

## HB 2543 STAFF MEASURE SUMMARY

### House Committee On Judiciary

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**Action Date:** 03/30/21

**Action:** Without recommendation as to passage and be referred to Rules.

**Vote:** 7-2-1-0

**Yeas:** 7 - Bynum, Dexter, Kropf, Lewis, Noble, Power, Wilde

**Nays:** 2 - Morgan, Wallan

**Exc:** 1 - Helm

**Fiscal:** Has minimal fiscal impact

**Revenue:** No revenue impact

**Prepared By:** Gillian Fischer, Counsel

**Meeting Dates:** 2/18, 3/4, 3/30

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#### WHAT THE MEASURE DOES:

Prohibits transfer of a firearm by a gun dealer or a private party if the Department of State Police is unable to determine whether recipient is qualified to receive firearm.

#### ISSUES DISCUSSED:

- Charleston loop-hole
- Background check process
- Nation-wide gun legislation trends

#### EFFECT OF AMENDMENT:

No amendment.

#### BACKGROUND:

Upon receipt of a request for a criminal background check from specified firearm transferors, the Department of State Police (department) must immediately, during the telephone call or by return call, determine whether the recipient is disqualified from completing the transfer or is otherwise prohibited by state or federal law from possessing a firearm. Under current statutes, if the department is unable to determine whether the recipient is qualified or disqualified within 30 minutes of receiving the request, the department notifies the transferor and provides the transferor with an estimate of the time when the department will provide the requested information. If the department fails to provide a unique approval number to a gun dealer or to notify the gun dealer that the purchaser is disqualified before the close of the gun dealer's next business day following the request, the gun dealer may deliver the firearm to the purchaser.

House Bill 2543 prohibits the transfer of a firearm by a gun dealer or private party unless the transferor receives a unique approval number from the department.