

Addendum 1

HB 875 “Safe Carry Protection Act” Omnibus Gun Bill (LC 41 0185S)

HB 875:

- Removes restrictions on concealed carry in houses of worship, bars and for tenants in public housing complexes;
- Prevents restrictions on firearms in ANY government-owned facility under private lease;
- Allows concealed carry by a license holder in any government building where there is no screening by security personnel;
- Authorizes local school boards to allow non-sworn school personnel to carry firearms on school property and to respond to threats to school safety; the school board will be responsible for any costs associated with the decision including firearms training which will be determined by the local school boards, but which should include judgment pistol shooting, marksmanship and review of state law relating to use of force;
- Prohibits arrest of any license holder who carries a concealed weapon on a campus, and provides for a fine of \$100;
- Removes the offense of pointing a gun or pistol at another;
- Prevents the creation of a multi-jurisdictional database of concealed carry license holders;
- Provides for fine of \$10 for any license holder who does not have his/her license on his/her person when he/she is carrying concealed (but state code does not require the holder to produce the license at the request of law enforcement);
- Strengthens stand your ground as an “absolute defense;”
- Transfers the regulation of firearms carried, transported or possessed by government employees ***from local elected officials to the Sheriff or Chief of Police*** so that any aggrieved person may bring an action against that LE official;
- Seeks to restrict data provided to the NICS related to mental illness;
- Prevents the seizure of any firearm by local or state law enforcement or the National Guard during declared state of emergency;
- Removes the Governor’s Emergency Powers over the sale, dispensing, transport of firearms or ammunition.

House Rules Committee

Issues which may impact officers’ ability to enforce these regulations:

1. Because person carrying concealed cannot be asked to show his/her permit to the officer at the time they are discovered to be on a campus (or any other prohibited area), officers’ only action in every case is to issue a ticket;
2. License holders are exempt from being detained in every case in the bill if they immediately leave the premises when asked by security personnel – see #1 above for obstacles to officers;
3. Liability issues are transferred to the Sheriff or Chief of Police for legal action by local government employees whose access to firearms is restricted;
4. Throughout the bill, private right of action transfers all litigation costs to the taxpayers of a local government entity, thereby encouraging frivolous or harassing lawsuits.