

**THE SYSTEM TODAY:
STATE LAWS**

Excerpt from "Closing the Gaps: Strengthening
The Background Check System To
Keep Guns Away From The Dangerously
Mentally Ill."
(Available online at: everytown.org/documents/2014/110/closing-the-gaps.pdf)
February 20, 2015, Ann Braden

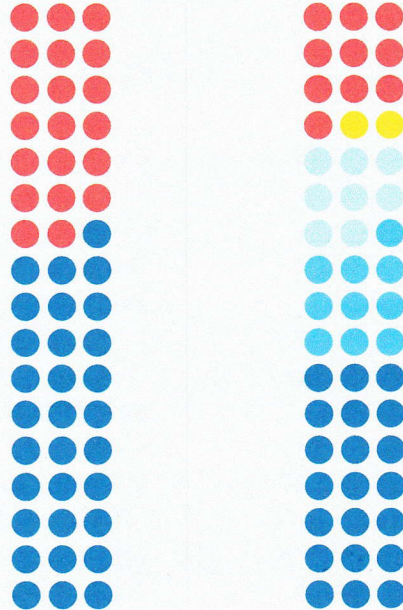
In the two and a half years since *Fatal Gaps* was published, 18 states have enacted new record-sharing statutes or have amended existing record-sharing laws in substantial ways.

- Record-reporting statutes were passed for the first time in Alaska, Hawaii, Louisiana, Maryland, Mississippi, Oklahoma, South Carolina, and South Dakota.⁸
- Major amendments were enacted in 10 states—Alabama, Arizona, Colorado, Florida, Minnesota, Nebraska, New Jersey, New York, North Carolina, and Tennessee—with provisions that set specific deadlines for record submission, expanded the set of records to be submitted, and revised the submission process.⁹

There is a direct connection between enacting a record submission law and a state's actual performance in submitting records.

- Ninety-seven percent of all records submitted in the most recent six months of available data were submitted by states with laws in place. And 19 of the 20 states with the largest increase in submitted records had reporting laws.
- Conversely, among the 12 states with fewer than 100 total records reported as of November 2013, 11 had no such law in place.¹⁰

The number of states without reporting laws has been cut nearly in half



Nov. 2011

- 20 No reporting laws
- 31 Reporting laws

May 2014

- 10 No reporting laws
- 2 Legislation pending in 2014
- 8 Reporting laws newly enacted*
- 10 Reporting laws newly amended
- 21 Reporting laws unchanged from November 2011

*As of May 21, 2014, AK and HI bills awaited governor approval

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Since 2011, MAIG pressed Congress for federal money to help with submission of records and advocated for states to pass and improve reporting laws.

Today, new state laws are put in place, privacy concerns are resolved, and states get the funding they need. More records are getting in and more prohibited people are being stopped.

The number of submitted records has increased dramatically.

- Between October 2011 and the most recent data available in March 2014, **the number of state mental health records in NICS tripled, from 1.1 million to 3.4 million.**⁵
- As of November 2013, only 12 states had submitted fewer than 100 records each to NICS, compared to 23 states in October 2011.

The more comprehensive background check system has blocked an increasing number of gun sales to the severely mentally ill.

- **In 2013, 65 percent more gun sales to seriously mentally ill people were blocked than in 2011.**⁶

The same effect can be seen in individual states, where more records submitted has meant more denied gun sales.

- In Virginia, between August 2010 and November 2013, the number of mental health records submitted rose by 45 percent. Meanwhile, the number of blocked gun sales to people with serious mental illness rose in parallel, by 47 percent from 2010 to 2013.⁷

