Laws. Oklahoma Statutes 21-1271.1 et seq.

Oregon

A Brady-Alternative State: 2,842,321 population

Source of Information. Information was provided by the Oregon State Police. The CLEO is the Superintendent of State Police.

Additional Restrictions on Purchase. The State restricts the purchase of handguns and long guns by persons who, within the past 4 years, have been convicted of a misdemeanor involving violence or were under the jurisdiction of the juvenile court for having committed an act which, if committed by an adult, would constitute a felony or a misdemeanor involving violence. Persons on probation are restricted unless an exception is granted by the court.

Limitations on Use. Oregon places limitations on carrying concealed firearms and forbids discharging firearms within certain areas and premises.

Permits. The State does not require a permit to purchase handguns or long guns, but does require a license to carry a concealed weapon.

Handgun Registration. Handguns are not registered in Oregon.

Scope of Sales Covered. Only sales of handguns by Federal Firearm Licensees require a background check.

Restoration of Rights. A convicted felon's right to own a firearm can be restored by Federal relief, expungement, or the passage of 15 years since completion of a sentence for a felony which did not involve criminal homicide or the use of a weapon, provided that there is only one felony conviction on the person's record.

Background Checks. Dealers call a 1-800 number for the Oregon State Police Firearms Unit and provide the required information on purchase applicants. Background queries are processed on the purchaser and the handgun being sold; the dealer is given a transaction number for an approval or informed that the applicant is denied.

Information on the Application. Oregon uses the standard BATF form and a thumbprint form generated by the State Police.

Inquiry Process. The CLEO is allowed a maximum period of 2 days to complete a check.

Fees Charged. Oregon charges \$10 for a background check.

State Data. The CLEO has access to criminal history, fugitive, stolen gun, domestic violence restraining order, juvenile, and mental health data from the statewide computer network.

Retention of Applications. The Oregon State Police Firearms Unit keeps a record of approved and rejected applications on file for 5 years.

Statistics Maintained. Oregon maintains statistics on the number of stolen handguns as well as statistics on events which involve a handgun and homicides, assaults, or violence against a police officer.

Current Activity. In 1997, Oregon processed 48,597 applications; 1,370 were disapproved, a rejection rate of 2.8%.

Post-Brady Legislation. A new statute established a statewide instant check system for handgun purchases.

Relevant Laws. Oregon Revised Statutes 166.170 et seq.

Pennsylvania

A Brady State: 11,881,643 population

Source of Information. Information was provided by the Pennsylvania State Police, which is not a CLEO. The CLEOs are 66 county sheriffs and the Philadelphia Police Department.

Additional Restrictions on Purchase. The State prohibits sales of firearms to persons who have been convicted of certain State offenses involving violence or multiple impaired driving offenses. Sales to persons who were adjudicated delinquent are prohibited, unless their rights have been restored.

Limitations on Use. Pennsylvania places limitations on carrying concealed firearms, and on carrying firearms within a first-class city, in vehicles, on school property, or in a court facility.

Permits. The State does not require a permit to purchase handguns or long guns. A permit is required to carry concealed firearms.

Handgun Registration. A record of sale is required to be sent to the Pennsylvania State Police on all retail sales of handguns.

Scope of Sales Covered. All handgun sales are regulated in Pennsylvania, including individual transfers. Handguns cannot be pawned.

Restoration of Rights. The court may restore a convicted felon's right to own a handgun in the event of a governor's pardon, Federal relief, vacation of the conviction, or, for some offenses, the expiration of 10 years after completion of the sentence without additional violations.

Background Checks. Dealers request background checks on handgun purchase applicants by sending Brady forms to the CLEOs. A 48-hour minimum waiting period is required by State law. Checks must be completed during the Brady Act's 5-day waiting period. An instant check system will begin on July 1, 1998.

Information on the Application. The State's record of sale contains the applicant's name, address, race, sex, height, weight, hair color, eye color, date of birth, Social Security number, occupation, and date of request, plus the make, model, serial number, caliber, and barrel length of the firearm.

Inquiry Process. Applications are processed during the waiting period.

Fees Charged. There is a \$3 State-mandated fee on retail gun sales for the creation and operation of an instant check system. The new system will charge dealers a \$2 fee for an instant check.

State Data. Pennsylvania makes criminal history, fugitive, and probation/parole data available to each CLEO via the statewide computer network. These files are automated and contain more than 50% of the data available at the State level.

Retention of Applications. CLEOs keep approved applications for no more than 20 days, as permitted by the Brady Act. Rejected applications are kept at the CLEOs' discretion.

Statistics Maintained. The State maintains statistics on events which involve handguns used in homicides, weapons used in assaults, or the murder or assault of a police officer.

Current Activity. No information is available.

Post-Brady Legislation. Amended statutes described specific classes of persons not to possess, use, manufacture, control, sell or transfer firearms; specified procedures for all firearm transfers, including a provision for establishing an instant check system; and detailed conditions for the restoration of firearm rights.

Relevant Laws. PA. Statutes 18-6101 et seq.

Rhode Island

A Brady State: 1,003,464 population

Source of Information. Information was provided by the Rhode Island Department of the Attorney General, which is not a CLEO. The CLEOs are 39 local police departments.

Additional Restrictions on Purchase. The State prohibits sales of handguns and long guns to persons who are habitually intoxicated. Handgun purchasers are required to complete a firearm safety course.

Limitations on Use. Rhode Island limits carrying concealed handguns, and forbids carrying or discharging firearms within certain areas and premises.

Permits. Rhode Island does not require a permit to purchase handguns or long guns. A permit is required to carry a concealed handgun.

Handgun Registration. Handguns are not registered in Rhode Island.

Scope of Sales Covered. In addition to sales by Federal Firearm Licensees, background checks are required for pawnshop sales / redemptions, and transfers between private individuals.

Restoration of Rights. Rhode Island allows a convicted felon's right to own a handgun to be restored through a governor's pardon.

Background Checks. Firearm sellers request background checks on purchasers of handguns and long guns by sending applications to the CLEOs. The results of the checks are reported to the sellers. Checks must be completed within the 7-day waiting period, which applies to handguns and long guns.

Information on the Application. Rhode Island's application includes the purchaser's name, address, date of birth, place of birth, height, weight, hair and eye color, scars, tatoos, and other identifying marks, and questions concerning eligibility.

Inquiry Process. Most CLEOs complete the background check within 5 days.

Fees Charged. There are no State-mandated fees. Any fees charged are at the discretion of the CLEOs.

State Data. Rhode Island makes fugitive, criminal history, probation/parole, domestic violence restraining order/misdemeanor, and mental health data available to each CLEO via the statewide computer network. These files are fully automated.

Retention of Applications. CLEOs are required by State law to retain approved applications for 30 days. Rejected applications are retained indefinitely.

Statistics Maintained. Total applications and denials for the year are recorded.

Current Activity. No information is available.

Post-Brady Legislation. Statutes which determine who is ineligible to purchase firearms were amended to prohibit persons subject to electronic monitoring and to revise the definition of prohibited aliens.

Relevant Laws. Rhode Island General Laws 11-47-1 et seq.

South Carolina

A Brady State: 3,486,703 population

Source of Information. Information was provided by the South Carolina Law Enforcement Division (SLED), the CLEO for the State.

Additional Restrictions on Purchase. The State prohibits handgun sales to persons who are habitually intoxicated, are members of subversive organizations, or have been adjudged by a court as unfit to possess a handgun. Purchases of handguns are limited to one in each 30-day period.

Limitations on Use. South Carolina places limitations on carrying concealed handguns and forbids carrying or discharging firearms within certain areas and premises.

Permits. A permit is not required to purchase handguns or long guns. Permits are required for concealed handguns.

Handgun Registration. Handguns are not registered in the State.

Scope of Sales Covered. South Carolina licenses all firearms dealers. Background checks are required for handgun sales by dealers and pawnshops, but not for sales between private individuals. Pawnshop redemptions are not presently covered, but will be checked after November 30, 1998.

Restoration of Rights. South Carolina allows a convicted felon's right to own a handgun to be restored if the person receives a pardon or an expungement of the conviction, unless the offense committed was a crime of violence.

Background Checks. Handgun sellers call the CLEO for background checks by using a 1-800 number. On November 30, 1998, the CLEO will begin checking long gun purchasers.

Information on the Application. South Carolina's application includes the following information: name, address, race, sex, height, weight, hair color, eye color, date of birth, Social Security, driver's license and telephone numbers, State or military identification number, fingerprints (optional), business address, place of birth, date of request plus the type, make, model, and serial number of the weapon.

Inquiry Process. For applications which require no research, the process normally is completed in less than 5 minutes. Applications requiring research can take up to 5 days, but are normally processed in less than 15 minutes.

Fees Charged. South Carolina charges \$5 for an approved background check.

State Data. The CLEO has access to fugitive, criminal history, domestic violence misdemeanor, and juvenile data via the statewide computer network. Information on domestic violence restraining orders became available in May 1997. In addition, the State maintains a "30-day, one handgun purchase" file. These files are fully automated.

Retention of Applications. South Carolina keeps approved applications for 20 days and rejected applications indefinitely.

Statistics Maintained. The State maintains statistics on handgun accidents which result in death and on events which involve handguns and homicides, gangs and other specific activities.

Current Activity. In 1997 South Carolina processed 50,789 applications; 2,650 were disapproved, a rejection rate of 5.2%.

Post-Brady Legislation. A new article established procedures for permits to carry concealable weapons.

Relevant Laws. South Carolina Code of Laws 16-23-10 et seq; 23-31-10 et seq.

South Dakota

A Brady State: 696,004 population

Source of Information. Information was provided by the South Dakota Attorney General's Office, which is not a CLEO. The CLEOs are 66 local sheriffs.

Additional Restrictions on Purchase. The State prohibits transfer of a firearm to a person under the age of 18 if the transferor knows or reasonably believes that the minor recipient intends to use the firearm to commit a crime of violence.

Limitations on Use. South Dakota places limitations on carrying concealed handguns and forbids carrying or discharging firearms within certain areas and premises.

Permits. The State does not require a permit to purchase handguns or long guns. A permit is required to carry a concealed handgun.

Handgun Registration. Handguns are not registered in South Dakota.

Scope of Sales Covered. Only sales of handguns by Federal Firearm Licensees are subject to background check requirements in the State.

Restoration of Rights. South Dakota allows a convicted felon's right to possess a firearm to be restored through a governor's pardon.

Background Checks. The CLEOs conduct background checks on handgun purchase applicants when requested by firearms dealers. The results of the checks are reported to the dealers. The State requires a 2-day waiting period for handgun purchasers, except for holders of valid, concealed handgun permits.

Information on the Application. South Dakota uses the standard BATF form.

Inquiry Process. No information is available.

Fees Charged. There are no State-mandated fees. Any fees charged are at the discretion of the local CLEOs.

State Data. South Dakota makes fugitive, criminal history, probation/parole, and domestic violence protective order data available to each CLEO via the statewide computer network. A driver's history file is available to check for additional data. These files are fully automated. Domestic violence misdemeanors can be identified by researching criminal history.

Retention of Applications. The CLEOs are required by State law to retain their copies of handgun purchase applications for a period of 1 year.

Statistics Maintained. No statewide information is available.

Current Activity. No statewide information is available.

Post-Brady Legislation. A new statute prohibited transfer of a firearm to a person under the age of 18 if the transferor knows or reasonably believes that the minor recipient intends to use the firearm to commit a crime of violence.

Relevant Laws. South Dakota Codified Laws 23-7-1 et seq.

Tennessee

A Brady-Alternative State: 4,877,185 population

Source of Information. Information was provided by the Tennessee Bureau of Investigation, which is not a CLEO. The CLEOs in the State are 95 local sheriffs and the Nashville Metropolitan Police Department.

Additional Restrictions on Purchase. The State prohibits handgun sales to persons who are addicted to alcohol or intoxicated while attempting a purchase, or have been convicted of violent assaults or illegal sales of alcoholic beverages.

Limitations on Use. Tennessee limits carrying concealed handguns and forbids carrying handguns or long guns within certain areas and premises.

Permits. The State does not require a permit to purchase handguns or long guns. A permit is required to carry a concealed handgun.

Handgun Registration. Handguns are not registered in Tennessee.

Scope of Sales Covered. In addition to handgun sales by Federal Firearms Licensees, background checks are required for pawnshop sales / redemptions and for sales between individuals.

Restoration of Rights. Tennessee allows a convicted felon to own a handgun if the person was pardoned, the conviction was expunged or set aside, or the person's civil rights were restored by a State circuit court.

Background Checks. CLEOs conduct checks on handgun purchase applicants. Firearm sellers request checks by sending applications to the CLEOs in person or via mail or fax. Tennessee has a 15-day waiting period.

Information on the Application. The State's application includes the following information: name, address, race, sex, height, weight, eye color, hair color, date of birth, Social Security number, thumbprint, previous names, previous addresses, scars, marks and tattoos, date of request, date action taken, action taken, plus the type, make, model, and serial number of the weapon, and proof of completion of an approved handgun safety course.

Inquiry Process. For applications which require no research, the process normally takes less than 5 days. Applications requiring research normally take less than 2 weeks.

Fees Charged. The CLEOs may charge a reasonable fee, not to exceed \$10, for a background check.

State Data. Tennessee makes criminal history, fugitive, and domestic abuse misdemeanor / restraining order data available to each CLEO through the State Law Enforcement Communications Network.

Retention of Applications. The CLEOs keep the approved and rejected applications for 1 year.

Statistics Maintained. Tennessee does not maintain statistics on handgun incidents.

Current Activity. No statewide information is available.

Post-Brady Legislation. An amendment prohibited handgun sales to persons convicted of offenses punishable by imprisonment for a term exceeding 1 year, and allowed felons to regain the right to purchase a handgun by pardon, expungement, or restoration of civil rights. Two new statutes made it an offense to provide a handgun to a prohibited juvenile. An amendment allowed CLEOs to charge a reasonable fee, not to exceed \$10, for investigation of a purchaser.

Relevant Laws. TN. Code 39-17-1301 et seq.

Texas

A Brady State: 16,986,510 population

Source of Information. Information was provided by the Texas Department of Public Safety, which is not a CLEO. The CLEOs in the State are 991 local sheriffs and police departments.

Additional Restrictions on Purchase. A handgun cannot be knowingly sold to a person who intends to use it unlawfully or is intoxicated.

Limitations on Use. Texas requires that any handgun which is carried must be concealed. Carrying concealed handguns or discharging firearms is forbidden in certain areas and premises.

Permits. The State does not require a permit to purchase handguns or long guns. A license is required to carry a concealed handgun.

Handgun Registration. Handguns are not registered in Texas.

Scope of Sales Covered. Only handgun sales by Federal Firearms Licensees are subject to background check requirements in the State.

Restoration of Rights. A convicted felon's right to possess a handgun on the premises where he or she lives can be restored 5 years after completion of the sentence with no additional violations.

Background Checks. Firearms dealers request background checks on handgun purchase applicants by sending the applications to the CLEOs. The results of checks are reported to the dealers.

Information on the Application. Texas uses the standard BATF form.

Inquiry Process. No information is available.

Fees Charged. There are no State-mandated fees. Any fees charged are within the discretion of the local CLEO.

State Data. Texas makes fugitive, criminal history, domestic violence restraining order/misdemeanor, juvenile, and probation/parole data available to each CLEO via the statewide computer network. These files are fully automated.

Retention of Applications. The CLEOs keep approved applications for a maximum period of 20 days, as permitted by the Brady Act. The rejected applications are kept at the discretion of the CLEOs.

Statistics Maintained. No statewide information is available.

Current Activity. No statewide information is available.

Post-Brady Legislation. Two amendments made it a criminal offense to transfer a handgun to a person restrained by a protective order or to receive a handgun while subject to a protective order. CLEOs were required to check for active protective orders upon receiving an application for a handgun purchase. New statutes prohibited carrying a handgun openly or on certain premises, and regulated the discharge of firearms within municipal limits.

Relevant Laws. Texas Penal Code 30.06; 42.12; 46.01 et seq; Family Code 71.18.

Utah

A Brady-Alternative State: 1,722,850 population

Source of Information. Information was provided by the Utah Bureau of Criminal Identification, which is the State's CLEO.

Additional Restrictions on Purchase. Utah does not place additional restrictions on the purchase of handguns or long guns.

Limitations on Use. The State places limitations on carrying or discharging handguns and long guns within school property, vehicles, and other locations. It is illegal to use or threaten to use a dangerous weapon in a fight or quarrel.

Permits. Utah does not require a permit to purchase handguns or long guns. A permit is required to carry a concealed firearm.

Handgun Registration. Handguns are not registered in Utah.

Scope of Sales Covered. In addition to handgun sales by Federal Firearm Licensees, a background check is required for pawnshop sales and redemptions in the State.

Restoration of Rights. Utah does not allow a convicted felon's right to own a handgun to be restored.

Background Checks. The CLEO conducts instant checks on handgun purchase applicants. Dealers request instant checks by using a 1-800 number or regular telephone. The results of the checks are reported to the dealers.

Information on the Application. Utah's application includes the following information: name, address, race, sex, height, weight, hair color, eye color, date of birth, Social Security number, date of request, and the action taken.

Inquiry Process. For applications which require no research, the process normally takes less than 5 minutes. Applications requiring research normally take less than 5 days.

Fees Charged. The CLEO charges \$7.50 for a background check.

State Data. The CLEO has access to fugitive, criminal history, domestic abuse restraining order/misdemeanor, and motor vehicle data from the statewide computer network. These files are fully automated.

Retention of Applications. The CLEO, in accordance with State law, retains the approved applications for a maximum period of 20 days. The rejected applications are retained for 1 year.

Statistics Maintained. Utah maintains statistics on stolen or recovered handguns, as well as statistics on events which involve a handgun and homicides, drugs, and other specific activities.

Current Activity. In 1997 Utah processed 32,389 applications; 792 were disapproved, a rejection rate of 2.4%.

Post-Brady Legislation. The Federal restrictions on the purchase of handguns were incorporated into State law. A new law established an instant check system for handgun transfers, and a subsequent amendment increased the fee charged to \$7.50. Possessing firearms in the secure area of an airport was prohibited.

Relevant Laws. Utah Code 53-5-702 et seq; 76-10-501 et seq.

Vermont

A Brady State: 562,758 population

Source of Information. Information was provided by the Vermont Department of Public Safety. The CLEOs in the State are 21 local sheriffs and police departments and, for some unincorporated areas, the Vermont State Police.

Additional Restrictions on Purchase. The State does not place additional restrictions on the purchase of handguns or long guns.

Limitations on Use. Vermont limits the right to carry handguns and long guns within certain areas and premises.

Permits. The State does not require a permit to purchase or carry handguns or long guns.

Handgun Registration. Handguns are not registered in Vermont.

Scope of Sales Covered. Only sales of handguns by Federal Firearms Licensees require a background check in the State.

Restoration of Rights. Vermont allows a convicted felon's right to own a handgun to be restored through a governor's pardon.

Background Checks. Firearms dealers can request background checks on handgun purchase applicants from the CLEOs by fax or certified mail. The CLEOs normally report the results of the checks by fax, mail, or telephone.

Information on the Application. Vermont uses the standard BATF form.

Inquiry Process. For applications which require no research, the process normally takes less than 2 days. Applications requiring research normally are processed in less than 4 days.

Fees Charged. There are no State-mandated fees. Any fees charged are at the discretion of the CLEOs.

State Data. The CLEOs have access to automated files containing fugitive and domestic abuse misdemeanor information. Criminal history, probation/parole, and court restraining order data is also available at the State level.

Retention of Applications. The CLEOs retain the approved applications for a maximum period of 20 days, as permitted by the Brady Act. Rejected applications are retained at the discretion of the CLEOs.

Statistics Maintained. No statewide information is available.

Current Activity. No statewide information is available.

Post-Brady Legislation. No significant changes.

Relevant Laws. Vermont Statutes 13-4001 et seq.

Virginia

A Brady-Alternative State: 6,187,358 population

Source of Information. Information was provided by the Virginia State Police, which is the CLEO for the State.

Additional Restrictions on Purchase. Handguns cannot be purchased by persons who have been convicted of two misdemeanor drug offenses within 36 months. An individual cannot purchase more than one handgun every 30 days, unless authorized by the State Police.

Limitations on Use. Virginia limits carrying concealed handguns and forbids carrying or discharging firearms within certain areas and premises.

Permits. Virginia does not require a permit to purchase handguns or long guns. A permit issued by a State circuit court is needed to carry a concealed handgun.

Handgun Registration. Handguns are not registered in Virginia.

Scope of Sales Covered. Background checks are required in the State for all firearm sales by Federal Firearms Licensees and pawnshops.

Restoration of Rights. Virginia allows a convicted felon's right to own a handgun to be restored by an order of the State circuit court or through a pardon or removal of political disabilities by the governor.

Background Checks. Dealers request instant checks on handgun and long gun purchase applicants by using a 1-800 number or the mail to contact the CLEO. In addition to the toll-free number, some high-volume dealers have direct access to the Firearms Transaction Program through a terminal. Results of the checks are reported to the dealer.

Information on the Application. Virginia's application contains the following information: name, address, race, sex, height, weight, date of birth, Social Security number, place of birth, and the number of firearms per transaction.

Inquiry Process. Applications without disqualifiers or which require no research are normally processed in less than 2 minutes. Illegal attempts to purchase firearms are investigated, with prosecution pursued in every instance where there is sufficient evidence.

Fees Charged. Fees are \$2 for a check on a State resident and \$5 for a non-resident.

State Data. The CLEO can access fully automated files with criminal history, fugitive, capias, juvenile, mental health, domestic violence protective order/misdemeanor, and 30-day State law gun limitation data. In addition, the State will have access to the NICS index.

Retention of Applications. The CLEO keeps the approved applications for 30 days and the rejected applications for 2 years.

Statistics Maintained. Virginia tracks events involving handguns and homicides.

Current Activity. In 1997 Virginia processed 180,527 applications; 2,384 were disapproved, a rejection rate of 1.3%

Post-Brady Legislation. New laws prohibited persons who are legally incompetent, mentally incapacitated, involuntarily committed or subject to a protective order from purchasing any firearm. Persons convicted of two misdemeanor drug offenses within 36 months were barred from purchasing a handgun by a new law.

Relevant Laws. Code of Virginia 18.2-279 et seq.

Washington

A Brady-Alternative State: 4,866,692 population

Source of Information. Information was provided by the Washington State Patrol, which is not a CLEO. The CLEOs in the State are 291 local sheriffs and police departments.

Additional Restrictions on Purchase. Washington prohibits purchases of handguns and long guns by certain persons who have been convicted of misdemeanors specified in State law.

Limitations on Use. The State places limitations on carrying concealed handguns and forbids carrying or discharging firearms within certain areas and premises.

Permits. A permit is not required to purchase handguns or long guns. A license is required to carry a concealed handgun.

Handgun Registration. The State does not register handguns.

Scope of Sales Covered. All handgun and long gun sales by Federal Firearm Licensees and pawnshops require a background check. Pawnshop redemptions and sales between private individuals are not covered by State law.

Restoration of Rights. Washington allows a convicted felon's right to own a handgun to be restored by an order from the court of record or a governor's pardon.

Background Checks. The CLEOs conduct checks on handgun and long gun purchasers upon receiving applications from dealers in person, by fax, or by regular or certified mail. A handgun can be delivered to the purchaser when the dealer is notified of an approval or 5 business days have elapsed.

Information on the Application. The State's application includes the following: name, address, race, sex, height, weight, eye color, date of birth, place of birth, drivers license or ID number, date of request, and the type, make, model, and serial number of the weapon.

Inquiry Process. Checks normally are completed within 5-business days, but the time allowed can be extended when the applicant cannot satisfy identification or residency requirements or has a record which lacks certain dispositions.

Fees Charged. No fees are charged.

State Data. The State makes fugitive, criminal history and domestic violence restraining order data available to each CLEO via the statewide computer network. These files are fully automated. Some domestic violence misdemeanor and juvenile data is also available. Mental health data can be accessed manually.

Retention of Applications. The CLEOs keep approved applications for a maximum period of 20 days. Rejected applications are maintained for a minimum period of 6 years.

Statistics Maintained. No statewide information is available.

Current Activity. No statewide information is available.

Post-Brady Legislation. Two amendments redefined circumstances under which conviction for enumerated offenses or involuntary commitment for mental health treatment would restrict the right to possess a firearm. An amendment redefined the state's waiting period and revised procedures, including a provision for using the NICS. A new section outlined procedures by which the right to possess a firearm can be restored for persons involuntarily committed for mental health treatment.

Relevant Laws. Washington Revised Code 9.41.010 et seq.

West Virginia

A Brady State: 1,793,477 population

Source of Information. Information was provided by the West Virginia State Police, which is the CLEO for the State.

Additional Restrictions on Purchase. The State prohibits sales of firearms to persons who are addicted to alcohol.

Limitations on Use. West Virginia places limitations on carrying concealed handguns and forbids carrying or discharging handguns and long guns within certain areas and premises.

Permits. The State does not require a permit to purchase handguns or long guns. A license is required to carry a concealed deadly weapon.

Handgun Registration. Handguns are not registered in West Virginia.

Scope of Sales Covered. Only sales of handguns by Federal Firearms Licensees require a background check in the State.

Restoration of Rights. West Virginia allows a convicted felon to regain the right to own a firearm by petitioning the circuit court of the county in which he or she resides.

Background Checks. Dealers request background checks on handgun purchase applicants from the regional center in West Virginia via fax. The results of the checks are reported to the dealers.

Information on the Application. West Virginia's application contains the following information: name, date of birth, Social Security number, address, date of request, date action taken, action taken plus, the type, make, model, and serial number of the weapon.

Inquiry Process. The background check process normally takes less than 5 days.

Fees Charged. No fee is charged for a background check.

State Data. The CLEO has access to fugitive, criminal history, and domestic violence restraining order data from the statewide computer network. These files are fully automated. The State manually maintains some domestic abuse data.

Retention of Applications. Approved applications are retained by the CLEO for a maximum period of 20 days, as permitted by the Brady Act. Rejected applications are kept indefinitely.

Statistics Maintained. West Virginia maintains statistics on events which involve a handgun and homicides.

Current Activity. In 1997 West Virginia processed 20,577 applications; 295 were disapproved, a rejection rate of 1.4%.

Post-Brady Legislation. The statute governing licenses to carry concealed deadly weapons was substantially amended.

Relevant Laws. West Virginia Code 61-7-1 et seq.

Wisconsin

A Brady-Alternative State: 4,891,769 population

Source of Information. Information was provided by the Wisconsin Department of Justice, which is the CLEO for the State.

Additional Restrictions on Purchase. The State restricts handgun purchases by certain persons who were adjudicated delinquent for acts that would be felonies if committed by an adult. Wisconsin also places some limits on persons with developmental disabilities.

Limitations on Use. Wisconsin places limitations on carrying, storing, transporting, pointing and discharging handguns and long guns. Carrying concealed firearms is not permitted.

Permits. Wisconsin does not require a permit to purchase handguns or long guns.

Handgun Registration. Handguns are not registered in Wisconsin.

Scope of Sales Covered. All handgun sales by Federal Firearm Licensees as well as sales by pawnshops require a background check. However, redemptions by the person who pawned a gun are not covered by State law.

Restoration of Rights. Wisconsin requires a pardon from the governor to restore the right to own a handgun, or restoration can occur under the Relief from Disabilities Act.

Background Checks. Dealers request instant checks on handgun purchase applicants by using a 1-800 number to contact the Department of Safety. Routine checks must be completed during a 48-hour waiting period. The time allowed for a check can be extended by 3 days for felony charges with no recorded disposition.

Information on the Application. Wisconsin's application contains the following information: name, address, race, sex, height, weight, date of birth, hair color, eye color, previous names, date of request, date action taken, and the action taken.

Inquiry Process. For applications which require no research, the process normally takes less than 2 minutes. Applications requiring research normally take less than 1 day.

Fees Charged. The CLEO charges \$8 for a background check.

State Data. The CLEO has access to fugitive, criminal history, juvenile, domestic violence misdemeanor/restraining order, and mental health data from the statewide computer network. These files are fully automated. Probation and parole files are kept manually.

Retention of Applications. The CLEO retains the approved applications for 30 days and the rejected applications indefinitely.

Statistics Maintained. Wisconsin maintains statistics on events which involve handguns and homicides, violence against a police officer, or family violence.

Current Activity. In 1997 Wisconsin processed 31,030 applications; 444 were disapproved, a rejection rate of 1.4%.

Post-Brady Legislation. An amendment prohibited possession of a firearm by persons who were adjudicated delinquent for an act that if committed by an adult would be a felony; or were involuntarily committed for treatment of mental illness, drug dependency or a developmental disability. Another amendment provided that while a domestic violence injunction is in effect, a court can order the respondent not to possess firearms.

Relevant Laws. Wisconsin Statutes 175.35; 813.125; 941.25 et seq; 948.55; 948.60.

Wyoming

A Brady State: 453,588 population

Source of Information. Information was provided by the Wyoming Attorney General. The CLEOs in the State are 40 local sheriffs and police departments.

Additional Restrictions on Purchase. Wyoming does not place any additional restrictions on the purchase of handguns.

Limitations on Use. The State places limitations on carrying concealed handguns and forbids carrying or discharging handguns and long guns within certain areas and premises.

Permits. Wyoming does not require a permit to purchase handguns or long guns. A permit is required to carry a concealed dangerous weapon.

Handgun Registration. The State does not register handguns.

Scope of Sales Covered. Only sales of handguns by Federal Firearm Licensees are subject to background check requirements in Wyoming.

Restoration of Rights. Wyoming allows a convicted felon's right to own a handgun to be restored through a governor's pardon.

Background Checks. Firearms dealers request background checks on handgun purchase applicants from the local CLEOs. The results of background checks are reported to the dealers.

Information on the Application. Wyoming uses the standard BATF form.

Inquiry Process. No information is available.

Fees Charged. There are no State-mandated fees. Any fees charged are at the discretion of the CLEOs.

State Data. Wyoming makes fugitive (felony and misdemeanor) and criminal history data available to each CLEO via the statewide computer network. These files are fully automated.

Retention of Applications. The local CLEOs retain the approved purchase applications for a maximum period of 20 days, as permitted by the Brady Act. Rejected purchase applications are retained at the discretion of the CLEOs.

Statistics Maintained. No statewide information is available.

Current Activity. No statewide information is available.

Post-Brady Legislation. No significant changes.

Relevant Laws. Wyoming Statutes 6-8-101 et seq.

American Samoa

46,773 population

Source of Information. Information was provided by the American Samoa Department of Public Safety, which is the CLEO for the Territory.

Additional Restrictions on Purchase. The Territory of American Samoa does not allow handguns on the island. Even local police officers do not carry handguns. A person's baggage is checked for firearms upon arrival. Shotguns and .22-caliber rifles are allowed, but cannot be sold to habitual drunkards or intoxicated persons.

Limitations on Use. The Territory prohibits carrying concealed firearms and limits the carrying or discharge of firearms on certain premises.

Permits. A license is required to own or possess long guns.

Handgun Registration. Not applicable.

Scope of Sales Covered. All transfers of firearms require a license.

Restoration of Rights. Restoration of firearm rights may be given based on the expressed discretion of the Attorney General or the CLEO, upon review of the application.

Background Checks. Background checks on purchasers of shotguns and .22-caliber rifles are performed by the police. After the weapon is purchased, the person must take the sales receipt and the weapon to the police. The police will run a background check and issue a license. The background check includes checking with police departments on neighboring islands.

Information on the Application. Territorial law allows requests for any information as may be reasonably required.

Inquiry Process. No information is available.

Fees Charged. A fee of \$10 is charged for first time applicants, and \$2 is charged for renewals.

State Data. Information is maintained manually.

Retention of Applications. No information is available.

Statistics Maintained. Information is compiled through UCR data collection.

Relevant Laws. American Samoa Code 46.4201 et seq.

Guam

A Brady-Alternative Jurisdiction: 133,152 population

Source of Information. Information was provided by the Guam Police Department, which is the CLEO for the Territory.

Additional Restrictions on Purchase. In addition to following the Federal restrictions, Guam prohibits issuing a Firearms Identification Card to any person who has been convicted of any misdemeanor where personal injury or use of firearms was an element or factor of the offense, or who appears to suffer from a physical or mental disease which would adversely affect the safe use of the firearm applied for.

Limitations on Use. Guam does not place any limitations on where handguns can be carried or used. However, an identification card must be in the possession of the holder when carrying or using a firearm.

Permits. The Territory requires a Guam Firearms Identification Card to purchase handguns and long guns.

Handgun Registration. After purchasing a weapon, the receipt is taken to the Guam Police Department. The weapon is inspected by the duty armorer and registered by the department.

Scope of Sales Covered. Transfers of weapons between individuals, purchases from dealers and pawnshops, and redemptions require that the person receiving the firearm holds an identification card.

Restoration of Rights. Guam does not allow a convicted felon's right to own a handgun to be restored.

Background Checks. Background checks on firearms purchasers are conducted by the Guam Police Department. Applicants request identification cards from the police, who check FBI data and local files.

Information on the Application. Guam's application includes the following information: name, address, previous address, place of birth, date of birth, home phone, duty phone, Social Security number, occupation, employer, race, sex, height, weight, eye color, and hair color.

Inquiry Process. The process can take as much as 6 to 10 weeks while the applicant's background is being checked.

Fees Charged. First time applicants must submit a money order or bank draft payable to the Federal Bureau of Investigation in the amount of \$24 for the FBI background information fee. Once the background check is cleared and the application is approved, the applicant is charged a fee of \$15 for the Identification Card (renewable every 3 years). There is also a fee of \$20 for the registration of each firearm.

State Data. The CLEO has access to fugitive, criminal history, and mental health data.

Retention of Applications. Guam keeps all applications indefinitely.

Statistics Maintained. No information is available.

Relevant Laws. Guam Code 10-60100 et seq.

Puerto Rico

A Brady Jurisdiction: 3,522,037 population

Source of Information. Information was provided by the Chief of the Weapons Registry for the Police of Puerto Rico, the CLEO for the Commonwealth.

Additional Restrictions on Purchase. The CLEO will not issue a license to have or possess firearms to any person who has been convicted of any of the following offenses: murder in any degree, manslaughter, kidnaping, rape, mayhem, intent to commit any felony, or aggravated assault and battery. Nor will the CLEO issue a license to any person who is mentally unbalanced, a habitual drunkard, or a narcotics or drug addict, or has been convicted of a violation of Section 427, Title 25 of the Penal Code.

Limitations on Use. Carrying firearms is only legal within a residence, place of business, or farm.

Permits. Puerto Rico requires a license to purchase or carry a handgun or long gun.

Handgun Registration. The Commonwealth registers handguns in the General Police Headquarters.

Scope of Sales Covered. The Weapons Law establishes that no dealer in firearms or ammunition shall deliver a firearm or issue the corresponding delivery permit to a purchaser without the latter producing a license to have and possess a firearm. No weapon is sold to the holder of a license from which the sales permit has been removed. Licensing requirements apply to all firearm sales.

Restoration of Rights. No regulations cover restoration of rights.

Background Checks. License applications require background checks conducted by the Police of Puerto Rico. Applications are received by certified mail or in person by the Police. For denied applicants, the Police have an internal appeals process with written procedures, and there is an external appeals process that involves the court system.

Information on the Application. Fingerprints are required, and the standard BATF form is used.

Inquiry Process. The background check process can take from 6 to 12 months.

Fees Charged. Commonwealth law requires fees of \$50 for a license and \$15 for a renewal every 3 years.

State Data. The Police Department maintains a manual database.

Retention of Applications. The CLEO retains approved applications for a maximum period of 20 days, as permitted by the Brady Act.

Statistics Maintained. The Police maintain a log of firearms transactions, including dealer names, licenses awarded or revoked, and renewals by month and year.

Relevant Laws. Laws of Puerto Rico 25-411 et seq.

Virgin Islands

A Brady-Alternative Jurisdiction: 101,809 population

Source of Information. Information was provided by the Virgin Islands Police Department, which is the CLEO.

Additional Restrictions on Purchase. A license to possess a firearm cannot be issued to a person who has been convicted of any crime of violence, is an habitual drunkard, or is deemed to be an improper person by the CLEO.

Limitations on Use. The Virgin Islands limits the carrying of firearms.

Permits. A license is required to possess, transport, or carry a firearm. A purchase coupon is issued with the license, and retained by the firearm dealer.

Handgun Registration. After purchase, the bill of sale and the weapon are brought to the police, where all the information is recorded.

Scope of Sales Covered. Licensing requirements apply to all firearm sales.

Restoration of Rights. No information is available.

Background Checks. License applications require a check by the CLEO. The applicant completes and returns a notarized application. If no problems are found during the background check, the application is forwarded to the Police Commissioner, who approves or disapproves the application. Firearm transfers require a 48-hour waiting period.

Information on the Application. A license application is accompanied by four photographs and notarized statements from character references. Fingerprints are required. Other data required varies with the type of application.

Inquiry Process. No information is available.

Fees Charged. The Virgin Islands charges a \$30 application fee, a \$50 registration fee per weapon, and a \$15 late registration fee. The license must be renewed every three years, with a \$100 renewal fee. New photographs are required with each renewal.

State Data. No information is available.

Retention of Applications. No information is available.

Statistics Maintained. No information is available.

Relevant Laws. Virgin Islands Code 23-451 et seq.

Washington, D.C.

606,900 population

Source of Information. Information was provided by the Metropolitan Police Department of Washington D.C.

Additional Restrictions on Purchase. The laws of Washington D.C. no longer allow the purchase of handguns, except by police. Additional restrictions on long gun transfers include prohibiting persons who were adjudicated chronic alcoholics; suffer physical defects and are unable to use a firearm safely; or were adjudicated negligent in a firearm mishap causing death or serious injury. Applicants between the ages of 18 and 21 are required to have a notarized statement from a parent or guardian. All applicants are required to demonstrate adequate vision and a satisfactory knowledge of District firearm laws.

Limitations on Use. Firearms must be unloaded and disassembled, or bound by a trigger lock, unless they are kept at a place of business or being used for lawful recreation.

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

Handgun Registration. All handguns owned prior to September 24, 1976 are required to be registered. Long guns must also be registered.

Scope of Sales Covered. Registration requirements apply to all firearms transactions.

Restoration of Rights. Persons convicted of certain offenses involving drugs, assaults or threats can regain the right to register a firearm 5 years after conviction.

Background Checks. The Chief of Police conducts background checks and issues registration certificates.

Information on the Application. Registration information includes the applicant's name, present address, previous addresses, occupation, business address, date and place of birth, sex, history with firearms, intended use and location of the firearm plus information about the firearm to be transferred and the transferor. Fingerprints may be required and two recent photographs must be submitted.

Inquiry Process. No information is available.

Fees Charged. No information is available.

State Data. No information is available.

Retention of Applications. No information is available.

Statistics Maintained. No information is available.

Relevant Laws. District of Columbia Code 6-2301 et seq; 22-3201 et seq.

Appendix A

State FIST Contact

Alabama

Isaac Kervin
Criminal Justice Info. Center
770 Washington Ave.
Room 350
Montgomery AL 36130
(334) 242-4900

Alaska

Leetta Franklin
Department of Public Safety
Division of Adm. Services
5700 East Tudor Road
Anchorage AK 99507
(907) 269-5708

Arizona

Teresa Fuentes
Department of Public Safety
Instant Check Unit
P.O. Box 6638
Phoenix AZ 85005
(602) 223-2702

Arkansas

T. J. Farley
Attorney General's Office
200 Tower Building
323 Center Street
Little Rock AR 72201
(501) 682-2007

California

Mike Broderick
Department of Justice
Firearms Program
P.O. Box 820200
Sacramento CA 94203
(916) 227-3500

Colorado

Matt Heap
CBI Instant Check Unit
CO Dept. of Public Safety
690 Kipling Street, Rm. 3000
Denver CO 80215
(303) 239-4648

Connecticut

Robert Kiehm
Department of Public Safety
License & Firearms Unit
1111 Country Club Road
Middletown CT 06457
(860) 685-8160

Delaware

Tracey Lewis
State Police, BOI
Firearms Trans. Program
P.O. Box 430
Dover DE 19903
(302) 739-2933

Florida

Martha Wright
Dept. of Law Enforcement
Criminal Justice Info. Systems
P.O. Box 1489
Tallahassee FL 32302
(850) 488-4931

Georgia

Charles A. Severs
Bureau of Investigation
Crime Information Center
P.O. Box 370748
Decatur GA 30037
(404) 244-2605

Hawaii

Liane Moriyama
Criminal Justice Data Center
Kekuanao'a Building
465 South King St., Rm. 101
Honolulu HI 96813
(808) 587-3101

Idaho

Bob Taylor
Bur. of Criminal Identification
Criminal History Unit
700 South Stratford
Meridian ID 83642
(208) 884-7133

Illinois

George Murphy
State Police Div. of Adm.
100 Iles Park Place
Springfield IL 62708
(217) 782-5015

Indiana

Karen Butt
State Police Firearms Div.
Indiana Govt. Center North
100 N. Senate Ave, Rm. 312
Indianapolis IN 46204
(317) 232-8264

Iowa

Carroll L. Bidler
Office of Public Safety
Div. of Criminal Investigation
Wallace State Office Building
Des Moines IA 50319
(515) 281-8422

Kansas

Charles Sexson
Bureau of Investigation
1620 Southwest Tyler
Topeka KS 66612
(785) 291-3029

Kentucky

Carol Bowman
State Police
Information Services Center
1250 Louisville Road
Frankfort KY 40601
(502) 227-8700

Louisiana

Mike Noel
Office of State Police
Bur. of Criminal Identification
P.O. Box 66614
Baton Rouge LA 70896
(504) 925-6095

Maine

Barry Hathawy
State Police
Dept. of Public Safety
36 Hospital Street
Augusta ME 04333
(207) 624-7062

Maryland

Frank Smith
State Police
Firearms License Section
7751 Washington Boulevard
Jessup MD 20794
(410) 799-0191

Massachusetts

Maureen W. Chew
Crim. History Systems Board
200 Arlington Street
Boston MA 02150
(617) 660-4600

Michigan

Debbie Smith
Department of State Police
Central Records Division
7150 Harris Drive
Lansing MI 48913
(517) 322-5518

Minnesota

Karen R. McDonald
Criminal Justice Info. System
Department of Public Safety
1246 University Avenue
St. Paul MN 55104
(612) 642-0687

Mississippi

Judy M. Tucker
Department of Public Safety
Records and Ident. Division
P.O. Box 958
Jackson MS 39205
(601) 987-1592

Missouri

Robert E. Gartner
State Highway Patrol
Criminal Records Division
P.O. Box 568
Jefferson City MO 65102
(573) 526-6160

Montana

Walt Joyce
Department of Justice
Law Enforcement Services
Scott Hart Building, Rm. 374
Helena MT 59620
(406) 444-2966

Nebraska

Lathan Rohren
State Highway Patrol
P.O. Box 94907
Lincoln NE 68509
(402) 479-4938

Nevada

Grace L. George
Highway Patrol
555 Wright Way
Carson City NV 89711
(702) 687-6675

New Hampshire

Patrick Poirier
Department of State Police
James H. Hayes Safety Bldg.
10 Hazen Drive
Concord NH 03305
(603) 271-3575

New Jersey

Joseph Hahn
Department of State Police
River Road
West Trenton NJ 08628
(609) 882-2000

New Mexico

Paul V. Herrera
Department of Public Safety
Tech. & Emergency Support
P.O. Box 1628
Sante Fe NM 87504
(505) 827-9191

New York

Clyde DeWeese
Div. of Crim. Just. Services
Off. of Identification Systems
Stuyvesant Plaza
Albany NY 12203
(518) 457-6050

North Carolina

David P. Bryan
Bureau of Investigation
407 North Blount Street
Raleigh NC 27601
(919) 733-3171

North Dakota

Robert J. Helten
Bur. of Criminal Investigation
Information Services Division
P.O. Box 1054
Bismarck ND 58502
(701) 328-5500

Ohio

Lonnie Rudasill
Bur. of Criminal Identification
P.O. Box 365
London OH 43140
(740) 852-2556

Oklahoma

Ronald R. Young
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6600 North Harvey, Suite 300
Oklahoma City OK 73116
(405) 848-6724

Oregon

Clifford W. Daimler
State Police
Identification Services
3772 Portland Road NE
Salem OR 97303
(503) 378-3070

Pennsylvania

John Thierwechter
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Records and Info. Services
1800 Elmerton Avenue
Harrisburg PA 17110
(717) 783-5592

Rhode Island

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Bur. of Criminal Investigation
150 South Main
Providence RI 02903
(401) 421-5268

South Carolina

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Law Enforcement Division
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Columbia SC 29221
(803) 896-7005

South Dakota

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Administration Services
500 East Capitol Avenue
Pierre SD 57501
(605) 773-3331

Tennessee

Doug Woodlee
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1148 Foster Avenue
Nashville TN 37210
(615) 726-7809

Texas

David Gavin
Department of Public Safety
Crime Records Division
P.O. Box 4143
Austin TX 78765
(512) 424-2077

Utah

Todd Peterson
Bur. Criminal Identification
4501 South 2700 West
Salt Lake City UT 84119
(801) 965-3810

Vermont

Max Schleuter
Criminal Information Center
Department of Public Safety
P.O. Box 189
Waterbury VT 05676
(802) 244-8727

Virginia

R. Lewis Vass
State Police Records
Management Division
P.O. Box 27472
Richmond VA 23261
(804) 674-2148

Washington

Jannice Gordon
State Highway Patrol
Identification Section
P.O. Box 42633
Olympia WA 98504
(360) 705-5102

West Virginia

Thomas A. Barrick
Department of State Police
725 Jefferson Road
South Charleston WV 25309
(304) 746-2177

Wisconsin

Mary Studevart
Department of Justice
Criminal Records Section
123 West Washington Ave.
Madison WI 53702
(608) 267-2776

Wyoming

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Division of Criminal Investigation
316 West 22nd Street
Cheyenne WY 82002
(307) 777-7523

American Samoa

Jacinta Brown
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Pago Pago AS 96799
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Guam

Ray Fernandez
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287 West Obrien Drive
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Puerto Rico

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San Juan PR 00693
(787) 729-2465

Virgin Islands

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Washington, D.C.

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Washington DC 20001
(202) 727-2911

Appendix B
State Summary Tables

Appendix table 1. Applications for presale handgun checks processed by States providing complete counts, 1997

<u>State</u>	<u>Population</u>	<u>Received</u>	<u>Applications Rejected</u>	<u>Rejection rate</u>
Arizona	3,665,228	62,266	2,277	3.7%
Arkansas	2,350,725	14,556	202	1.4%
California	29,760,021	204,409	1,839	0.9%
Colorado	3,294,394	46,853	2,476	5.3%
Delaware ^a	666,168	11,369	491	4.3%
Florida	12,937,926	198,922	7,348	3.7%
Georgia	6,478,216	83,673	7,136	8.5%
Idaho	1,006,749	22,761	790	3.5%
Illinois ^a	11,430,602	171,865	1,943	1.1%
Indiana ^b	5,544,159	207,611	1,167	0.6%
Maryland	4,781,468	31,599	275	0.9%
Nevada	1,201,833	24,765	686	2.8%
New Hampshire	1,109,252	12,557	232	1.8%
New Jersey	7,730,188	25,386	214	0.8%
Ohio	10,847,115	55,074	473	0.9%
South Carolina	3,486,703	50,789	2,650	5.2%
Utah	1,722,850	32,389	792	2.4%
Virginia ^a	6,187,358	180,527	2,364	1.3%
West Virginia	1,793,477	20,577	295	1.4%
Wisconsin	4,891,769	31,030	444	1.4%

Note: Each State had 1 CLEO that reported complete State-wide data for applications and rejections for 1997.

Kentucky reported 79,574 applications and 1,973 rejections, but excluded data from 4 counties.

^a Counts for these States include handguns and long guns.

^b Counts are for handgun licenses and purchase applications. To ensure comparability, BJS is currently conducting a separate study to determine the extent of the relationship between rejected licenses and applications.

Appendix table 2. Handgun presale check procedures, by State, 1997

State	State Status		Presale check procedures in <u>Brady-alternative States</u> ^b		State waiting period before handgun can be delivered to buyer ^c	Additional State purchase restrictions ^d	Number of CLEOs
	Brady	Alternative ^a	Instant check	Permit or other			
Alabama	X	---	---	---	2 days	4	67
Alaska	X	---	---	---	---	3,4	35
Arizona	X ^e	---	---	---	---	1,3	1
Arkansas	X ^e	---	---	---	---	---	1
California	---	■	---	Yes	10 days ^f	1,2,3	1
Colorado	---	03/94	Yes	---	---	2	1
Connecticut	---	■	---	Yes	14 days	1,2	1
Delaware	---	■	Yes	---	---	2,3	1
Florida	---	■	Yes	---	3 days	1	1
Georgia	---	01/96	Yes	---	---	1	1
Hawaii	---	■	---	Yes	14 days	1,2,4	4
Idaho	---	06/94	Yes	Yes	---	---	1
Illinois	---	■	Yes	Yes	3 days	1,3	1
Indiana	---	■	---	Yes	7 days	3,4	1
Iowa	---	■	---	Yes	3 days	1,4	100
Kansas	X	---	---	---	---	3	123
Kentucky	X	---	---	---	---	---	5
Louisiana	X	---	---	---	---	---	64
Maine	X	---	---	---	---	3	129
Maryland	---	■	---	Yes	7 days	1,2,4	1
Massachusetts	---	■	---	Yes	---	1,3,4	270
Michigan	---	■	---	Yes	---	1	595
Minnesota	---	08/94	---	Yes	---	3	568
Mississippi	X	---	---	---	---	1	262
Missouri	---	■	---	Yes	---	1,2,4	115
Montana	X	---	---	---	---	---	56
Nebraska	---	■	---	Yes	---	---	95
Nevada	X ^e	---	---	---	---	---	1
New Hampshire	---	01/95	Yes	---	---	---	1
New Jersey	---	■	---	Yes	7 days	1,4	506
New Mexico	X	---	---	---	---	---	113
New York	---	■	---	Yes	---	1,2	58
North Carolina	---	12/95	---	Yes	---	1,4	100
North Dakota	X	---	---	---	---	2	53
Ohio	X ^e	---	---	---	---	3,4	1
Oklahoma	X	---	---	---	---	1,3	440
Oregon	---	■	Yes	Yes	---	1,2,3	1
Pennsylvania	X	---	---	---	2 days	1,2,3	67
Rhode Island	X	---	---	---	7 days	1,4	39
South Carolina	X ^e	---	---	---	---	1,2,4	1
South Dakota	X	---	---	---	2 days	1	66
Tennessee	---	05/94	---	Yes	15 days	1,2,4	96
Texas	X	---	---	---	---	1	991
Utah	---	03/94	Yes	---	---	---	1
Vermont	X	---	---	---	---	---	22
Virginia	---	■	Yes	---	---	1,2	1
Washington	---	06/96	---	Yes	---	2	291
West Virginia	X	---	---	---	---	4	1
Wisconsin	---	■	Yes	---	2 days	1,3	1
Wyoming	X	---	---	---	---	---	40
Total	23	27	11	19			5,390

---Not applicable.

■ States classified as the original Brady-alternative States by the Bureau of Alcohol, Tobacco and Firearms (BATF).

^aDates reflect when States switched from Brady to Brady-alternative status.

^bBATF classified the States.

^cWhere a waiting period is indicated for a Brady State, it represents additional requirements under State law.

^d1-General restrictions. 2-Purchaser must not be under indictment or arraignment or have been convicted of a misdemeanor (specific misdemeanors vary by State). 3-Purchaser must not have committed juvenile-related offenses. 4-Purchaser must not be habitually intoxicated (addicted to alcohol).

^eThe State reports that it maintains a central 1-800 or 1-900 telephone number that Federal firearms licensees may call to make an immediate background check.

^fCalifornia's presale waiting period was 15 days until April 1, 1997.

Appendix table 3. Amount of fees for background checks and how long handgun purchase applications are retained, by State, 1997

State	Maximum fee charged for <u>name check</u> *	Additional or other fees for <u>name check</u>	Fingerprint accompanies <u>application</u>	The period for which processed applications are retained by the CLEO	
				<u>Approved</u>	<u>Rejected</u>
Alabama	---	---	---	20 days	■
Alaska	---	---	---	20 days	■
Arizona	---	---	---	20 days	5 years
Arkansas	\$15.00	\$ 3.00 (1)	Yes (2)	20 days	Indefinitely
California	14.00 (3)	10.00 (4)	---	Indefinitely	Indefinitely
Colorado	10.00	---	---	2 days	2 years
Connecticut	35.00	---	---	Not kept	10 years
Delaware	---	---	---	60 days	Indefinitely
Florida	8.00	---	---	2 days	Indefinitely
Georgia	5.00	---	---	Not kept	90 days
Hawaii	24.00 (5)	---	Yes	Indefinitely	Indefinitely
Idaho	---	---	---	5 days	6 months
Illinois	2.00	5.00 (6)	---	1 year	5 years
Indiana	---	---	Yes (2)	Not kept	Indefinitely
Iowa	---	---	---	4 years	3 years
Kansas	---	---	---	20 days	■
Kentucky	---	---	---	20 days	Indefinitely
Louisiana	---	---	---	20 days	■
Maine	---	---	---	20 days	Indefinitely
Maryland	10.00	---	---	Indefinitely	3 years
Massachusetts	2.00	---	Yes (2)	Indefinitely	Indefinitely
Michigan	5.00	---	---	6 years	■
Minnesota	---	---	---	■	■
Mississippi	---	---	---	20 days	■
Missouri	10.00	---	---	Indefinitely	Indefinitely
Montana	---	---	---	20 days	■
Nebraska	5.00	---	---	■	■
Nevada	15.00	---	---	20 days	Indefinitely
New Hampshire	7.00	---	---	20 days	3 years
New Jersey	51.00 (5) (7)	54.00 (5) (8)	Yes	Indefinitely	Indefinitely
New Mexico	20.00	---	---	20 days	■
New York	74.00 (5) (9)	---	Yes	Indefinitely	Indefinitely
North Carolina	5.00	---	---	5 years	Indefinitely
North Dakota	10.00	---	---	20 days	Indefinitely
Ohio	15.00	---	---	20 days	Indefinitely
Oklahoma	---	---	---	20 days	■
Oregon	10.00	---	Yes (10)	5 years	5 years
Pennsylvania	3.00 (11)	---	---	20 days	■
Rhode Island	---	---	---	30 days	Indefinitely
South Carolina	5.00	---	Yes (2)	20 days	Indefinitely
South Dakota	---	---	---	1 year	1 year
Tennessee	10.00	---	Yes (10)	1 year	1 year
Texas	---	---	---	20 days	■
Utah	7.50	---	---	20 days	1 year
Vermont	---	---	---	20 days	■
Virginia	2.00	5.00 (12)	---	30 days	2 years
Washington	---	---	---	20 days	6 years
West Virginia	---	---	---	20 days	Indefinitely
Wisconsin	8.00	---	---	30 days	Indefinitely
Wyoming	---	---	---	20 days	■

---No State mandated fee.

Local CLEO may charge a fee at its discretion.

*Covers all parts of the check process, including issuance of any required permits.

■ Applications are retained at the discretion of the local CLEO.

(1) Fee for using CLEO's 1-900 number.

(2) Fingerprints are used only if identity is questioned.

(3) Covers single handgun or unlimited number of long guns.

(4) Fee for each handgun purchased in addition to the first.

(5) Includes fee for FBI fingerprint check.

(6) Fee for identification card issued after check.

(7) Fee for permit to purchase handgun.

(8) Fee for long gun identification card.

(9) Fees may be higher for some jurisdictions.

(10) Only thumbprint is taken, but not used for check.

(11) Fee is being used to fund a new statewide system.

(12) Fee for a check on a non-resident of the State.

Appendix table 4. Databases searched by CLEOs for background checks, 1997

<u>State^a</u>	<u>Fugitive</u>	<u>Computerized criminal history (CCH)^b</u>	<u>Restraining orders</u>	<u>Mental health</u>	<u>Domestic violence misdemeanor</u>	<u>Other^c</u>
Alabama	Y	Y	Y	-	-	Y
Alaska	Y	Y	Y	-	Y	Y
Arizona	Y	Y	-	-	-	-
Arkansas	Y	Y	Y	-	Y	Y
California	Y	Y	Y	Y	Y	Y
Colorado	Y	Y	Y	-	Y	Y
Connecticut	Y	Y	Y	-	Y	Y
Delaware	Y	Y	Y	Y	Y	Y
Florida	Y	Y	Y	Y	Y	Y
Georgia	Y	Y	-	Y	Y	-
Hawaii	-	Y	-	Y	Y	-
Idaho	Y	Y	Y	-	Y	Y
Illinois	Y	Y	Y	Y	Y	-
Indiana	-	Y	-	-	-	-
Iowa	Y	Y	Y	-	Y	Y
Kansas	-	Y	-	-	Y	Y
Kentucky	Y	Y	Y	-	-	-
Louisiana	Y	Y	-	-	-	-
Maine	Y	Y	Y	-	-	Y
Maryland	Y	Y	Y	-	Y	Y
Massachusetts	Y	Y	Y	Y	Y	Y
Michigan	Y	Y	Y	Y	Y	Y
Minnesota	Y	Y	Y	Y	-	Y
Mississippi	-	-	-	-	-	-
Missouri	Y	Y	Y	-	Y	Y
Montana	Y	Y	-	-	-	-
Nebraska	Y	Y	-	-	-	Y
Nevada	Y	Y	-	-	Y	-
New Hampshire	Y	Y	Y	-	Y	-
New Jersey	Y	Y	Y	-	Y	Y
New Mexico	-	Y	-	-	Y	Y
New York	Y	Y	Y	Y	Y	-
North Carolina	Y	Y	Y	-	Y	Y
North Dakota	Y	Y	Y	-	-	-
Ohio	Y	Y	Y	-	Y	Y
Oklahoma	-	Y	-	-	-	-
Oregon	Y	Y	Y	Y	-	Y
Pennsylvania	Y	Y	-	-	-	Y
Rhode Island	Y	Y	Y	Y	Y	Y
South Carolina	Y	Y	Y	-	Y	Y
South Dakota	Y	Y	Y	-	-	Y
Tennessee	Y	Y	Y	-	Y	-
Texas	Y	Y	Y	-	Y	Y
Utah	Y	Y	Y	-	Y	Y
Vermont	Y	Y	Y	-	Y	Y
Virginia	Y	Y	Y	Y	Y	Y
Washington	Y	Y	Y	Y	Y	Y
West Virginia	Y	Y	Y	-	Y	-
Wisconsin	Y	Y	Y	Y	Y	Y
Wyoming	Y	Y	-	-	-	-
Total	44	49	36	15	34	33

^aAll States check Federal databases at the National Crime Information Center (NCIC) for "Wanted" and the "Interstate Identification Index (III)," a national system which points to State(s) having a criminal history record on an individual.

^bComputerized Criminal History records contain at least felony arrests and dispositions and may also contain disposition or other data describing domestic violence or other misdemeanors.

^c"Other" includes data on such areas as probation and parole, juvenile, and motor vehicle.

CLEOs may check local data as well.

-No database search.

Appendix table 5. Information provided on applications, and types of firearm purchases or transactions covered by background check requirements, 1997

State	Application information provided to the CLEO		Types of transactions covered		
	Required data	Optional data	Firearms dealer	Pawnshop redemptions	Private sales
Alabama	1,2,3,4,5,6,8,10,13,17,18		Y	N	N
Alaska*	1,2,8	4,5,6,10,17	Y	Y	Y
Arizona*	1,2,8	4,5,6,10,17	Y	N	N
Arkansas*	1,2,8	4,5,6,10,17	Y	N	N
California	1,2,3,4,5,6,7,9,18		Y	Y	Y
Colorado	1,2,3,4,8	10	Y	N	N
Connecticut	1,2,3,4,5,6,8,10,18		Y	Y	Y
Delaware	1,2,3,4,8,10,18		Y	N	N
Florida*	1,2,8	4,5,6,10,17	Y	Y(1)	N
Georgia	1,3,4,8	18	Y	Y(2)	N
Hawaii	1,2,3,4,5,6,7,8,9,10,11,12,13,14,16,17,18		Y	(3)	Y
Idaho	1,3,4,8		Y	N	N
Illinois	1,2,3,4,5,6,7,8,9,18		Y	Y	N
Indiana	1,2,3,4,5,6,7,8,9,13,16,17,18	11	Y	N	Y
Iowa	1,2,8,10		Y	(3)	Y
Kansas*	1,2,8	4,5,6,10,17	Y	N	N
Kentucky	1,2,8,10	4,5,6,17	Y	N	N
Louisiana*	1,2,8	4,5,6,10,17	Y	N	N
Maine*	1,2,8	4,5,6,10,17	Y	N	N
Maryland	1,2,3,4,5,6,7,8,9,13,17,18	10	Y	N	Y
Massachusetts	1,2,5,6,7,8,9,10,11,12,13,14,17,18		Y	(3)	Y
Michigan	1,2,3,4,5,7,8,9,18		Y	(3)	Y
Minnesota	1,2,4,5,6,8,9,18		Y	Y	Y
Mississippi*	1,2,8	4,5,6,10,17	Y	N	N
Missouri	1,2,5,7,8,9,10,12,13,18		Y	N	Y
Montana*	1,2,8	4,5,6,10,17	Y	N	N
Nebraska	1,2,3,4,5,6,7,8,10,18		Y	N	Y
Nevada*	1,2,8	4,5,6,10,17	Y	N	N
New Hampshire	1,3,4,8	10	Y	N	N
New Jersey	1,2,3,4,5,6,7,8,9,10,11,12,13,14,17,18		Y	(3)	Y
New Mexico*	1,2,8	4,5,6,10,17	Y	N	N
New York	1,2,3,4,5,6,7,8,9,10,11,12,13,15,18		Y	Y	Y
North Carolina	Varies from county to county		Y	N	Y
North Dakota*	1,2,8	4,5,6,10,17	Y	N	Y
Ohio	1,8,14,18	2,3,4,5,6,7,9,10,12,13,15,17	Y	N	N
Oklahoma*	1,2,8	4,5,6,10,17	Y	N	N
Oregon*	1,2,8	4,5,6,10,11,17	Y	N	N
Pennsylvania	1,2,3,4,5,6,7,8,9,10,13,18		Y	(3)	Y
Rhode Island	1,2,5,6,7,8,9,16,17,18		Y	Y	Y
South Carolina	1,2,3,4,5,6,7,8,9,10,12,17,18	11	Y	N	N
South Dakota*	1,2,8	4,5,6,10,17	Y	N	N
Tennessee	1,2,3,4,5,6,7,8,9,10,11,14,15,16,18		Y	Y	Y
Texas*	1,2,8	4,5,6,10,17	Y	N	N
Utah	1,2,3,4,5,6,7,8,9,10		Y	Y	N
Vermont*	1,2,8	4,5,6,10,17	Y	N	N
Virginia	1,2,3,4,5,6,8,10,17,18		Y	Y	N
Washington	1,2,3,4,5,6,8,9,17,18		Y	N	N
West Virginia	1,2,8,10,18		Y	N	N
Wisconsin	1,2,3,4,5,6,7,8,9,14		Y	N	N
Wyoming*	1,2,8	4,5,6,10,17	Y	N	N

Note: Information describes requirements and procedures pursuant to both Federal and State law.

Data elements:

- | | |
|------------------|----------------------------|
| 1. Name | 10. Social Security number |
| 2. Address | 11. Fingerprints |
| 3. Race | 12. Business address |
| 4. Sex | 13. Occupation |
| 5. Height | 14. Previous names |
| 6. Weight | 15. Previous address |
| 7. Hair color | 16. Scars, marks, tattoos |
| 8. Date of birth | 17. Place of birth |
| 9. Eye color | 18. Other data |

*The State uses the standard BATF form:
Required = 1,2,8 Optional = 4,5,6,10,17

- (1) Y indicates redemptions are covered after 90 days.
(2) Y indicates redemptions are covered after 1 year.
(3) Handguns cannot be pawned.

Appendix table 6. State firearm laws, 1997

<u>State</u>	<u>Title of laws</u>	<u>Relevant sections</u>
Alabama	Code	13A-11 et seq.
Alaska	Statutes	11.61.190 et seq; 18.65.700 et seq.
Arizona	Revised Statutes	13-905 et seq; 13-3101 et seq.
Arkansas	Code	5-73-101 et seq.
California	Penal Code	417.3; 626.9; 12000 et seq.; Family Code 6389
Colorado	Revised Statutes	12-26.5-101 et seq; 18-12-101 et seq.
Connecticut	General Statutes	29-27 et seq; 53-202 et seq; 53a-217
Delaware	Code	11-1441 et seq.
Florida	Statutes	790.001 et seq.
Georgia	Official Code	16-11-101 et seq.
Hawaii	Revised Statutes	134-1 et seq.
Idaho	Code	18-3302 et seq; 19-5401 et seq.
Illinois	Compiled Statutes	430:65/0.01 et seq; 720:5/24-1 et seq; 725:5/112A-14.5
Indiana	Code	35-47-1 et seq.
Iowa	Code	702.7; 724.1 et seq.
Kansas	Statutes	21-4201 et seq.
Kentucky	Revised Statutes	237.030 et seq; 431.064; 527.010 et seq.
Louisiana	Revised Statutes	14:91; 14:95; 14:95.1; 40:1379.3; 40:1751 et seq.
Maine	Revised Statutes	15.393; 17A.554; 25.2001 et seq.
Maryland	Code	27-36A et seq; 27-441 et seq.
Massachusetts	Laws	140-121 et seq.
Michigan	Compiled Laws	28.421 et seq; 750.234a et seq.
Minnesota	Statutes	609.224; 624.711 et seq.
Mississippi	Code	45-9-101; 97-37 et seq.
Missouri	Revised Statutes	571.010 et seq.
Montana	Code	45-8-301 et seq; 46-18-801
Nebraska	Revised Statutes	28-1202; 69-2401 et seq.
Nevada	Revised Statutes	202.253 et seq.
New Hampshire	Revised Statutes	159:1 et seq.
New Jersey	Statutes	2C:39-1 et seq; 2C:58-1 et seq.
New Mexico	Statutes	30-7-1 et seq.
New York	Penal Law	265.00 et seq; 400.00 et seq.; Crim. Pro. Law 530.14
North Carolina	General Statutes	14-269; 14-402 et seq.
North Dakota	Century Code	62.1-01 et seq.
Ohio	Revised Code	2923.11 et seq.
Oklahoma	Statutes	21-1271.1 et seq.
Oregon	Revised Statutes	166.170 et seq.
Pennsylvania	Statutes	18-6101 et seq.
Rhode Island	General Laws	11-47-1 et seq.
South Carolina	Code of Laws	16-23-10 et seq; 23-31-10 et seq.
South Dakota	Codified Laws	23-7-1 et seq.
Tennessee	Code	39-17-1301 et seq.
Texas	Penal Code	30.06; 42.12; 46.01 et seq.; Family Code 71.18
Utah	Code	53-5-702 et seq; 76-10-501 et seq.
Vermont	Statutes	13-4001 et seq.
Virginia	Code	18.2-279 et seq.
Washington	Revised Code	9.41.010 et seq.
West Virginia	Code	61-7-1 et seq.
Wisconsin	Statutes	175.35; 813.125; 941.25 et seq.; 948.55; 948.60
Wyoming	Statutes	6-8-101 et seq.

Appendix table 7. Revisions of Brady-related procedures and other significant changes in State firearm laws that passed or became effective between 2/28/94 and 12/31/97

<u>State</u>	<u>Category</u>	<u>Summary of Change in Law</u>	<u>Citation</u>	<u>Effective</u>
AL	Limitations on Use	Subsections added by amendment forbid carrying or possessing a deadly weapon on the premises of a public school with intent to do bodily harm.	13A-11-72	5/6/94
AK	Limitations on Use	-Amendment prohibited discharge of a firearm from a vehicle.	11.61.190	9/1/96
		-Amendment prohibited discharge of a firearm at a building.	11.61.195	9/14/97
		-Amendment prohibited possession of a firearm at a school.	11.61.210	8/17/95
	Permits	New law provided for a permit to carry a concealed handgun.	18.65.700	10/1/94
AZ	Restrictions on Purchase	-Amendment prohibited supplying, selling or giving a firearm if the transferor knows or has reason to know that the transferee would use the firearm in the commission of a felony.	13-3102	7/17/94
		-New statute prohibited persons adjudicated delinquent for certain offenses from possessing, using or carrying firearms within 10 years of adjudication, or release or escape from custody.	13-3113	7/17/94
	Permits	A new law provided for permits to carry concealed weapons.	13-3112	7/17/94
	Restoration of Rights	Amendments eliminated restoration of the right to possess a firearm for persons convicted of "dangerous" offenses and imposed limitations on restoration of rights for persons convicted of certain other offenses.	13-905, 906, 909, 910, 912.01	4/19/94
	Background Checks	A new law established a handgun clearance center for instant background checks of purchasers from licensed dealers.	13-3114	10/1/94
AR	Restrictions on Purchase	-Increased the penalties, under some circumstances, for furnishing a deadly weapon to a minor.	5-73-109	8/25/94
		-Created crime of furnishing a handgun or a prohibited weapon to a felon.	5-73-129	8/25/94
		-Raised the penalties for possession of a firearm by a felon.	5-73-103	4/14/95
	Permits	A new law authorized licenses to carry concealed weapons.	5-73-301	7/28/95
CA	Restrictions on Purchase	-Amendment prohibited selling, loaning or transferring any firearm to a minor (except under specified circumstances) or to any person not believed to be the intended recipient of the firearm.	Penal Code 12072	1/1/95
		-Several categories of prohibited persons were added by amendment to statute which requires a 10-year firearm prohibition.	PC 12021	1/1/96
	Limitations on Use	Amendment added a new offense of causing a person to carry a concealed handgun within a vehicle.	PC 12076	1/1/98
	Sales Covered	For loans of firearms, dealers were required to follow the same prohibitions applied to other sales and transfers of firearms. Private individuals were required to process loans through a licensed dealer or a law enforcement agency.	PC 12071 PC 12072(d)	1/1/95
Background Checks		-Amendment exempted holders of dangerous weapons permits from the waiting period for firearms purchases;	PC 12077	1/1/95
		-The waiting period for handguns and long guns was reduced to 10 days;	PC 12071, 72	1/1/97
		-Electronic or telephonic transmission of firearm data from dealers to the DOJ was authorized to replace the paper process;	PC 12073, 74	1/1/97
		-Amendment authorized the State to participate in the NICS.	PC 12076	1/1/98

<u>State</u>	<u>Category</u>	<u>Summary of Change in Law</u>	<u>Citation</u>	<u>Effective</u>
	State Data	-Counties were required to develop procedures to electronically transmit domestic violence protective order information to the DOJ. -California courts were required to immediately notify DOJ of certain domestic violence orders, including registered orders from other States.	Family Code 6380	1/1/95
	Domestic Violence	A court can require the relinquishment of firearms for the duration of a domestic violence protective order.	FC 6389	1/1/95
CO	Restoration of Rights	Amendment forever prohibited felons from possessing firearms.	18-12-108	7/1/94
	Background Checks	New law implemented an instant check system for handgun sales.	12-26.5	3/1/94
CT	Restrictions on Purchase	New statute incorporated restrictions on handgun purchases similar to the Federal restrictions, and required completion of a handgun safety course.	29-36f	10/1/94
	Permits	New statutes provided for handgun purchases with eligibility certificates issued by the commissioner of public safety.	29-36f, 29-36j	10/1/94
	Background Checks	-New statute required criminal history record checks on applicants for eligibility certificates. -Amendment exempted holders of a permit to carry or an eligibility certificate from the State waiting period for firearms purchases.	29-36g 29-33	10/1/94 10/1/94
	Fees Charged	New statute mandated a \$35 fee for issuance or renewal of an eligibility certificate.	29-36	10/1/94
	State Data	New statute required the commissioner of public safety to maintain State permit records in a data base accessible to handgun sellers.	29-36i	10/1/95
DE	Limitations on Use	New statute prohibited the possession of weapons on school property or at State recreational facilities.	11-1457	7/12/95
FL		(No significant changes.)		
GA	Sales Covered	Amendment exempted pawn shop redemption from background check if it occurs within 12 months of the handgun being pawned.	16-11-181	7/1/97
	Background Checks	New law established an instant check system for handgun transfers which occurred after 1/1/96.	16-11-170	3/22/95
HA	Restrictions on Purchase	An amendment to the permit to acquire statute mandated firearms training for persons acquiring handguns.	134.2	7/1/95
	Registration	Registration of all long guns was mandated by amendment.	134.3	7/1/94
	Fees Charged	Firearms permit statute was amended to allow police to charge a background check fee equal to the FBI fingerprint check fee.	134.2	7/1/96
	Domestic Violence	Amendments allowed police to seize firearms in domestic violence situations, and provided that law enforcement officers are no longer exempt from firearm seizure when served with a protective order.	134-7.5 134-11	7/1/96
ID	Permits	Amendment exempted holders of licenses to carry concealed weapons from handgun background checks; later amendment exempted holders of licenses issued after 3/ 22/95.	19-5403	7/1/95 3/20/96
	Background Checks	New chapter established a statewide instant check system for handgun transfers. Amendment allowed a dealer, as an alternative to an instant check, to request a background check from the buyer's local sheriff, subject to the 5-day waiting period.	19-5401 19-5403	4/7/94 3/20/96

<u>State</u>	<u>Category</u>	<u>Summary of Change in Law</u>	<u>Citation</u>	<u>Effective</u>
IL	Restrictions on Purchase	Several amendments barred issuing a firearm owner's identification card to persons who 1) are illegal aliens; 2) have been convicted of certain firearm offenses in other jurisdictions within the past 5 years; 3) have been convicted of domestic battery or a substantially similar offense in another jurisdiction within the past 5 years; 4) are barred from possessing firearms by any State statute or Federal law.	430:65/8	1) 1/1/95 2) 1/1/96 3) 1/1/98 4) 1/1/98
	Permits	Amendment allowed residents of States not contiguous with Illinois to purchase long guns with a valid non-resident hunting license.	430:65/3a	8/17/97
	Domestic Violence	Amendment allowed order of protection to include seizure of a respondent's firearms until expiration of the order or 2 years.	725:5/112A-14.5	1/1/96
IN	Restrictions on Purchase	Prohibition against transferring ownership or possession of firearms to persons under 18 was extended to assault weapons.	35-47-2-7	7/1/94
	Background Checks	New code chapter provides for dealers to contact CLEO by phone or other electronic means and receive a response during the call or by return call without delay; if the buyer is disqualified, CLEO has until the end of its next business day to inform the dealer.	35-47-2.5-4	11/30/98
	Fees Charged	New chapter imposes a \$3 fee for each transaction requiring a criminal history check.	35-47-2.5-11	11/30/98
	Retention of Applications	New chapter provides that only the name, dealer number, approval number and transaction date can be retained up to 12 months, and other information on approvals can be retained up to 30 days.	35-47-2.5-8	11/30/98
IA		(No significant changes.)		
KS	Restrictions on Purchase	Amended criminal possession of a firearm laws to bar persons who: -are less than 18 years of age and knowingly possess a firearm with a barrel less than 12 inches long; -were convicted in other jurisdictions of certain firearm offenses in prior 5 or 10 years which are substantially similar to Kansas offenses; -were convicted of involuntary manslaughter while driving under the influence of alcohol or drugs.	21-4204a 21-4204 21-3442	7/19/94 3/1/95 7/1/97
	Limitations on Use	New statute prohibited the possession of a firearm on the property of an elementary school or a high school.	527.070	7/15/94
	Permits	New section provided for licenses to carry concealed firearms.	237.110	10/1/96
	Domestic Violence	New statute allowed a court to prohibit a person charged with domestic violence from using or possessing a firearm.	431.064	7/15/96
LA	Permits	Amendment provided for the issuance of concealed handgun permits by the Department of Public Safety and Corrections.	40:1379.3	4/19/96
ME	Restrictions on Purchase	The transfer of a firearm to a minor without parental consent was forbidden by a new law.	17A-554A	9/28/95
MD	Restrictions on Purchase	Amendment added restrictions on firearm purchases similar to those found in Federal law, and revised the existing State law limitations.	27-445	10/1/96
	Limitations on Use	The possession of firearms on any public school property and the reckless discharge of firearms from a motor vehicle were prohibited.	27-36A, B	10/1/96
	Background Checks	Amendment applied a 7-day waiting period to any sale, rental, or transfer of a firearm.	27-442	10/1/96
MA	Restrictions on Purchase	Amendments to the identification card and license to carry statutes barred issuance to a person adjudicated or released from confinement as a youthful offender in the prior 5 years.	140-129B 140-131	10/1/96

<u>State</u>	<u>Category</u>	<u>Summary of Change in Law</u>	<u>Citation</u>	<u>Effective</u>
MI	Restrictions on Purchase	Enumerated court orders and dispositions that prohibit purchases of handguns were added to the handgun license statute.	28.422	4/1/96
MN	Restrictions on Purchase	-Restrictions on possessing firearms similar to the Federal prohibitions were incorporated into State law by amendment; -Restrictions on persons adjudicated delinquent or convicted of crimes of violence as juveniles were added by amendment.	624.713	8/1/94 1/1/95
	State Data	Amendment required CLEO's to obtain State mental health information in the course of a background check.	624.7131	8/1/94
	Domestic Violence	Amended statute allowed a court to prohibit a person convicted of domestic violence from possessing a firearm.	609.224	8/1/94
MS	Permits	Reciprocity statute was added to concealed handgun permit law.	45-9-101	7/1/97
MO	Limitations on Use	The unlawful use of weapons statute was amended to prohibit discharge of a firearm at or from a motor vehicle, or at a building.	571.030	8/28/95
MT	Permits	Amendment clarified the procedures which govern a sheriff's denial of a permit to carry a concealed weapon and an applicant's appeal of a denial.	45-8-321 45-8-324	10/1/95
	Restoration of Rights	Amendment clarified the procedures by which a sentencing judge can deprive an offender of the right to possess firearms.	46-18-801	10/1/95
NE		(No significant changes.)		
NV	Permits	-New statutes provided for issuance of concealed firearm permits.	202.3653	1995
		-New statute governed confidentiality of permit information.	202.3662	1997
	Background Checks	New statute allowed a person wishing to transfer a firearm to request a check on the transferee from the State records repository.	202.254	1997
NH	Background Checks	New chapter established statewide instant check system for handgun purchases.	159-C	10/1/95
NJ	Restrictions on Purchase	Endangering the welfare of a child was added by amendment to the list of crimes which bar a person from owning a weapon.	2C:39-7	6/2/95
	Limitations on Use	-Possession of an imitation firearm in or upon the buildings or grounds of an educational institution without permission of the institution's governing officer was prohibited by amendment.	2C:39-5	1/10/96
		-Exemptions to firearm possession limitations were authorized for juvenile corrections officers, human services police, persons who supervise or transport prisoners under government contract, retired law enforcement officers, and housing authority police officers.	2C:39-6	12/8/95 12/15/95
		-Temporary transfers of firearms from certified training instructors to participants in their courses were allowed by amendment.	2C:58-3.2	4/8/97 8/18/97 1/19/98
NM	Restrictions on Purchase	New statute made it unlawful for a person under the age of 19 to possess a handgun.	30-7-2.2	7/1/94
	Limitations on Use	Amended statute prohibited carrying a deadly weapon on any public school premises.	30-7-2.1	7/1/94
NY	Permits	Licensing statute was amended to provide that: -all license information will be confidential except name and address; -licenses issued in Nassau or Suffolk County will expire in 5 years rather than 3 years; -completing a firearm safety course is required for a new or renewed license in Westchester County.	Penal Law 400.00	11/1/94 7/26/95 8/2/95 8/25/95

<u>State</u>	<u>Category</u>	<u>Summary of Change in Law</u>	<u>Citation</u>	<u>Effective</u>
	Domestic Violence	Amendment allowed a court to suspend or revoke a firearms license, or order seizure of firearms from one subject to or in violation of a protective order	Criminal Procedure Law 530.14	1/1/96
NC	Restrictions on Purchase	Amendments to several statutes incorporated restrictions similar to the Federal prohibitions into State law.	14-269.8, 404, 415.1	12/1/95
	Permits	Amendment provided a 5 year duration for a weapons purchase permit; new article required a permit to carry a concealed handgun.	14-403, 14-415.10	12/1/95
ND		(No significant changes.)		
OH	Limitations on Use	-New statute prohibited deadly weapon possession in courthouses. -Amendment prohibited deadly weapon possession on school premises or in a school building or bus.	2923.123 2923.122	9/3/96 3/18/97
OK	Restrictions on Purchase	-Statute which determines who is prohibited from receiving firearms was amended to add persons adjudicated delinquent. -Amendment clarified definition of incompetent persons who are prohibited from receiving firearms.	21-1289.12 21-1289.10	9/1/95 5/16/96
	Limitations on Use	-Shotguns and rifles were added by amendment to the list of weapons for which concealed or unconcealed carrying is regulated. -Amendment prohibited holders of concealed handgun licenses from carrying concealed handguns on certain premises. -New statute prohibited discharging a firearm at or into any dwelling or any building used for public or business purposes.	21-1272 21-1277 21-1289.17A	9/1/95 9/1/95 7/1/97
	Permits	New statutory section established procedures for issuing a license to carry a concealed handgun.	21-1290.1	9/1/95
	Restoration of Rights	Amendment allowed restoration of the right to possess a handgun for nonviolent felons who have been pardoned.	21-1283	6/9/97
OR	Background Checks	New statute established a statewide instant check system for handgun purchases.	166.412	7/1/96
PA	Restrictions on Purchase	Amended statute described specific classes of persons not to possess, use, manufacture, control, sell or transfer firearms.	18-6105	10/11/95
	Background Checks	Amendment specified procedures for all firearm transfers, including a provision that allows for establishment of an instant check system.	18-6111.1	10/11/95
	Restoration of Rights	Amended statute detailed conditions and procedures for restoring the right to possess, transfer or control a firearm.	18-6105	10/11/95
	Fees Charged	New statute imposed a \$3 surcharge on each firearm sale to fund an instant check system.	18-6111.2	10/11/95
RI	Restrictions on Purchase	-Parolees subject to electronic monitoring were added by amendment to the list of persons barred from purchasing firearms; -Amendment revised the definition of aliens who are barred from purchasing firearms.	11-47-5 11-47-7	6/19/95 8/5/96
SC	Permits	A new article established procedures for a permit to carry a concealable weapon.	23-31-205	8/23/96
SD	Restrictions on Purchase	New statute prohibited the transfer of a firearm to a person under 18 if the transferee knows or reasonably believes that the minor intends to use it to commit a crime of violence.	23-7-46	1994

<u>State</u>	<u>Category</u>	<u>Summary of Change in Law</u>	<u>Citation</u>	<u>Effective</u>
TN	Restrictions on Purchase	-Amendment added persons convicted of an offense punishable by imprisonment for a term exceeding 1 year to the list of prohibited purchasers; -Two new statutes made it an offense to provide a handgun to a juvenile who is prohibited from possessing a handgun.	39-17-1316 39-17-1319 39-17-1320	5/10/94 7/1/94
	Restoration of Rights	Amendment provided that felons can regain the right to purchase a handgun by pardon, expungement or restoration of civil rights.	39-17-1316	5/10/94
	Fees Charged	Amendment allowed CLEO's to charge a reasonable fee, not to exceed \$10, for investigation of a prospective handgun purchaser.	39-17-1316	5/15/96
	TX	Restrictions on Purchase	Two amendments made it a criminal offense to: -transfer a handgun to a person subject to a protective order; -receive a handgun while subject to a protective order.	Penal Code 46.06
Limitations on Use		-Two new statutes prohibited concealed handgun permit holders from carrying a handgun openly or on certain premises, or on property where a posted warning forbids concealed handguns; -A new statute prohibited the reckless discharge of a firearm within the limits of certain municipalities.	Penal Code 46.035 30.06 42.12	9/1/95 9/1/97 9/1/95
State Data		Amendment ordered CLEO's to check for active protective orders upon receiving an application for a handgun purchase.	Family Code 71.18	1/1/96
UT		Restrictions on Purchase	The Federal restrictions on the purchase of handguns were incorporated into State law.	76-10-503
	Limit on Use	New law barred possessing firearms in the secure area of an airport.	76-10-529	5/5/97
	Bkgrnd Cks	New law established an instant check system for handgun transfers.	76-10-526	3/1/94
	Fee Charged	Amendment increased background check fee to \$7.50.	76-10-526	5/5/97
VT		(No significant changes.)		
VA	Restrictions on Purchase	-New law prohibited persons who are legally incompetent, mentally incapacitated, involuntarily committed or subject to a protective order from purchasing any firearm. -New law prohibited persons convicted of two misdemeanor drug offenses within 36 months from purchasing a handgun.	18.2-308.1:2 18.2-308.1:3 18.2-308.1:4 18.2-308.1:5	7/1/94 7/1/95
	WA	Restrictions on Purchase	Two amendments redefined circumstances under which conviction for enumerated offenses or involuntary commitment for mental health treatment would restrict the right to possess a firearm.	9.41.010 9.41.040
Background Checks		Amendment redefined State's waiting period as "5 business days," and revised procedures, including a provision for using the NICS.	9.41.090	7/1/94
Restoration of Rights		A new section and a subsequent amendment outlined procedures by which the right to possess a firearm can be restored for persons involuntarily committed for mental health treatment.	9.41.047	7/1/94 6/6/96
WV	Permits	The statute governing licenses to carry concealed deadly weapons was substantially amended.	61-7-4	3/8/96
WI	Restrictions on Purchase	Amendment prohibited possession of a firearm by persons who were adjudicated delinquent for an act that if committed by an adult would be a felony; or were involuntarily committed for treatment of mental illness, drug dependency or developmental disability.	941.29	4/21/94
	Domestic Violence	Amendment provided that while a domestic violence injunction is in effect, a court can order the respondent not to possess firearms.	813.125	4/1/96
WY		(No significant changes.)		