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FACT SHEET: Handgun Purchaser Licensing Act

Introduced by Senator Chris Van Hollen, Congressman Jamie Raskin

Senator Richard Blumenthal, Senator Chris Murphy and Congresswoman Jahana Hayes

- Far and away, handguns are responsible for the most firearm deaths in the United States each year. In 2019 handguns accounted for 91.3% of firearm homicides.
- Research published in the American Journal of Public Health shows a clear link between requiring a license to purchase a handgun and a significant reduction in firearm homicides and suicides. This research found that Connecticut's adoption of its handgun purchaser licensing law led to 27.8% overall decrease in the state's firearm homicide rate and a 32.8% overall decrease in its firearm suicide rate. Missouri's repeal of its similar law led to a 47.3% increase in firearm homicides and a 23.5% increase in firearm suicides.
- Research published in Criminology & Public Policy found that states with in-person handgun licensing laws had a 56% lower risk of mass shooting than states without handgun licensing laws. Additionally, purchaser licensing laws were associated with a 62% lower incidence of non-domestic-linked fatal mass shootings.
- Handgun purchaser laws close many of the loopholes that exist in our current federal background check system. Current law requires handgun purchasers to pass a background check only if the seller is a federally licensed firearm dealer. However, permit-to-purchase requirements ensure that licensed *and* unlicensed firearm sellers are required to sell handguns to individuals with a valid permit or license. Research findings indicate that requiring a permit or license to purchase a handgun is a deterrent to illegal straw purchases.
- Although 9 states, Connecticut, Hawaii, Iowa, Illinois, Maryland, Massachusetts, New Jersey, New York, North Carolina and the District of Columbia currently require handgun purchaser licenses, it is still far too easy for handguns to be trafficked into those states from states that don't have these requirements. Of the guns used in crimes in Maryland that could be traced 54% originated from out of state. Of the top 14 states that supply Maryland's out of state guns for criminal, only one has a purchaser permit law. A vast majority of guns traced to crimes in states that have had effective handgun purchaser licensing laws for decades, such as Connecticut, Massachusetts, New Jersey, and New York originated in other states. Research has shown that states with handgun purchaser licensing laws export far fewer guns than states without these laws.
- In 2013, Maryland signed into law the Firearm Safety Act, which requires nearly every individual in the state to possess a valid license before they may purchase, rent, or receive a handgun. In October 2013, the U.S. Court of Appeals for the Fourth Circuit declared that this law was fully consistent with the

Second Amendment, and the Supreme Court declined to review that decision.

- The Handgun Purchaser Licensing Act authorizes a grant program at the Department of Justice to encourage states to establish permit-to-purchase requirements for all handguns, including at gun shows and with private sellers. This grant would help offset the costs associated with the development, implementation, and evaluation of these programs.
- To be eligible, states must require individuals applying for a license to meet the following criteria:
 - provide proof they are at least 21 years old and do not violate any provisions found in 18 U.S. Code §922;
 - apply for the license at a law enforcement agency within the state;
 - submit to a background investigation and criminal history check; ○ submit fingerprints and photographs with their application; and
 - be eligible to purchase a handgun pursuant to the Brady Handgun Violence Prevention Act (P.L. 103-159, Title I; 107 Stat. 1536).