

HB

177



# ALASKA STATE LEGISLATURE

*Chair:*  
House Finance Subcommittees for;  
Department of Public Safety  
Department of Law

*Member:*  
House Finance Committee  
Legislative Council



*Session:*  
Alaska State Capitol  
Juneau, AK 99801-1182  
Phone: (907) 465-4958  
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Toll Free: (866) 465-4958

*Interim:*  
PO Box 464  
Chugiak, AK 99567

## REPRESENTATIVE BILL STOLTZE

Representative\_Bill\_Stoltze@legis.state.ak.us

### Sponsor Statement for House Bill 177

*"An Act relating to concealed handguns."*

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In 2002, Senate Bill 242 was introduced to simplify and clarify the procedures for recognizing concealed handgun permits for other states. As the result of a floor amendment offered late in the session, recognition was limited to those permits held by individuals who had not had a permit denied or revoked. Although, the amendment appeared reasonable on the surface, an unintended consequence was the result. Texas, the second most populous state in the nation, has refused reciprocity. The refusal is really more technically bureaucratic, and is a barrier to reciprocity. House Bill 177 is an attempt to resolve the existing barrier.

The first section of the bill would recognize permit holders from other states as valid permit holders in Alaska.

The second section of the legislation would require the Alaska Department of Public Safety to enter into reciprocity agreements with other states, when it is necessary to benefit Alaska permit holders.

I appreciate your consideration of this legislation.

DISTRICT 16

BIRCHWOOD • BUTTE • CHUGIAK • EKLUTNA • FAIRVIEW LOOP  
KNIK RIVER ROAD • LAZY MOUNTAIN • PALMER • PETERS CREEK

# FISCAL NOTE

STATE OF ALASKA  
2003 LEGISLATIVE SESSION

Fiscal Note Number: \_\_\_\_\_  
Bill Version: SSHB 177  
( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Law  
Title "An Act relating to concealed handguns." BRU Criminal Division  
Component All  
Sponsor Representative Stoltze  
Requester House State Affairs Committee Component No. \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2003) cost: 0.0  
Check this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)  
This bill recognizes valid permits to carry a concealed handgun from other jurisdictions. Holders of those permits would automatically be considered Alaska permittees as well. Further, the Department of Public Safety is directed to enter into reciprocity agreements with other states so Alaska permittees can carry concealed handguns in those states.  
  
Passage of this legislation is not anticipated to have a fiscal impact on the Department of Law.

Prepared by: Joan M. Kasson Phone (907) 465-5370  
Division Attorney General's Office Date/Time 3/24/03 1:46 PM  
Approved by: Joan M. Kasson for Gregg D. Renkes, Attorney General Date 3/24/2003  
Agency Department of Law



NATIONAL RIFLE ASSOCIATION OF AMERICA  
INSTITUTE FOR LEGISLATIVE ACTION  
555 CAPITOL MALL, SUITE 625  
SACRAMENTO, CALIFORNIA 95814  
(916)446-2455 voice ■ (916)448-7469 fax

STATE & LOCAL AFFAIRS DIVISION  
BRIAN JUDY, ALASKA STATE LIAISON

March 7, 2003

Representative Bill Stoltze  
State Capitol, Room 421  
Juneau, AK 99801-1182

Dear Representative Stoltze:

On behalf of the over 24,000 Alaska members of the National Rifle Association, let me take this opportunity to offer our strong support for **House Bill 177**. HB 177 would help, in two ways, to ensure that other states recognize Alaska concealed handgun permits.

First, HB 177 would repeal language which was put into the code last session as an amendment to a bill which was introduced to clarify the recognition of concealed handgun permits from other states. Senate Bill 242 (2002) was intended to simplify the recognition process by plainly recognizing all permits issued by other states. Supporters of the bill accepted an amendment late in the legislative process which has caused at least one state to refuse to recognize Alaska permits.

A concern was raised last year that Alaska residents who had a permit denied or revoked could travel to another state which issues permits to non-residents, obtain a permit and travel back to Alaska and carry under the out-of-state permit. Although supporters of SB 242 felt such was a highly unlikely scenario, an amendment was accepted to limit recognition of out-of-state permits to those held by individuals who had never had a permit denied or revoked in Alaska. It was thought that this restriction would have no impact on the recognition of permits.

Unfortunately, the language has led to a refusal by the State of Texas to recognize Alaska permits because Alaska's law imposes limits on the recognition of Texas permits while Texas would impose no such limitation on the recognition of Alaska permits. The likelihood that, in reality, a Texas permit would not be recognized due to the provision in question is just about as unlikely as an Alaskan traveling to the lower 48 to circumvent the Alaska permit law. However, the fact remains that the SB 242 amendment has created a barrier to the recognition of Alaska permits. The repeal of this language by HB 177 will open the door to greater recognition of Alaska permits.

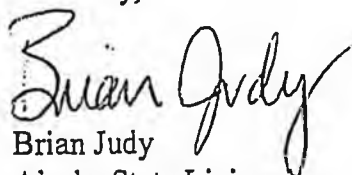
I will provide you with a copy of the letter from the Texas Department of Public Safety (DPS) to Alaska DPS which lays out the problem. More importantly, I will also provide you with information on the issuance criteria of the eleven states which issue concealed handgun permits to non-residents. It is obvious, after reviewing this material, that should an Alaskan go to the trouble of traveling to another state, it is highly unlikely that person would be able to obtain an out-of-state permit. The issuance standards are generally at least as strict in each of the other states and fingerprint-based background checks are performed in virtually all cases.

With all due respect to those who raised questions last session, in reality, the evidence suggests that their concerns, while sincere, are not warranted. Further, since any person who can lawfully own and possess a firearm can legally carry *openly* in Alaska, an individual who had a permit denied or revoked in Alaska for a non-prohibiting offense could simply carry openly in Alaska without going to all the trouble and expense of obtaining another state's permit.

The second issue addressed by HB 177 involves reciprocity agreements with other states. Although the State of Alaska now recognizes all other states' permits and is not required to enter into reciprocity agreements, some other states still require agreements for them to be able to recognize Alaska permits. HB 177 would require the Alaska Department of Safety to enter into reciprocity agreements with other states when it is necessary to benefit Alaska permit holders. Such agreements will only be required in rare cases and, thus, the cost to the Department in time and resources should be negligible.

Please let me know how I can be of assistance in the effort to pass House Bill 177.

Sincerely,

  
Brian Judy  
Alaska State Liaison

**PERMIT ISSUANCE CRITERIA  
FOR STATES WHICH ISSUE  
CONCEALED WEAPON PERMITS TO NON-RESIDENTS  
(As compared to Alaska's qualifications)**

*Alaska* - fingerprints required with application

- 1) 21 years of age
  - 2) Eligible to own/possess under federal law\*
  - 3) Not been convicted of two or more Class A misdemeanors within six years
  - 4) Not in last three years ordered to complete alcohol/substance abuse program
- 

*Arizona* - fingerprints required with application

- 1) 21 years of age
- 2) No felony indictment or conviction
- 3) Does not suffer from mental illness nor has been adjudicated mentally incompetent
- 4) Fingerprints to FBI for national criminal history check

*Florida* - fingerprints required with application

- 1) 21 years of age
- 2) Eligible to own/possess under federal law
- 3) No misdemeanor crime of violence in last three years
- 4) Not committed for substance abuse or convicted of a crime relating to controlled substances within three years
- 5) Does not chronically and habitually use alcohol, as provided by Florida law

*Idaho* - fingerprints required with application

- 1) 21 years of age
- 2) Eligible to own/possess under federal law
- 3) No misdemeanor crime of violence in last three years
- 4) Not an unlawful user of or addicted to controlled substance
- 5) Not currently suffering from mental illness nor has been adjudicated mentally ill
- 6) Not subject to protection order

*Indiana* - fingerprints required with application

- 1) 18 years of age
  - 2) No felony conviction
  - 3) Must be of good character and reputation
  - 4) Applicant must have a "proper reason" to carry a handgun
- note: Issuance to non-residents seems to be limited to those who have a regular place of business or employment in Indiana.

**Iowa** - fingerprints not mentioned in statute but criminal history check specifically required

- 1) 18 years of age
- 2) No felony conviction
- 3) No history of repeated acts of violence
- 4) Not addicted to the use of alcohol or any controlled substance
- 5) Issuing officer must reasonably determine the applicant does not constitute a danger to any person
- 6) Applicant must "reasonably justify" why he needs to carry a handgun

**Maine** - fingerprints may be required with application

- 1) 18 years of age
- 2) No felony conviction nor charges pending
- 3) Not been convicted of three or more misdemeanors in last five years
- 4) Not a drug user and not convicted in last five years of marijuana possession nor other drug crimes
- 5) Not convicted of possession of a firearm in a bar in last five years
- 5) Not been the subject of an investigation regarding domestic violence
- 6) Numerous other criteria which essentially mirror federal law

**Maryland** - fingerprints required with application

- 1) 18 years of age
- 2) No felony conviction
- 3) Has not exhibited a propensity for violence or instability
- 4) Not convicted of any offense involving possession, use or distribution of controlled substance
- 5) Not under legitimate medical direction nor an alcoholic
- 6) Applicant must have "good and substantial reason" to carry a handgun

**Nevada** - fingerprints required with application

- 1) 21 years of age
- 2) Eligible to own/possess under federal law
- 3) Not convicted of a misdemeanor crime of violence in last three years
- 4) Not convicted of DUI nor committed for alcohol or drug treatment in last five years
- 5) Not convicted of a crime involving domestic violence nor subject to a dv restraining order

**North Dakota** - fingerprints required with application

- 1) 18 years of age
- 2) Eligible to own/possess under federal law
- 3) Not convicted of a Class A misdemeanor crime of violence in last five years
- 4) Diagnosed and confined or committed as mentally ill or deficient in last three years
- 5) Non-resident application requires a LOCAL background check and approval from local law enforcement in the applicant's county (or city, borough, etc...) of residence

**Utah** - fingerprints required with application

- 1) 21 years of age
- 2) Eligible to own/possess under federal law
- 3) No conviction for crime of violence nor offense involving moral turpitude or domestic violence
- 4) No conviction for offense involving use of alcohol or controlled substances
- 5) Has not been adjudicated mentally ill
- 6) Is not a danger to self or others as demonstrated by specific evidence

**Washington** - fingerprints required with application

- 1) 21 years of age
- 2) No felony convictions
- 3) No domestic violence misdemeanor convictions since July 1, 1993
- 4) Has been ordered to forfeit a firearm in the last year for, among other reasons, possessing a firearm while under the influence of alcohol or any drug
- 5) Has not been involuntarily committed for mental health treatment
- 6) No outstanding felony or misdemeanor arrest warrants
- 7) Not subject to provisions of protective order

\* **Federal law** (18 U.S.C. §922 (g)) prohibits possession of a firearm by any person:

- 1) who has been convicted of a crime punishable by imprisonment for more than one year (generally includes any felony);
- 2) who is a fugitive from justice;
- 3) who is an unlawful user of or addicted to any controlled substance;
- 4) who has been adjudicated as a mental defective or who has been committed to a mental institution;
- 5) who is an illegal alien or who has been admitted under a nonimmigrant visa;
- 6) who has been dishonorably discharged from the Armed Forces;
- 7) who has renounced his US citizenship; or
- 8) who has been convicted of a misdemeanor crime of domestic violence.

THE  
FOLLOWING  
DOCUMENT(S)  
ARE  
POOR  
ORIGINAL  
COPIES

# TEXAS DEPARTMENT OF PUBLIC SAFETY

5805 NORTH LAMAR BLVD • BOX 4087 • AUSTIN, TEXAS 78773-0001

512/424-2000

[www.tx.dps.state.tx.us](http://www.tx.dps.state.tx.us)



THOMAS A. DAVIS, JR.  
DIRECTOR

DAVID WEATHERSON  
ASST. DIRECTOR

FRANKIE WALLER  
ASST. DIRECTOR



COMMISSION  
COLLEEN MCHUGH  
CHAIRMAN

ROBERT W. HOLY  
JAMES B. FRANCIS, JR.  
COMMISSIONERS

June 28, 2002

Delbert Smith  
Deputy Commissioner  
Alaska Department of Public Safety  
5700 E. Tudor Road  
Anchorage, Alaska 99507

Re: Concealed Handgun Reciprocity

Dear Commissioner Smith:

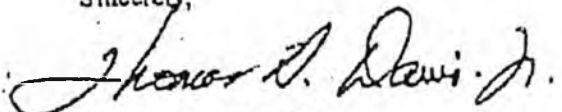
The Department recently received notice of "Senate Bill 242 am H" passed by the Alaska legislature. We have reviewed the bill to determine if it is now possible for Texas and Alaska to enter into a reciprocity agreement concerning concealed handgun licenses. S.B. 242 am H allows the state of Alaska to recognize a concealed handgun license from another state as long as the license holder has not had an application for a handgun permit rejected in Alaska or had a handgun permit revoked or suspended by Alaska. Texas Government Code Section 411.173(b)(2) allows the Department to enter into a reciprocity agreement if the other state recognizes a license issued in Texas.

After reviewing both statutes, we are trying to determine if Alaska will recognize all licenses issued by Texas. For instance, if Texas and Alaska were to enter into a reciprocity agreement, would Alaska recognize the following Texas concealed handgun licenses:

- 1) if the Texas licensee is currently eligible for a Texas license, but not an Alaska permit and has never applied for an Alaska permit;
- 2) if the Texas licensee is currently eligible for a Texas license, but not an Alaska permit and has had an application in Alaska rejected or had a permit revoked or suspended by Alaska;
- 3) if the Texas licensee is currently eligible for a Texas license and an Alaska permit, but applied for an Alaska permit when he was not eligible and was rejected, or had an Alaska permit revoked because he was not eligible at the time.

I will await your response before proceeding any further in regard to an agreement between Alaska and Texas. If you have any questions concerning the Texas concealed handgun statute, please contact Louis Beaty at 512-424-5836.

Sincerely,



Thomas A. Davis, Jr.  
Director

TAD:lab

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COURTESY • SERVICE • PROTECTION

\*\* TOTAL PAGE.03 \*\*



NATIONAL RIFLE ASSOCIATION OF AMERICA  
INSTITUTE FOR LEGISLATIVE ACTION  
555 CAPITOL MALL, SUITE 625  
SACRAMENTO, CALIFORNIA 95814  
(916)446-2455 voice ■ (916)448-7469 fax

STATE & LOCAL AFFAIRS DIVISION  
BRIAN JUDY, ALASKA STATE LIAISON

March 25, 2003

Representative Bruce Weyhrauch  
State Capitol  
Juneau, AK 99801-1182

Dear Representative Weyhrauch:

On behalf of the over 24,000 Alaska members of the National Rifle Association, let me take this opportunity to urge your **support for House Bill 177**. HB 177 would help, in two ways, to ensure that other states recognize Alaska concealed handgun permits.

First, **House Bill 177** would repeal language which was put into the code last session as an amendment to a bill which was introduced to clarify the recognition of concealed handgun permits from other states. Senate Bill 242 (2002) was intended to simplify the recognition process by plainly recognizing all permits issued by other states. Supporters of the bill accepted an amendment late in the legislative process which has caused at least one state to refuse to recognize Alaska permits.

A concern was raised last year that Alaska residents who had a permit denied or revoked could travel to another state which issues permits to non-residents, obtain a permit and travel back to Alaska and carry under the out-of-state permit. Although supporters of SB 242 felt such was a highly unlikely scenario, an amendment was accepted to limit recognition of out-of-state permits to those held by individuals who had never had a permit denied or revoked in Alaska. It was thought that this restriction would have no impact on the recognition of permits.

Unfortunately, the language has led to a refusal by the State of Texas to recognize Alaska permits because Alaska's law imposes limits on the recognition of Texas permits while Texas would impose no such limitation on the recognition of Alaska permits. The likelihood that, in reality, a Texas permit would not be recognized due to the provision in question is just about as unlikely as an Alaskan traveling to the lower 48 to circumvent the Alaska permit law. However, the fact remains that the SB 242 amendment has created a barrier to the recognition of Alaska permits. The repeal of this language by **House Bill 177** will open the door to greater recognition of Alaska permits.

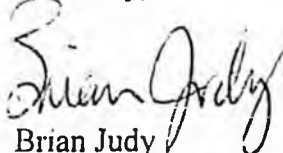
Attached you will find a copy of the letter from the Texas Department of Public Safety (DPS) to Alaska DPS which lays out the problem. More importantly, I will also provide you with information on the issuance criteria of the eleven states which issue concealed handgun permits to non-residents. It is obvious, after reviewing this material, that should an Alaskan go to the trouble of traveling to another state, it is highly unlikely that person would be able to obtain an out-of-state permit. The issuance standards are generally at least as strict in each of the other states and fingerprint-based background checks are performed in virtually all cases.

With all due respect to those who raised questions last session, in reality, the evidence suggests that their concerns, while sincere, are not warranted. Further, since any person who can lawfully own and possess a firearm can legally carry *openly* in Alaska, an individual who had a permit denied or revoked in Alaska for a non-prohibiting offense could simply carry openly in Alaska without going to all the trouble and expense of obtaining another state's permit.

The second issue addressed by **House Bill 177** involves reciprocity agreements with other states. Although the State of Alaska now recognizes all other states' permits and is not required to enter into reciprocity agreements, some other states still require agreements for them to be able to recognize Alaska permits. HB 177 would require the Alaska Department of Safety to enter into reciprocity agreements with other states when it is necessary to benefit Alaska permit holders. Such agreements will only be required in rare cases and, thus, the cost to the Department in time and resources should be negligible.

It is for these reasons that the NRA requests your support for **House Bill 177**.

Sincerely,

A handwritten signature in cursive script that reads "Brian Judy". The signature is written in dark ink and is positioned above the printed name.

Brian Judy  
Alaska State Liaison

# TEXAS DEPARTMENT OF PUBLIC SAFETY

5805 NORTH LAMAR BLVD • BOX 4087 • AUSTIN, TEXAS 78773-0001

512/424-2000

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COMMISSION  
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COMMISSIONERS

June 28, 2002

Delbert Smith  
Deputy Commissioner  
Alaska Department of Public Safety  
5700 E. Tudor Road  
Anchorage, Alaska 99507

Re: Concealed Handgun Reciprocity

Dear Commissioner Smith.

The Department recently received notice of "Senate Bill 242 am H" passed by the Alaska legislature. We have reviewed the bill to determine if it is now possible for Texas and Alaska to enter into a reciprocity agreement concerning concealed handgun licenses. S.B. 242 am H allows the state of Alaska to recognize a concealed handgun license from another state as long as the license holder has not had an application for a handgun permit rejected in Alaska or had a handgun permit revoked or suspended by Alaska. Texas Government Code Section 411.173(b)(2) allows the Department to enter into a reciprocity agreement if the other state recognizes a license issued in Texas.

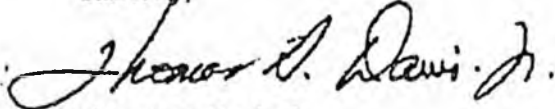
After reviewing both statutes, we are trying to determine if Alaska will recognize all licenses issued by Texas. For instance, if Texas and Alaska were to enter into a reciprocity agreement, would Alaska recognize the following Texas concealed handgun licenses:

- 1) if the Texas licensee is currently eligible for a Texas license, but not an Alaska permit and has never applied for an Alaska permit;
- 2) if the Texas licensee is currently eligible for a Texas license, but not an Alaska permit and has had an application in Alaska rejected or had a permit revoked or suspended by Alaska;
- 3) if the Texas licensee is currently eligible for a Texas license and an Alaska permit, but applied for an Alaska permit when he was not eligible and was rejected, or had an Alaska permit revoked because he was not eligible at the time.

EQUAL OPPORTUNITY EMPLOYER  
COURTESY • SERVICE • PROTECTION

I will await your response before proceeding any further in regard to an agreement between Alaska and Texas. If you have any questions concerning the Texas concealed handgun statute, please contact Louis Beaty at 512-424-5836.

Sincerely,



Thomas A. Davis, Jr.  
Director

TAD:lab

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\*\* TOTAL PAGE.03 \*\*

Aug-13-02

13 2002

# STATE OF ALASKA

TONY KNOWLES, GOVERNOR

Del Smith, Commissioner

## DEPARTMENT OF PUBLIC SAFETY

### DIVISION OF ALASKA STATE TROOPERS

Permits and Licensing Unit  
5700 East Tudor Road  
Anchorage, Alaska 99507  
Telephone (907) 289-0392  
Facsimile (907) 289-5609

Thomas A. Davis, Jr.  
Director  
Texas Department of Public Safety  
5805 North Lamar Blvd., Box 4087  
Austin, Texas 78773-0001

Dear Mr. Davis:

Our Department is in receipt of your letter dated June 28, 2002 revisiting the possibility of a reciprocal agreement in reference to concealed handgun permits. "Senate Bill 242 am H" did amend Alaska Statute 18.65.748 which now authorized the State of Alaska to recognize concealed handgun permits from all other States.

After reviewing your letter and the three proposed conditions, we have determined that we will recognize licenses issued by the State of Texas if a person holds a valid Texas permit and if the person has not had an application for a concealed handgun permit rejected in the State of Alaska because the person was unqualified under AS18.65.705 or had a concealed handgun permit revoked or suspended by this state.

We would not recognize a Texas permit under the other two circumstances you listed. Based on the language of our new law, no reciprocity agreement is needed.

Please feel free to contact me if you have further questions concerning the concealed handgun permit program.

Thomas Davis  
of TX conversation  
w/ ms. Grimes

Sincerely,



Lieutenant Julia P. Grimes  
Alaska State Troopers

JG:mbf

Cc: Representative Terry Keel

**PERMIT ISSUANCE CRITERIA  
FOR STATES WHICH ISSUE  
CONCEALED WEAPON PERMITS TO NON-RESIDENTS  
(As compared to Alaska's qualifications)**

*Alaska* - fingerprints required with application

- 1) 21 years of age
  - 2) Eligible to own/possess under federal law\*
  - 3) Not been convicted of two or more Class A misdemeanors within six years
  - 4) Not in last three years ordered to complete alcohol/substance abuse program
- 

*Arizona* - fingerprints required with application

- 1) 21 years of age
- 2) No felony indictment or conviction
- 3) Does not suffer from mental illness nor has been adjudicated mentally incompetent
- 4) Fingerprints to FBI for national criminal history check

*Florida* - fingerprints required with application

- 1) 21 years of age
- 2) Eligible to own/possess under federal law
- 3) No misdemeanor crime of violence in last three years
- 4) Not committed for substance abuse or convicted of a crime relating to controlled substances within three years
- 5) Does not chronically and habitually use alcohol, as provided by Florida law

*Idaho* - fingerprints required with application

- 1) 21 years of age
- 2) Eligible to own/possess under federal law
- 3) No misdemeanor crime of violence in last three years
- 4) Not an unlawful user of or addicted to controlled substance
- 5) Not currently suffering from mental illness nor has been adjudicated mentally ill
- 6) Not subject to protection order

*Indiana* - fingerprints required with application

- 1) 18 years of age
- 2) No felony conviction
- 3) Must be of good character and reputation
- 4) Applicant must have a "proper reason" to carry a handgun
- 5) Issuance to non-residents is limited to those who have a regular place of business or employment in Indiana

*Iowa* - fingerprints not mentioned in statute but criminal history check specifically required

- 1) 18 years of age
- 2) No felony conviction
- 3) No history of repeated acts of violence
- 4) Not addicted to the use of alcohol or any controlled substance
- 5) Issuing officer must reasonably determine the applicant does not constitute a danger to any person
- 6) Applicant must "reasonably justify" why he needs to carry a handgun

*Maine* - fingerprints may be required with application

- 1) 18 years of age
- 2) No felony conviction nor charges pending
- 3) Not been convicted of three or more misdemeanors in last five years
- 4) Not a drug user and not convicted in last five years of marijuana possession nor other drug crimes
- 5) Not convicted of possession of a firearm in a bar in last five years
- 5) Not been the subject of an investigation regarding domestic violence
- 6) Numerous other criteria which essentially mirror federal law

*Maryland* - fingerprints required with application

- 1) 18 years of age
- 2) No felony conviction
- 3) Has not exhibited a propensity for violence or instability
- 4) Not convicted of any offense involving possession, use or distribution of controlled substance
- 5) Not under legitimate medical direction nor an alcoholic
- 6) Applicant must have "good and substantial reason" to carry a handgun

*Nevada* - fingerprints required with application

- 1) 21 years of age
- 2) Eligible to own/possess under federal law
- 3) Not convicted of a misdemeanor crime of violence in last three years
- 4) Not convicted of DUI nor committed for alcohol or drug treatment in last five years
- 5) Not convicted of a crime involving domestic violence nor subject to a dv restraining order

*North Dakota* - fingerprints required with application

- 1) 18 years of age
- 2) Eligible to own/possess under federal law
- 3) Not convicted of a Class A misdemeanor crime of violence in last five years
- 4) Not been diagnosed and confined or committed as mentally ill or deficient in last three years
- 5) Non-resident application requires a LOCAL background check and approval from local law enforcement in the applicant's county (or city, borough, etc...) of residence

*Utah* - fingerprints required with application

- 1) 21 years of age
- 2) Eligible to own/possess under federal law
- 3) No conviction for crime of violence nor offense involving moral turpitude or domestic violence
- 4) No conviction for offense involving use of alcohol or controlled substances
- 5) Has not been adjudicated mentally ill
- 6) Is not a danger to self or others as demonstrated by specific evidence

*Washington* - fingerprints required with application

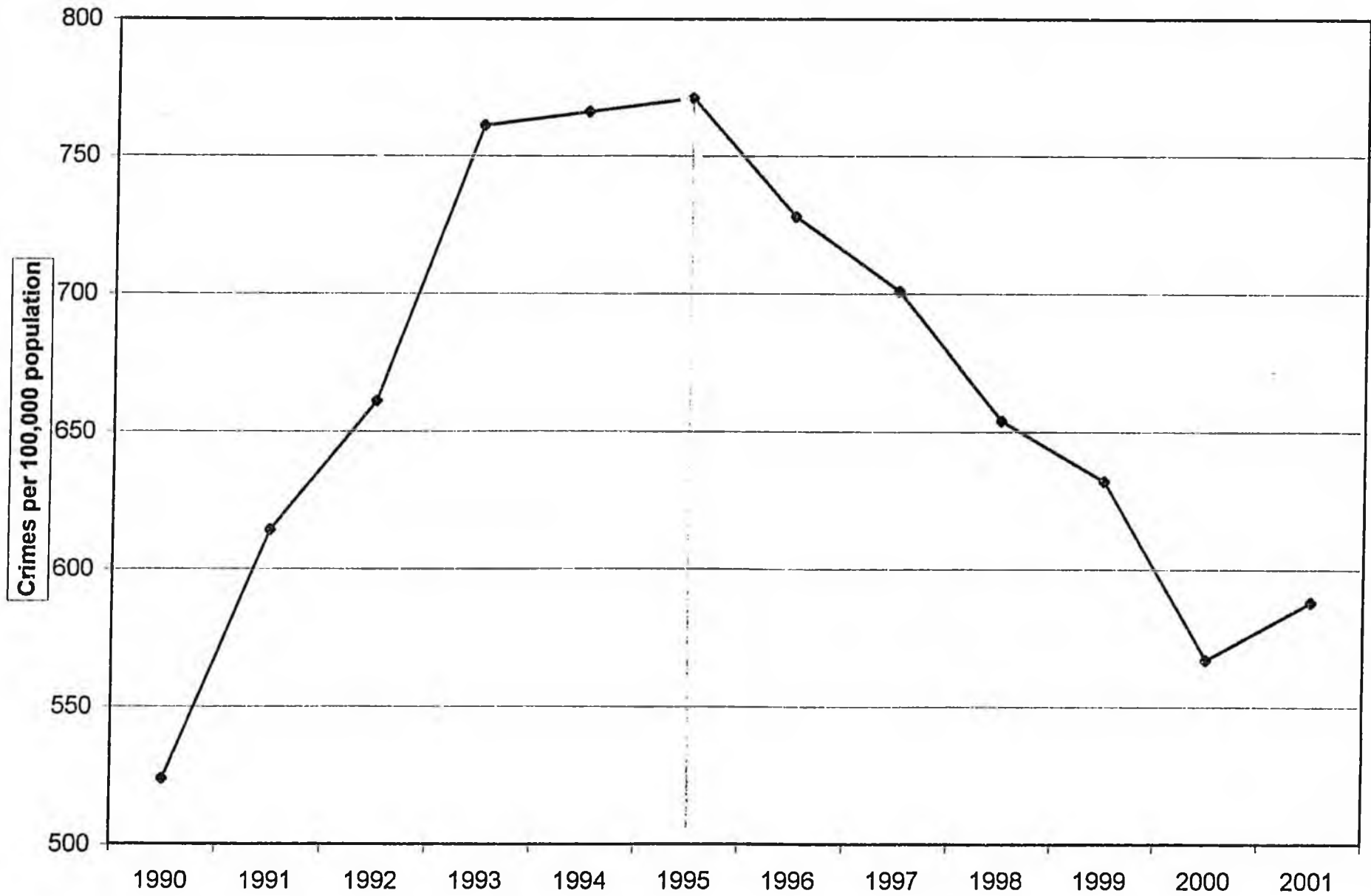
- 1) 21 years of age
- 2) No felony convictions
- 3) No domestic violence misdemeanor convictions since July 1, 1993
- 4) Has not been ordered to forfeit a firearm in the last year for, among other reasons, possessing a firearm while under the influence of alcohol or any drug
- 5) Has not been involuntarily committed for mental health treatment
- 6) No outstanding felony or misdemeanor arrest warrants
- 7) Not subject to provisions of protective order

\* *Federal law* (18 U.S.C. §922 (g)) prohibits possession of a firearm by any person:

- 1) who has been convicted of a crime punishable by imprisonment for more than one year (generally includes any felony);
- 2) who is a fugitive from justice;
- 3) who is an unlawful user of or addicted to any controlled substance;
- 4) who has been adjudicated as a mental defective or who has been committed to a mental institution;
- 5) who is an illegal alien or who has been admitted under a nonimmigrant visa;
- 6) who has been dishonorably discharged from the Armed Forces;
- 7) who has renounced his US citizenship; or
- 8) who has been convicted of a misdemeanor crime of domestic violence.

# Alaska Crime Rates

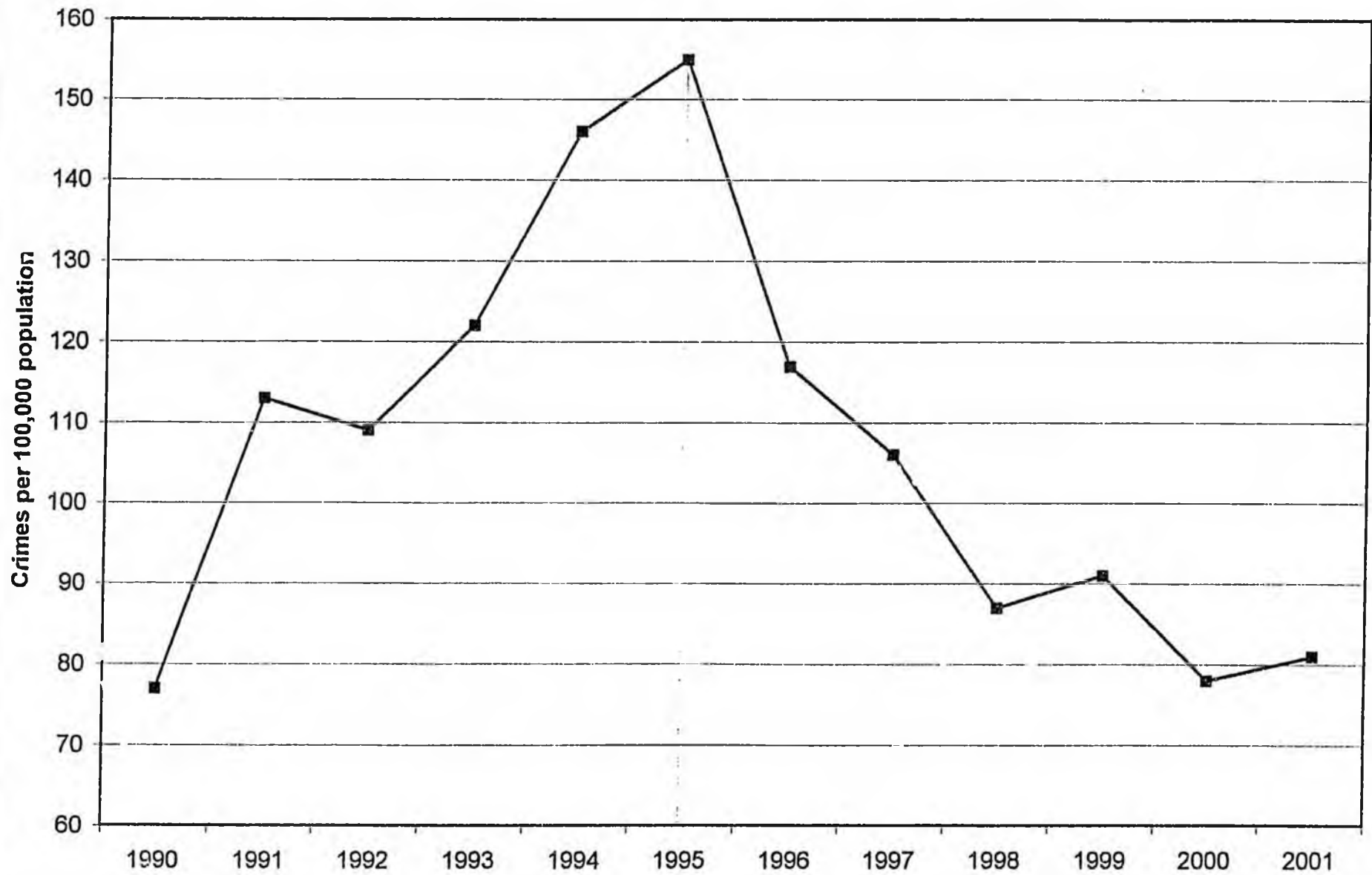
**Violent Crime**  
Sources: FBI and Bureau of Justice Statistics



# Alaska Crime Rates

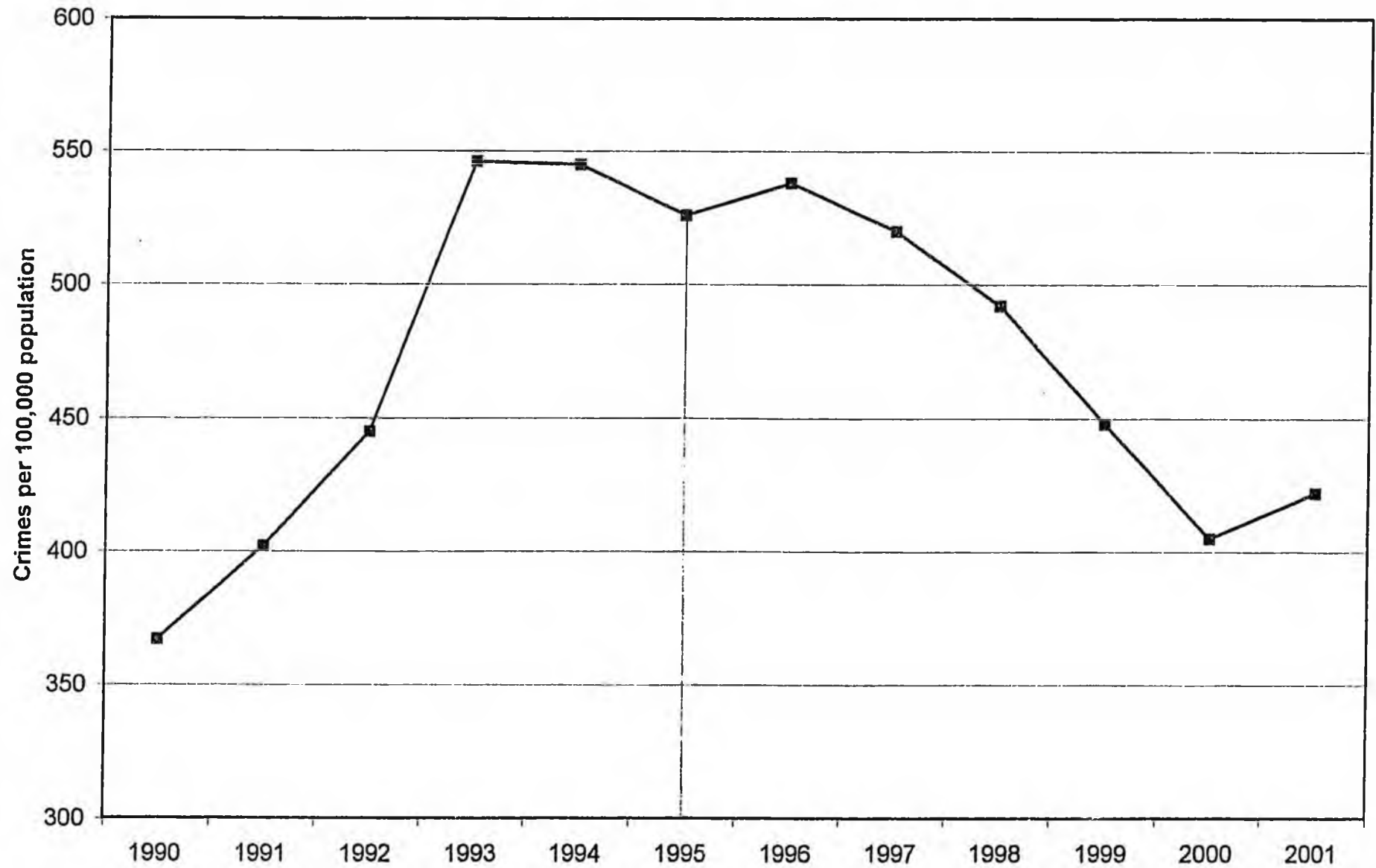
## Robbery

Sources: FBI and Bureau of Justice Statistics



# Alaska Crime Rates

**Aggravated Assault**  
Sources: FBI and Bureau of Justice Statistics



**Crime Rates by State: 2001**  
(Reported Offenses per 100,000 Population)

State	Total Crime Index	State Rank	Violent Crime	State Rank	Property Crime	State Rank
Alabama	4,319.4	33	438.6	29	3,880.8	32
→ Alaska	4,236.2	30	588.3	41	3,647.9	26
Arizona	6,077.4	50	540.3	36	5,537.1	50
Arkansas	4,134.2	26	452.8	30	3,681.4	28
California	3,902.9	22	617.0	43	3,286.0	18
Colorado	4,218.9	29	350.7	21	3,868.2	31
Connecticut	3,117.9	11	335.5	19	2,782.4	11
Delaware	4,052.8	23	611.4	42	3,441.4	22
District of Columbia	7,709.6	51	1,736.7	51	5,972.8	51
Florida	5,569.7	49	797.2	50	4,772.5	47
Georgia	4,646.3	37	497.0	33	4,149.3	39
Hawaii	5,386.1	48	254.6	9	5,131.5	49
Idaho	3,133.4	12	243.1	8	2,890.3	14
Illinois	4,097.8	25	636.9	44	3,460.8	24
Indiana	3,831.4	21	371.8	25	3,459.6	23
Iowa	3,301.2	15	269.1	13	3,032.1	15
Kansas	4,321.4	34	404.8	27	3,916.6	33
Kentucky	2,938.1	8	257.0	10	2,681.1	10
Louisiana	5,338.1	47	687.0	45	4,651.1	45
Maine	2,688.2	5	111.5	3	2,576.7	7
Maryland	4,866.8	40	783.0	49	4,083.8	37
Massachusetts	3,098.6	10	479.5	31	2,619.1	8
Michigan	4,081.5	24	554.7	38	3,526.8	25
Minnesota	3,583.7	18	264.4	12	3,319.3	19
Mississippi	4,185.2	28	350.1	20	3,835.1	30
Missouri	4,776.1	39	541.3	37	4,234.9	40
Montana	3,688.7	20	352.4	23	3,336.3	20
Nebraska	4,329.6	35	304.3	16	4,025.3	35
Nevada	4,266.0	32	586.8	40	3,679.2	27
New Hampshire	2,321.6	1	170.3	5	2,151.3	1
New Jersey	3,225.3	14	390.1	26	2,835.2	12
New Mexico	5,324.0	46	781.1	48	4,542.8	43
New York	2,925.1	7	516.0	35	2,409.1	5
North Carolina	4,938.0	41	494.3	32	4,443.7	42
North Dakota	2,417.7	3	79.6	1	2,338.1	4
Ohio	4,177.6	27	351.9	22	3,825.7	29
Oklahoma	4,607.0	36	512.3	34	4,094.7	38
Oregon	5,044.1	42	306.7	17	4,737.4	46
Pennsylvania	2,961.1	9	410.4	28	2,550.7	6
Rhode Island	3,684.9	19	309.6	18	3,375.3	21
South Carolina	4,752.7	38	720.3	46	4,032.4	36

State	Total Crime Index	State Rank	Violent Crime	State Rank	Property Crime	State Rank
South Dakota	2,332.0	2	154.8	4	2,177.2	2
Tennessee	5,152.8	45	745.3	47	4,407.5	41
Texas	5,152.7	44	572.8	39	4,579.9	44
Utah	4,243.0	31	234.1	7	4,008.9	34
→ Vermont	2,769.3	6	105.0	2	2,664.2	9
Virginia	3,178.3	13	291.3	15	2,886.9	13
Washington	5,151.9	43	355.0	24	4,796.8	48
West Virginia	2,559.5	4	279.4	14	2,280.1	3
Wisconsin	3,321.2	16	231.1	6	3,090.1	16
Wyoming	3,517.6	17	257.3	11	3,260.4	17

Source: Federal Bureau of Investigation, Uniform Crime Reports, <http://www.fbi.gov/ucr/ucr.htm>

Crime Ranks.xls

2001	Total violent crime	2001	Murder and non-neg. mansl.	2001	Forcible rape	2001	Robbery	2001	Aggravated assault
	crime								
District of Columbia	1,736.7	District of Columbia	40.6	1 Alaska	78.9	District of Columbia	689.6	District of Columbia	973.7
1 Florida	797.2	1 Louisiana	11.2	2 Delaware	52.8	1 Maryland	251.6	1 New Mexico	581.9
2 Maryland	783.0	2 Mississippi	9.9	3 Michigan	52.7	2 Nevada	234.2	2 Florida	650.9
3 New Mexico	781.1	3 Nevada	8.5	4 New Mexico	46.5	3 Florida	200.5	3 South Carolina	549.3
4 Tennessee	745.3	4 Alabama	8.5	5 South Dakota	46.4	4 Illinois	199.2	4 Tennessee	521.6
5 South Carolina	720.3	5 Maryland	8.3	6 Minnesota	45.0	5 New York	192.3	5 Maryland	496.1
6 Louisiana	687.0	6 Illinois	7.9	7 Colorado	43.7	6 California	187.1	6 Louisiana	468.3
7 Illinois	636.9	7 Arizona	7.5	8 Washington	43.4	7 Tennessee	178.0	7 Alaska	422.3
8 California	617.0	8 Tennessee	7.4	9 Oklahoma	42.9	8 Louisiana	176.1	8 Delaware	410.6
9 Delaware	611.4	9 Georgia	7.1	10 Nevada	41.9	9 Georgia	171.8	9 Illinois	398.3
10 Alaska	588.3	10 Indiana	6.8	11 Florida	40.5	10 Arizona	167.1	10 California	394.6
11 Nevada	586.8	11 Michigan	6.7	12 Mississippi	40.1	11 New Jersey	166.3	11 Oklahoma	384.6
12 Texas	572.8	12 Missouri	6.6	13 Utah	39.5	12 Texas	165.8	12 Missouri	372.1
13 Michigan	554.7	13 California	6.4	14 Rhode Island	39.3	13 North Carolina	162.5	13 Michigan	365.8
14 Missouri	541.3	14 South Carolina	6.3	15 Ohio	39.3	14 Ohio	151.2	14 Texas	362.5
15 Arizona	540.3	15 Texas	6.2	16 Texas	38.3	15 United States	148.5	15 Massachusetts	346.6
16 New York	516.0	16 North Carolina	6.2	17 Tennessee	38.3	15 New Mexico	147.3	16 Arizona	337.1
17 Oklahoma	512.3	17 Alaska	6.1	18 New Hampshire	38.4	16 Delaware	145.2	17 Arkansas	333.2
United States	504.4	United States	5.6	19 Kansas	35.1	17 Pennsylvania	142.4	United States	318.6
18 Georgia	497.0	18 Arkansas	5.5	20 South Carolina	34.0	18 Missouri	138.0	18 Montana	302.4
19 North Carolina	494.3	19 New Mexico	5.4	21 Oregon	33.8	19 South Carolina	130.7	19 Nevada	302.2
20 Massachusetts	479.5	20 Oklahoma	5.3	22 Hawaii	33.4	20 Michigan	129.5	20 North Carolina	300.2
21 Arkansas	452.8	21 Florida	5.3	23 Arkansas	33.1	21 Alabama	125.1	21 New York	300.0
22 Alabama	438.6	22 Pennsylvania	5.3	District of Columbia	32.9	22 Connecticut	122.1	22 Georgia	292.1
23 Pennsylvania	410.4	23 Virginia	5.1	24 Idaho	32.2	23 Indiana	117.3	23 Kansas	276.4
24 Kansas	404.8	24 New York	5.0	United States	31.8	24 Mississippi	115.3	24 Alabama	274.4
25 New Jersey	390.1	25 Kentucky	4.7	25 Illinois	31.5	25 Massachusetts	101.5	25 Pennsylvania	234.5
26 Indiana	371.8	26 Ohio	4.0	26 Louisiana	31.4	26 Washington	99.1	26 Colorado	222.9
27 Washington	355.0	27 New Jersey	4.0	27 Wyoming	30.9	27 Virginia	95.4	27 West Virginia	220.2
28 Montana	352.4	28 Montana	3.8	28 Alabama	30.7	28 Hawaii	93.3	28 Indiana	219.7
29 Ohio	351.9	29 Rhode Island	3.7	29 Massachusetts	29.1	29 Rhode Island	93.1	29 Nebraska	210.8
30 Colorado	350.7	30 Colorado	3.6	30 California	28.9	30 Kansas	89.9	30 Washington	209.6
31 Mississippi	350.1	31 Wisconsin	3.6	31 Arizona	28.6	31 Wisconsin	82.3	31 Wyoming	207.5
32 Connecticut	335.5	32 Kansas	3.4	32 Pennsylvania	28.2	32 Arkansas	81.0	32 Iowa	205.7
33 Rhode Island	309.6	33 Connecticut	3.1	33 Indiana	28.1	33 Alaska	81.0	33 New Jersey	204.7
34 Oregon	306.7	34 Washington	3.0	34 Kentucky	27.8	34 Kentucky	80.7	34 Connecticut	191.7
35 Nebraska	304.3	35 Utah	3.0	35 Maryland	27.0	35 Colorado	80.5	35 Oregon	191.3
36 Virginia	291.3	36 Delaware	2.9	36 Georgia	26.0	36 Oklahoma	79.4	36 Idaho	190.1
37 West Virginia	279.4	37 Hawaii	2.6	37 North Dakota	25.8	37 Oregon	79.2	37 Mississippi	184.8
38 Iowa	269.1	38 Nebraska	2.5	38 North Carolina	25.4	38 Minnesota	75.6	38 Rhode Island	173.5
39 Minnesota	264.4	39 Oregon	2.4	39 Maine	25.3	39 Nebraska	65.8	39 Virginia	166.2
40 Wyoming	257.3	40 Minnesota	2.4	40 Nebraska	25.2	40 Utah	52.7	40 Ohio	157.4
41 Kentucky	257.0	41 Massachusetts	2.3	41 Virginia	24.6	41 Iowa	39.5	41 Kentucky	143.8
42 Hawaii	254.6	42 Idaho	2.3	42 Missouri	24.6	42 West Virginia	39.2	42 Minnesota	141.4
43 Idaho	243.1	43 West Virginia	2.2	43 Iowa	22.2	43 New Hampshire	35.3	43 Utah	139.0
44 Utah	234.1	44 Wyoming	1.8	44 Wisconsin	21.1	44 Montana	25.4	44 Hawaii	125.3
45 Wisconsin	231.1	45 Iowa	1.7	45 Montana	20.8	45 Maine	20.5	45 Wisconsin	124.2
46 New Hampshire	170.3	46 Maine	1.4	46 Connecticut	18.7	46 Idaho	18.5	46 New Hampshire	97.2
47 South Dakota	154.8	47 New Hampshire	1.4	47 New York	18.7	47 Vermont	17.5	47 South Dakota	93.8
48 Maine	111.5	48 Vermont	1.1	48 West Virginia	17.8	48 Wyoming	17.0	48 Vermont	69.0
49 Vermont	105.0	49 North Dakota	1.1	49 Vermont	17.5	49 South Dakota	13.6	49 Maine	64.2
50 North Dakota	79.6	50 South Dakota	0.9	50 New Jersey	15.1	50 North Dakota	9.5	50 North Dakota	43.2

# Handgun Epidemic Lowering Plan (HELP) Network Firearm Injury Prevention State Status Report

## Vermont

Updated 2/6/2002

### Pediatric and Young Adult, and all Firearm Deaths and Rate per 100,000 Population (1999) <sup>2</sup>

	Population	Suicide		Homicide		Unintentional		Undetermined		Total Firearm <sup>3</sup>	
		Deaths	Rate	Deaths	Rate	Death	Rate	Death	Rate	Death	Rate
All ages	593,740	46	7.7	8	1.3	2	0.3	1	0.2	57	9.6
0-14	112,801	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
15-19	43,814	2	4.6	0	0.0	1	2.3	0	0.0	3	6.8
15-24	79,740	7	8.8	0	0.0	2	2.5	1	1.3	10	12.5
25-44	187,907	17	9.0	4	2.1	0	0.0	0	0.0	21	11.2
45-64	140,376	11	7.8	3	2.1	0	0.0	0	0.0	14	10.0
64+	72,916	11	15.1	1	1.4	0	0.0	0	0.0	12	16.5

### Vermont Compared With Other States (and D.C.)

		Ranking (1-highest, 51-lowest)
Rate of firearm deaths/100,000 pop. (1999)	9.6	34 of 51
Number of firearm deaths (1999)	57	48 of 51
Number of Federal Firearm Licensees (FFLs) (1999) <sup>4</sup>	595	47 of 51
Rate of FFLs per 100,000 pop. (1999)	100.2	5 of 51
Number of Federal Firearm Licensees (2001) <sup>4</sup>	570	47 of 51

#### For Available State Data, Contact:

Vermont Department of Health, Division of Health Surveillance: Public Health Statistics Unit  
<http://www.state.vt.us/health/healthsu.htm>

HELP Organizational Members Based in State: none

<sup>1</sup> Compiled by HELP Network; (773) 880-8122, email: [contact@helpnetwork.org](mailto:contact@helpnetwork.org). Children's Mem. Hosp., 2300 Children's Plaza, #88, Chicago, IL  
 State Status Reports can be viewed at [www.helpnetwork.org](http://www.helpnetwork.org)

<sup>2</sup> Data are from National Center for Health Statistics, National Vital Statistics System

<sup>3</sup> Includes firearm deaths from all causes.

<sup>4</sup> Bureau of Alcohol, Tobacco and Firearms (ATF). FFLs are those with a federal firearm license which is required to sell firearms.

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## Alaska

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### Pediatric and Young Adult, and all Firearm Deaths and Rate per 100,000 Population (1999) <sup>2</sup>

	Population	Suicide		Homicide		Unintentional		Undetermined		Total Firearm <sup>3</sup>	
		Deaths	Rate	Deaths	Rate	Death	Rate	Death	Rate	Death	Rate
All ages	619,500	55	8.9	27	4.4	3	0.5	2	0.3	88	14.2
0-14	163,094	1	0.6	5	3.1	0	0.0	0	0.0	6	3.7
15-19	56,192	10	17.8	4	7.1	1	1.8	2	3.6	17	30.3
15-24	104,654	17	16.2	6	5.7	1	1.0	2	1.9	26	24.8
25-44	178,632	20	11.2	13	7.3	2	1.1	0	0.0	35	19.6
45-64	138,370	10	7.2	1	0.7	0	0.0	0	0.0	12	8.7
64+	34,750	7	20.1	2	5.8	0	0.0	0	0.0	9	25.9

### Alaska Compared With Other States (and D.C.)

Ranking (1-highest, 51-lowest)

Rate of firearm deaths/100,000 pop. (1999)	14.2	12 of 51
Number of firearm deaths (1999)	88	43 of 51
Number of Federal Firearm Licensees (FFLs) (1999) <sup>4</sup>	1,274	33 of 51
Rate of FFLs per 100,000 pop. (1999)	205.6	1 of 51
Number of Federal Firearm Licensees (2001) <sup>4</sup>	1,211	35 of 51

#### For Available State Data, Contact:

Alaska Department of Health and Social Services, Bureau of Vital Statistics  
<http://health.hss.state.ak.us/>

HELP Organizational Members Based in State: none

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<sup>2</sup> Data are from National Center for Health Statistics, National Vital Statistics System

<sup>3</sup> In 1999, the 1 death due to legal intervention (not shown separately) is included in Total Firearm deaths.

<sup>4</sup> Bureau of Alcohol, Tobacco and Firearms (ATF). FFLs are those with a federal firearm license which is required to sell firearms.



30% of handguns are stored unlocked and loaded.

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## Vermont Firearm Deaths

Vermont Firearm Deaths  
Ages 0 to 19, 1995-2000  
All Races, Both Sexes

	2000	1999	1998	1997	1996	1995
<b>Accidental</b>						
0-4	0	0	0	0	0	0
5-9	0	0	0	0	0	0
10-14	0	0	0	0	0	0
15-19	0	1	0	0	1	1
Subtotal	0	1	0	0	1	1
<b>Suicide</b>						
0-4	0	0	0	0	0	0
5-9	0	0	0	0	0	0
10-14	0	0	0	1	0	0
15-19	4	2	5	0	2	5
Subtotal	4	2	5	1	2	5
<b>Homicide</b>						
0-4	0	0	0	1	0	0
5-9	0	0	0	1	0	0
10-14	0	0	0	0	0	0
15-19	0	0	0	0	1	0
Subtotal	0	0	0	2	1	0
<b>Undetermined/Other</b>						
0-4	0	0	0	0	0	0
5-9	0	0	0	0	0	0
10-14	0	0	0	0	1	0
15-19	0	0	0	2	0	0
Subtotal	0	0	0	2	1	0
<b>All Intents/TOTAL</b>						
0-4	0	0	0	1	0	0
5-9	0	0	0	1	0	0
10-14	0	0	0	1	0	0
15-19	4	2	5	0	2	5
Subtotal	4	2	5	2	2	5



	10-14	15-19	20-24	25-29	30-34	35-39	40-44
15-19	4	3	5	2	4	6	
TOTAL	4	3	5	5	5	6	

NOTE: Rates based on 20 or fewer deaths may be unstable. Use with caution.  
 ABOUT 1999-2000 DATA: The coding of mortality data changed significantly in 1999 from ICD-9 to ICD-10, so you may not be able to compare number of deaths and death rates from 1998 and before with data from 1999 and after. Though there were no apparent changes in the coding of firearm deaths, the National Center for Health Statistics does not recommend combining 1999-2000 data with previous years to obtain average annual numbers of death and death rates.  
 TABLE: Statistics compiled by *Common Sense about Kids and Guns* using WISQARS. WISQARS is produced by the Office of Statistics and Programming, NCIPC, CDC.  
 DATA SOURCE: NCHS National Vital Statistics System.

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 ABOUT KIDS AND GUNS

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The HELP Network



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(773) 880-8122  
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Box #88,  
Chicago, IL 60614

www.helpnetwork.org

## Legislative Update for the State of Alaska

### State Gun Laws<sup>1</sup>

• Anti-Trafficking: Is there a one-handgun-per-month limit on gun sales?	no
Assault Weapons: Are there limitations on assault weapons and magazines?	no
Attorney General Regulations: May Attorney General regulate guns?	yes
Background Check at State Level: Do state police perform a background check in addition to federal NICS check?	no
• Ballistic Fingerprinting: Must handguns be ballistic fingerprinted prior to sale?	no
CCW Limits: May police limit carrying concealed handguns?	no
Child Access Prevention -CAP: Are gun owners held accountable for leaving guns accessible to kids?	no
Child-Safety Locks: Must locking devices be sold with guns?	no
Gun Manufacturer Accountability: Do cities have authority to hold gun makers legally liable?	no
Gun Show Checks: Are background checks required at gun shows?	no
Juvenile Possession: Are minors restricted from possessing guns?	yes
• Juvenile Sale: Is it illegal to sell guns to kids?	yes
Licensing: Is a license/permit required to buy handguns?	no
Local Gun Laws -Preemption: May cities enact laws stronger than the state's?	partial
• Record Keeping: May police maintain gun sale records?	no
Registration: Are all guns registered with law enforcement?	no
Safety Standards: are there consumer safety standards on guns?	no
Safety Training: Is safety training required for handgun buyers?	no
Saturday Night Specials: Are there limitations on "junk" handguns?	no
School Zones: Is it illegal to have a gun in or around schools?	yes
• Secondary Sales: Are background checks required on "private" gun sales?	no
Waiting Period: Is there a waiting period on gun sales?	no

<sup>1</sup> Source: Brady Campaign - www.bradiycampaign.org as of February 2002

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