

Firearm Purchaser Licensing



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About us







The Consortium for Risk-Based Firearm Policy

The Consortium for Risk-Based Firearm Policy is composed of more than 30 leading experts dedicated to advancing evidence-based gun violence prevention policies, several of whom contributed to this report. The Consortium is led by a steering committee of six experienced researchers working on the intersections of gun violence prevention, public health, law, behavioral health, medicine, and criminology. Since its creation in 2013, it has published several reports offering evidence-based gun violence prevention policy recommendations. In turn, federal and state policymakers have come to rely upon the Consortium's recommendations to craft legislation and executive action and to inform implementation efforts which continue to shape the policy landscape of the gun violence prevention movement.

 [@Consortium_RBFP](#)  riskbasedfirearmpolicy.org

The Johns Hopkins Center for Gun Violence Solutions

The Center for Gun Violence Solutions at the Johns Hopkins Bloomberg School of Public Health addresses gun violence as a public health emergency and utilizes objective, non-partisan research to develop solutions which inform, fuel and propel advocacy to measurably lower gun violence. Home to some of the nation's leading gun violence prevention experts, the Center conducts rigorous research to drive solutions to save lives. In addition to our researchers, the Center's team includes expertise in the fields of policy, law, implementation, community engagement, and communications. This comprehensive advocacy skillset enables us to impact all phases of the policy change process.

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About us

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Executive Summary

FIREARM PURCHASER LICENSING: RESEARCH EVIDENCE TO INFORM STATE POLICY

Firearm purchaser licensing (FPL) laws (sometimes referred to as permit-to-purchase) require an individual to obtain a license through an application process before purchasing a firearm. They are among the most effective policies at reducing gun violence. FPL laws create robust mechanisms of accountability among both prospective gun owners and sellers to ensure that those disqualified from firearm ownership can't legally obtain a gun.

This report compiles existing research to inform state policy. It includes an overview of state FPL laws and recommends core components of FPL laws to maximize public health benefits. These recommendations pertain to:



Proof of firearms safety training



Fingerprinting



In-person step



Comprehensive background check



Waiting periods

Research Evidence That Informs Policy Solutions

FPL laws are associated with significant reductions in multiple forms of firearm violence including homicide, suicide, and shootings by police.

More specifically research shows that FPL laws are associated with:

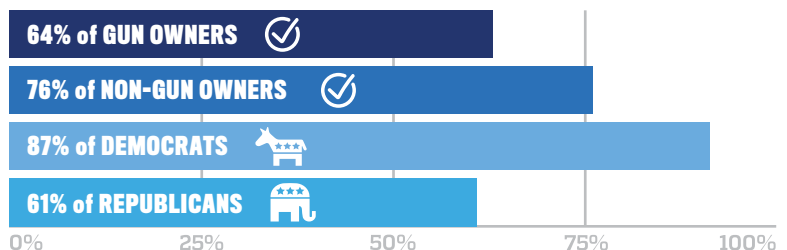
- ✓ Reducing firearm homicides in urban areas
- ✓ Reducing mass shootings
- ✓ Preventing guns from being diverted to criminal use
- ✓ Protecting law enforcement

Public Polling Nationally

The majority of adults support firearm purchaser licensing laws regardless of gun ownership or political party affiliation.

72%

Americans overall support FPL laws



Introduction

In the United States someone is killed by a gun every 11 minutes.

The latest firearm mortality data from the Centers for Disease Control and Prevention (CDC) show that 46,728 people died from firearm injuries in the United States in 2023, the third highest total number ever recorded, with a mortality rate of 13.7 per 100,000.

In 2023 firearms were used in 7 out of 10 homicides and in 55% of all suicides in the country.¹ Considering the critical role of firearms in lethal violence, many state and federal policies are designed to prevent individuals with a history of violence, criminal behavior, substance use disorder, alcohol misuse, or serious mental illness from accessing firearms. However, loopholes in the federal background check system provide avenues for individuals who are prohibited from owning a firearm to purchase one.

In the United States in 2023...



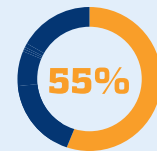
Someone was killed by a gun every 11 minutes

46,728

People died from firearm injuries



Firearms were used in 7 out of 10 homicides



Firearms were used in 55% of all suicides

Firearm purchaser licensing (FPL) laws (sometimes referred to as permit-to-purchase laws) are among the most effective policies at reducing gun violence. FPL can create robust mechanisms of accountability among both prospective gun owners and sellers to help guarantee that persons disqualified from firearm ownership can't legally obtain a gun.² Firearm purchaser licensing laws require an individual to obtain a license through an application process before purchasing a firearm. This report compiles existing research to inform state policy. It includes an overview of state FPL laws and recommends core components of firearm purchaser licensing laws to maximize public health benefits:

- **Proof of firearms safety training**
- **Fingerprinting**
- **In-person step**
- **Comprehensive background check**
- **Waiting periods**

This report is intended to be a resource for researchers, policymakers, law enforcement professionals, and others working to reduce gun violence.

What Is Firearm Purchaser Licensing?

Firearm purchaser licensing (FPL) is a policy that enables states to require individuals to obtain a license before purchasing a firearm. The goal of such laws is to enhance public safety by ensuring that only eligible and responsible individuals can legally purchase firearms.

While requirements differ slightly from state to state, the typical process requires the applicant to complete a firearm safety course, apply for a license from a state or local enforcement agency, pass a comprehensive background check (often including fingerprints), and complete a waiting period.



Currently, 11 states and the District of Columbia have FPL laws. However, the framework of these laws varies substantially across states.

In addition to these requirements, FPL laws vary on whether a license is required to purchase or acquire a gun, or simply to own a gun. State laws also differ in the types of guns that require a license. FPL laws differ from other rules or licenses that govern permission to carry a firearm in public at all or to carry a concealed weapon.

Rules governing FPL laws create robust mechanisms of accountability for both prospective gun owners and sellers to ensure that persons disqualified from firearm ownership are legally unable to obtain a gun.³

FPL also complements and enhances state universal background check systems—which require background checks on firearm sales or transfers—by establishing a licensing application process that provides state and local officials with more information about the applicant, such as fingerprints.

State and local officials typically use this additional information to conduct a more robust review of the applicant’s history. They can cross-check federal information with local records to ensure that the applicant is not prohibited from owning a firearm. FPL laws also deter so-called “straw purchases” of firearms by individuals who buy them on behalf of persons prohibited from owning them—by introducing multiple layers of accountability and oversight into the purchasing process.

Why Are Firearm Purchaser Licensing Laws Needed?



Federal law requires anyone purchasing a gun from a federally licensed firearms dealer, such as a gun store, to undergo a background check. While this requirement is important to help prevent prohibited individuals from legally obtaining firearms, it is insufficient. For example, federal law does not currently regulate the transfer or sale of guns between private parties that occur at gun shows or between buyers and sellers who connect online.

Additionally, the current federal background check law allows federal firearms licensees to sell firearms legally three business days after a request for a background check even if the background check is pending.⁴ This so-called “default proceed” provision has allowed thousands of prohibited persons to acquire firearms before their background check was completed.⁵

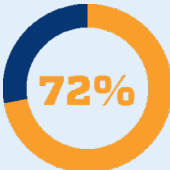
Some state firearm purchaser licensing laws address the “default proceed” and private sale problems by providing additional time to ensure that background checks are completed before a sale is finalized and allowing sales only to individuals with a valid FPL.

In some states, law enforcement officials have the ability to deny firearm purchaser licenses to individuals who may otherwise be legally allowed to purchase a gun but who have a documented history of dangerous behavior.⁶ For example, in Hawaii, the licensing authority is required to deny a license if “the issuing authority determines that issuance would not be in the interest of public health, safety, or welfare because the person lacks the essential character or temperament necessary to be entrusted with a firearm.”⁷ This allows law enforcement agencies to deny licenses to applicants who have recently been arrested for crimes involving violence or firearms or who have a recent history of substance use disorder or alcohol misuse and are awaiting the outcome of their cases. However, it is important to acknowledge that allowing law enforcement discretion has the potential to create inequities based on racism or unconscious bias. A clear implementation process can guide how a risk-based denial could be operationalized by focusing on documentable risk factors.

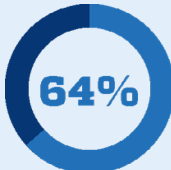
Does the Public Support FPL?

FPL laws are supported by a clear majority of gun owners with first-hand experience of the purchaser licensing process.

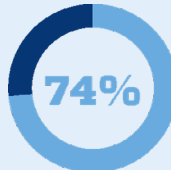
The 2023 Johns Hopkins National Survey of Gun Policy shows that nationally, over 70% of adults support FPL laws, including over 60% of gun owners. Interestingly, support for FPL laws among gun owners is 18% higher in states with firearm licensing requirements than in states without these laws. This finding suggests that gun owners who have gone through the FPL process do not consider these laws to be particularly burdensome or onerous.



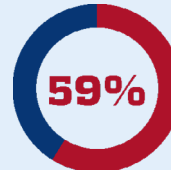
72% of adults support FPL



64% of gun owners support FPL



74% of gun owners living in states with FPL support the policy



59% of gun owners living in a state without FPL support the policy

Research Evidence on the Effects of FPL Laws

Developing an FPL policy grounded in research evidence enhances its effectiveness. This section synthesizes the best available evidence from studies on firearm violence prevention and the adjudication of FPL systems. By examining these findings, policymakers can create a solid foundation for informed decision-making. Evidence-based policies are more likely to be effective and provide a measurable framework for evaluating the impact of laws, such as FPL laws, over time.

Findings

FPLs are more comprehensive than universal background checks. They can prevent impulsive gun purchasing which may reduce the number of guns available to be resold, stolen, or used in crime. They require purchasers to provide more identifying information to obtain a license which can deter straw purchasing and limit the availability of guns in the underground market. They also increase accountability between sellers and purchasers to better identify and screen out persons too risky to purchase guns, which means fewer guns in the hands of those who are at risk of harming themselves or others.

More specifically, research evidence shows that FPL laws **are effective**. Overall, firearm purchaser licensing laws are associated with significant reductions in gun violence. They are among the most effective policies for reducing both firearm homicides and suicides.

1 REDUCE FIREARM HOMICIDES IN CITIES

Researchers analyzed the impact of a variety of state gun laws on homicides in 136 large urban counties from 1984—2015.⁸ After controlling for relevant variables, they found that FPL laws were associated with an 11% reduction in firearm homicides in urban counties.

2 REDUCE SUICIDES

A study found the repeal of the firearm purchaser licensing law was associated with a 22% increase in firearm suicide rates among young adults aged 19 to 24 years old in Missouri.

3 PREVENT GUNS FROM BEING DIVERTED TO CRIMINAL USE

Studies have found that state FPL laws reduce the flow of guns trafficked within and between states and prevent them from being diverted for criminal misuse. These studies found that states with FPL had:

- Fewer crime guns recovered by police within the state.^{9, 10}
- Fewer crime guns recovered by police in other states.^{11, 12}

4 HELP REDUCE MASS SHOOTINGS

A 2020 national study of mass shootings found that after controlling for relevant variables, including other gun laws, states with handgun purchaser licensing laws that require an in-person application and fingerprinting were associated with 56% fewer mass shooting incidents and 67% fewer mass shooting victims than states without such laws.¹³

5 REDUCE SHOOTINGS OF AND BY POLICE

A study published in 2023 found that after controlling for demographics and state gun laws, FPL laws were associated with a 28% lower rate of shootings by police, presumably because fewer police encounters involved armed citizens.¹⁴

State Level Research Findings



CONNECTICUT'S FIREARM LICENSING LAWS SIGNIFICANTLY REDUCED GUN DEATHS

Researchers from the Johns Hopkins Center for Gun Violence Solutions have published multiple studies on the impact of Connecticut's FPL system on homicide and suicide rates.¹⁵

Connecticut's 1995 handgun purchaser licensing law was associated with:



A 28% reduction in the state's **firearm homicide rate**



and a 33% reduction in the state's **firearm suicide rate** from 1996 to 2017.¹⁶



REPEAL OF MISSOURI'S FIREARM LICENSING LAW INCREASED GUN DEATHS

Researchers examined the impact of the 2007 repeal of Missouri's handgun purchaser licensing law on gun violence using an approach similar to the Connecticut study and found the repeal was associated with:



A 25% increase in the annual **firearm homicide rate** during the first three years after the repeal.¹⁷

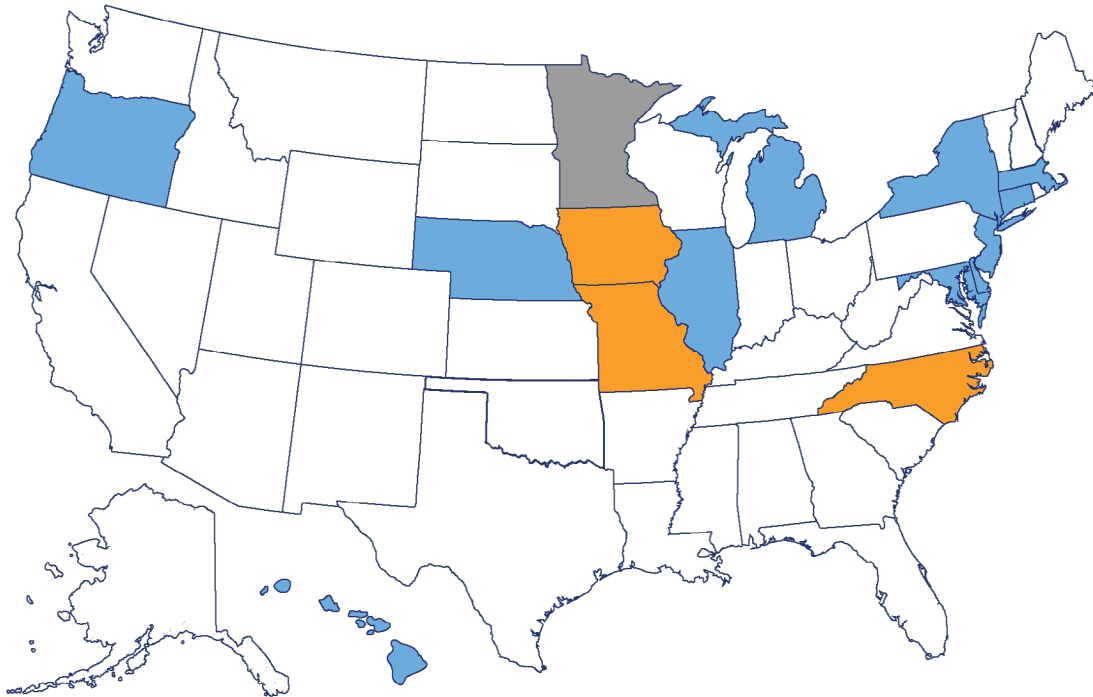


A 16% increase in **firearm suicide rate** during the five years after the repeal.¹⁸

FPL Laws in the States

Eleven states and the District of Columbia have FPL laws. However, the framework of these laws varies across states.

The majority of state FPL laws function as a license to *purchase* a firearm, while New Jersey, Massachusetts, Illinois, and the District of Columbia require a license to *own* a firearm, including purchase.



States with FPL laws	States with FPL only when buying from a private seller	States that have repealed FPL laws
<ul style="list-style-type: none"> • Connecticut • Delaware* • District of Columbia • Hawaii • Illinois • Maryland • Massachusetts • Michigan • Nebraska • New Jersey • New York • Oregon** 	<ul style="list-style-type: none"> • Minnesota*** 	<ul style="list-style-type: none"> • Missouri • North Carolina • Iowa

* Delaware FPL law was enacted in 2024 and there is an 18-month implementation phase before the law will take effect.

** Oregon passed an FPL law via ballot initiative in 2022 but legal challenges currently making their way through the courts, as of February 2025, have prevented the law from taking effect.

*** In Minnesota, FPL is a common way for vetting firearm purchasers buying from Federal Firearm Licensees.

Case Study: Connecticut



To purchase a handgun in Connecticut, an individual must hold a valid firearms license called an Eligibility Certificate to Purchase a Pistol or Revolver, or hold a valid permit to carry a pistol or revolver.¹⁹ Similarly, to purchase a long gun, the state requires an individual to hold a valid firearm license called a Long Gun Eligibility Certificate, a valid Eligibility Certificate to Purchase a Pistol or Revolver, or a valid permit to carry a pistol or revolver.²⁰

Such certificates and permits are valid for five years.²¹

CONNECTICUT'S ELIGIBILITY CERTIFICATE TO PURCHASE A PISTOL OR REVOLVER STATUTE

An individual seeking an eligibility certificate must apply to the Commissioner of Emergency Services and Public Protection (Commissioner).²²

The individual must be:

- 21 years of age or older to receive an eligibility certificate for a pistol or revolver
- 18 years of age or older to receive a long gun eligibility certificate.²³



The Commissioner will:

- Take a full description of the applicant
- Take the fingerprints of the applicant
- Require each applicant to submit to national and state criminal history record checks.²⁴



The Commissioner must either approve the application and issue the certificate, or deny the application and notify the applicant of the reason for the denial within the following time frame.²⁵

- Within 90 days, for an eligibility certificate for a pistol or revolver
- Within 60 days, for a long gun eligibility certificate, of receipt of the national background records check

The Commissioner must issue the certificate, unless the applicant meets any of the following disqualifying criteria:

1. Has failed to complete an approved firearm safety course;
2. Has been convicted of a felony;
3. Has been convicted of a misdemeanor offense of unlawful possession of a controlled substance on or after October 1, 2015;
4. Has been convicted of certain violent or threatening misdemeanors in the preceding 20 years;
5. Has been convicted of a family violence misdemeanor on or after October 1, 2023;
6. Has been convicted as a delinquent for the commission of a serious juvenile offense;
7. Has been discharged from custody within the preceding 20 years after having been found not guilty of a crime due to "mental disease or defect under state law"²⁶;
8. Has been confined in a mental hospital for persons with psychiatric disabilities within the preceding 60 months by order of a probate court;
9. Has been voluntarily admitted or has been committed on an emergency certificate by a doctor to a hospital for persons with psychiatric disabilities within the preceding six months for care and treatment of a psychiatric disability and not solely for being an alcohol-dependent person or a drug-dependent person on or after October 1, 2013;
10. Is subject to a restraining or protective order issued by a court in a case involving the use, attempted use or threatened use of physical force against another person;
11. Is subject to a firearms seizure order issued after notice and hearing prior to June 1, 2022 or a risk protection order or risk protection investigation order issued on or after June 1, 2022;
12. Is prohibited from purchasing or possessing a firearm under federal law because they:
 - a. Are a fugitive from justice;
 - b. Have been "adjudicated as a mental defective or who has been committed to a mental institution;"
 - c. Are a person who is not a citizen or national of the United States and who is illegally or unlawfully present in the United States;
 - d. Have been convicted of a misdemeanor crime of domestic violence.²⁷



PROSPECTIVE FIREARM PURCHASERS MAY ALSO PURCHASE A FIREARM USING A VALID PERMIT TO CARRY A HANDGUN IN CONNECTICUT.²⁸

- An individual seeking a permit to carry a handgun shall apply to the chief of police where the applicant resides.
- An applicant must be 21 years of age or older and have a bona fide residence in the jurisdiction in which they are applying.
- The issuing authority must also find that the applicant intends to make lawful use of the handgun for which the permit shall be issued and that the applicant is a “suitable person” to receive a permit.²⁹ Though Connecticut law does not define “suitable person,” Connecticut courts have interpreted it to exclude “individuals whose conduct has shown them to be lacking the essential character of temperament necessary to be entrusted with a weapon.”³⁰
- A permit shall not be issued to an individual who meets any of the criteria for denial of eligibility certificates for handguns, pistols, or long guns stated above.



AN ELIGIBILITY CERTIFICATE TO PURCHASE A PISTOL OR REVOLVER, A LONG GUN ELIGIBILITY CERTIFICATE, AND A PERMIT TO CARRY A HANDGUN SHALL BE REVOKED UPON THE OCCURRENCE OF ANY EVENT THAT WOULD HAVE DISQUALIFIED THE APPLICANT FROM BEING ISSUED A CERTIFICATE.³¹

The Special Licensing and Firearms Unit (SLFU) is part of the Department of Emergency Services and Public Protection. Among other things the SLFU is responsible for:

- State Pistol Permits
- Eligibility certificates for pistols and revolvers
- Eligibility certificates for the purchase of long guns
- Ammunition certificates
- Oversight and regulation of firearm sale transactions
- Investigating violations of state law relating to the purchase, sale and transfer of firearms, revocations, and violations of statutes relating to the various professional licenses it issues.

Policy Recommendations

Extensive research indicates that comprehensive FPL laws are associated with reductions in violence as well as firearm-related injuries and deaths. This section presents policy recommendations grounded in empirical evidence, aiming to balance the needs of practical implementation while respecting constitutional rights. By leveraging robust data and insights from successful models in various jurisdictions, these recommendations seek to provide critical elements needed to enhance the effectiveness of FPL laws.



PROOF OF FIREARMS SAFETY TRAINING

Most states with FPL laws require the applicant to complete an approved firearm safety course. The training requirements vary significantly by state but generally require learning how to safely handle and store a firearm and learning about key elements of state and federal firearm laws. Some states require more robust safety training; for example, Hawaii requires two hours of live firing at a range. Research suggests that gun owners who went through firearm safety courses influenced their safe storage practices; they are more likely to store their guns safely.³² **Safe storage practices can reduce firearm suicide and unintentional injuries, especially among children and teens.**^{33, 34}



FINGERPRINTING

An application process that includes fingerprinting helps state law enforcement screen out prohibited people who may not be included in the federal background check system. Fingerprinting allows for faster and more accurate identification of the applicant and increases the system's ability to correctly match the applicant to state and federal records through background check processes. Fingerprinting may also act as a deterrent to straw purchasers and be a disincentive to those applying to purchase a firearm to use in a crime if they know their fingerprints will be required for the application.

FPL laws requiring fingerprinting were associated with a 45% decrease in interstate firearm trafficking. In comparison, FPL laws without fingerprinting were not linked to statistically significant reductions in trafficking.³⁵



IN-PERSON STEP

Requiring a step through the FPL application process to be in person helps deter people who may not be disqualified through the background check system but who are at high risk of violence or self-harm. For example, people who have dangerous or unlawful intent (e.g., people planning to engage in straw purchasing, firearms trafficking, or violence, including those at risk of suicide) may be less likely to obtain a gun if they have to interact directly with law enforcement.³⁶ **In-person application processes (including fingerprinting) are linked to a 9% reduction in the firearm homicide rates of urban counties in the states where those processes are required.**³⁷



COMPREHENSIVE BACKGROUND CHECKS

Background checks that rely on state databases and the FBI's National Instant Criminal Background Check System (NICS) provide added assurance that prohibited people will be accurately identified. Relying solely on the under-resourced NICS may miss disqualifying offenses due to delays in reporting or incomplete records.

State background check processes allow state and local authorities to access more disqualifying records, including records that may not have been reported to the FBI.³⁸ For example, the Massachusetts database of serious misdemeanors that includes domestic violence convictions is inaccessible to the FBI. **FPL laws allow local authorities to search such state databases for disqualifying records.** FPL laws also increase the likelihood that a thorough background eligibility determination is completed before any firearm transfer is made.³⁹



WAITING PERIODS

Requiring a firearm seller to wait a stipulated number of days before transferring a firearm to the purchaser gives federal and state authorities time to complete the required background check(s). Waiting periods between the time an individual submits an FPL application and the time they are approved lasts, on average, 30 days.⁴⁰ Waiting periods address the “default proceed” provision in federal law that allows dealers to transfer a firearm after three days even when a background check on the prospective purchaser is pending.

Built-in waiting periods also help reduce gun violence by preventing individuals in crisis from immediately acquiring a gun, thereby deterring impulsive decisions to perpetrate self-directed or interpersonal violence. Suicidal or homicidal thoughts can be transient or short-lived. Putting time and space between a firearm and a person who is experiencing suicidality increases the possibility that the suicidal thoughts subside and the crisis passes before the person takes lethal action.

Research has found that waiting periods for handgun purchases could be effective on their own in reducing gun violence. An analysis of state-level mandatory waiting periods from 1970 to 2014 found **waiting periods are associated with a 17% reduction in gun homicides and a 7—11% reduction in firearm suicides.**⁴¹

Implementation Considerations

Developing and enacting effective FPL policies requires careful attention to the practical aspects of implementation. Addressing equity, fostering community participation, ensuring robust data collection, and streamlining operational processes are essential to successfully implement policies that are both effective and widely supported.⁴² The following considerations provide a framework for implementing these recommendations in a manner that upholds fairness, transparency, and community trust.⁴³



EQUITY AND ACCESSIBILITY

Ensuring equitable access to FPL processes is helpful to avoid exacerbating existing disparities. FPL implementation systems should be designed to account for potential barriers that might hinder some individuals from obtaining a license. For example, states should clearly state the total cost of obtaining a license and consider a license fee that does not exceed the cost of administering the FPL application.

Policies must also address potential biases in the implementation process. Training for personnel involved in licensing should include content specific to using objective criteria in their decision-making process. Furthermore, internal process evaluations should be conducted to identify and rectify potential disparities in FPL outcomes and build accountability within the system.



DATA COLLECTION

Robust data collection is essential for monitoring and evaluating the implementation of FPL policies. Effective data systems should capture key data, such as the number of licenses issued and denied, the reasons for denial, and demographic information about applicants and licensees. Timely access to this data for researchers, policymakers, and public safety officials is crucial for assessing the policy's impact and identifying areas for improvement. To protect privacy and prevent misuse, safeguards must be established for data storage and access.



COMMUNITY PARTICIPATION

Engaging the community in the development and implementation of firearm licensing policies can build legitimacy and public buy-in.⁴⁴ Stakeholders, including community leaders, gun owners, public health experts, and law enforcement, should be involved in working groups or committees.

By incorporating these perspectives, the FPL implementation process can better reflect community needs, address concerns, and build trust, ultimately leading to more effective outcomes.⁴⁵ Additionally, adding forums with community members and academic experts will strengthen collaboration and align policy with evidence-based strategies for violence reduction.

The Violence Reduction Council (VRC), developed by experts at the Johns Hopkins Center for Gun Violence Solutions and the Bloomberg American Health Initiative, provides a framework for community initiatives for violence prevention. It serves as an example of an interdisciplinary, data-driven, and public health-focused approach to violence prevention and intervention. By bringing together community members from diverse backgrounds, the VRC fosters collaboration to identify recommendations that prevent violence, address the community's unique needs, and rebuild trust among local governments, law enforcement agencies, and residents.

Scan the QR code to read more!



IMPLEMENTATION FUNDING

Financial resources to implement FPL laws increases the likelihood the necessary infrastructure, tools, and human resources are in place to effectively implement FPL laws,⁴⁶ achieve their intended outcomes, and ensure they are sustained over time.

Policymakers must prioritize adequate financial resources to support all aspects of the licensing system, including infrastructure, personnel, and technology development. Every state has a CCW system in place, even if they are permitless because of reciprocity, which can be a starting point to develop FPL infrastructure. Investments should focus on building robust systems that are user-friendly, with clear instructions and reasonable timelines for application reviews.

Funding should also support ongoing training for personnel and the development of mechanisms for continuous improvement. By prioritizing systemic implementation funding, policymakers can ensure the long-term viability of the system, promote compliance, and reduce frustration among applicants.

Legal Analysis of FPL Laws

Firearms occupy a unique legal space at the intersection of public health and constitutional law. Although firearms pose a grave public health risk to individuals and communities, and have been a leading cause of death for decades, the Second Amendment to the U.S. Constitution, as interpreted in recent years by the United States Supreme Court, limits the reach of firearm regulation. The Second Amendment provides that “[a] well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.”⁴⁷ Even if a firearm restriction is supported by a wealth of public health research, it is not a legal option if the courts rule that it is unconstitutional under the Second Amendment or under analogous provisions of state constitutions.

Summarizing the still-developing constitutional restrictions on firearm regulation is beyond the reach of this report. **The Supreme Court has decided three foundational Second Amendment cases in the last 20 years that established precedent for lower federal courts and state courts evaluating the constitutionality of gun violence prevention laws. Unfortunately, courts considering Second Amendment cases often disagree about the implications of these three decisions.**

- In *District of Columbia v. Heller*, decided in 2008, the Supreme Court held for the first time that the Second Amendment protects an individual right to possess a handgun in the home for the purpose of self-defense.⁴⁸
- Two years after *Heller*, the Supreme Court applied the Second Amendment to the states in *McDonald v. Chicago*.⁴⁹
- In 2022, the Supreme Court decided *New York State Rifle & Pistol Association v. Bruen*, establishing that in order for a modern firearm law to be constitutional under the Second Amendment, the government must show that it is relevantly similar to historical firearm laws.⁵⁰

In *Bruen*, the Supreme Court struck down New York’s “may-issue” concealed carry licensing law.⁵¹ Concealed carry licensing authorizes an individual to carry a concealed firearm in public, which differs from firearm purchaser licensing which requires an individual to obtain a license prior to purchasing a firearm. Specifically, the Court held that New York’s proper cause requirement for obtaining an unrestricted license to carry a firearm in public violated the Second Amendment.⁵² Though *Bruen* invalidated this provision, the Court was careful to clarify that its decision did not call into question the constitutionality of “shall-issue” public carry licensing laws.⁵³ The Court wrote that rather than violating the rights of law-abiding citizens, such public carry licensing laws “are designed to ensure only that those bearing arms in the jurisdiction are, in fact, ‘law-abiding, responsible citizens.’”⁵⁴ Justice Kavanaugh, in a concurring opinion joined by Chief Justice Roberts, similarly cautioned that the decision in *Bruen* did not prohibit states from imposing public carry licensing laws.⁵⁵ Though the *Bruen* framework is still quite new and lower courts have grappled significantly with how to apply this new standard, the language in *Bruen* regarding shall-issue public carry licensing laws should apply equally to firearm purchaser licensing, and there does seem to be a consensus developing that FPL laws are constitutional under the Second Amendment.

“May-issue” concealed licensing regimes allow licensing authorities discretion to deny the issuance of a license based on a determination that such individuals lack the need or are unsuitable. “Shall-issue” licensing regimes, in contrast, require licensing authorities to issue licenses based on narrow, objective, and non-discretionary criteria.

As of the publication of this report, a number of courts have analyzed whether FPL laws are constitutional under the new *Bruen* framework. Several courts in Illinois have upheld Illinois’s FPL law, which requires individuals to obtain a firearm owner’s identification card (“FOID card”) in order to lawfully possess firearms and ammunition, against Second Amendment challenges.⁵⁶ For example, in *Guns Save Life v. Kelly*, the Circuit Court for the Seventh Judicial Circuit of Illinois upheld Illinois’s FOID card requirement. The court determined that the law was relevantly similar to historical laws from the Founding era to the present day that have regulated firearm possession “to ensure that only qualified individuals possessed firearms, to identify who possessed guns and what types, and to require gun owners to subsidize the costs of public safety.”⁵⁷ And though an Oregon state court determined that Oregon’s FPL law violated the Oregon Constitution’s right to bear arms provision, the United States District Court for the District of Oregon, in a separate case, upheld Oregon’s FPL law against a Second Amendment challenge.⁵⁸ The Federal District Court wrote that the FPL law is precisely the type of “shall-issue” licensing system with “narrow, objective, and definite standards,” to ensure that arms carrying is only done by law-abiding, responsible citizens which the Supreme Court described as constitutionally permissible in *Bruen*.⁵⁹ Additionally, the Oregon state court decision has been appealed to the Oregon Court of Appeals.⁶⁰

As of the publication of this report, the United States Court of Appeals for the Fourth Circuit is the highest court to evaluate an FPL law post-*Bruen*. In *Maryland Shall Issue v. Moore*, the en banc Fourth Circuit upheld Maryland’s FPL law against a Second Amendment challenge.⁶¹ Like the District Court of Oregon, the majority of the Fourth Circuit concluded that Maryland’s law called Handgun Qualification Licensing (HQL) is precisely the type of non-discretionary “shall-issue” licensing system the Supreme Court described as constitutionally permissible in *Bruen*.⁶² The majority noted that *Bruen* left the door open for challenge to FPL laws that had lengthy wait times or exorbitant fees.⁶³ The majority declined to find that “the relatively brief application, review, and approval process of the HQL statute” was too lengthy and observed that the challengers did not argue that the \$50 fee for applying for an HQL was exorbitant.⁶⁴ Maryland Shall Issue appealed the decision to the United States Supreme Court, which declined to review, meaning that the 4th Circuit opinion remains in effect.⁶⁵

On June 21, 2024, the Supreme Court issued its most recent decision in *United States v. Rahimi*.⁶⁶ In addition to upholding the federal law prohibiting persons subject to domestic violence restraining orders from purchasing or possessing firearms, the Court in *Rahimi* also provided some clarity regarding the *Bruen* framework.⁶⁷ The Court reiterated that the government need not identify a “historical twin;” rather the modern law must be “consistent with the principles that underpin our regulatory tradition.”⁶⁸ Considering two types of historical laws together, the Court concluded there is an historical principle allowing the disarming of individuals who pose a credible threat to the physical safety of others.⁶⁹ It also concluded that the federal law prohibiting persons subject to domestic violence restraining orders from purchasing or possessing firearms is consistent with that principle.⁷⁰

Rahimi’s clarification of the *Bruen* framework will likely assist governments defending FPL laws against Second Amendment challenges. Courts evaluating the constitutionality of FPL laws need not identify an identical historical regulation, but rather an applicable historical principle. The Supreme Court has repeatedly asserted that regulating access to firearms by certain individuals is permissible and FPL laws help ensure that only law-abiding, responsible persons can access firearms. Governments can make a strong argument that FPL laws do not violate the Second Amendment under the *Bruen*/*Rahimi* framework.

Conclusion

FPL laws are a proven, evidence-based policy that can enhance public safety. Studies show it has been an effective policy to reduce gun violence. We recommend to include five components in FPL laws that have been proven to be effective in several research studies: proof of firearms safety training, fingerprinting, an in-person step, comprehensive background checks, and waiting periods. FPL laws with these requirements create stronger accountability mechanisms that help prevent firearms from falling into the wrong hands.

Although robust evidence supports the effectiveness of FPL laws, further research is essential to evaluate the long-term effects of FPL laws on various forms of gun violence, including suicides, homicides, and mass shootings. Future studies should also examine the implementation of these laws across different states to identify best practices and potential barriers to enforcement.

Policymakers should prioritize the adoption and strengthening of FPL laws as part of any comprehensive strategy to reduce gun violence. Advocates should leverage the public support of the majority of Americans shown on national polls to push for legislative action. Engaging community leaders, law enforcement officials, and public health experts in advocacy efforts can help build momentum for policies that save lives.

By implementing and strengthening firearm purchaser licensing laws, states have the opportunity to take meaningful action to prevent gun violence and protect their communities.

Appendix – FPL Laws by State



Connecticut

Type of license	Issuing agency	Proof of firearm safety training	Fingerprinting	In-person step	Risk-based denial
Handgun Eligibility Certificate	Commissioner of Emergency Services and Public Protection ⁷¹	Yes ⁷²	Yes ⁷³	Yes ⁷⁴	No
Long Gun Eligibility Certificate	Commissioner of Emergency Services and Public Protection ⁸⁰	Yes ⁸¹	Yes ⁸²	Yes ⁸³	No

Waiting periods	Type of guns	Quantity of guns	Duration	Application fee	License to carry may be used to purchase
Yes (up to 90 days after application to approve or deny) ⁷⁵	Handguns and long guns ⁷⁶	Multiple	5 years ⁷⁷	\$35 ⁷⁸	Yes ⁷⁹
Yes (up to 60 days after receipt of national criminal history records check to approve or deny) ⁸⁴	Long guns ⁸⁵	Multiple	5 years ⁸⁶	\$35 ⁸⁷	Yes ⁸⁸



Delaware

Type of license	Issuing agency	Proof of firearm safety training	Fingerprinting	In-person step	Risk-based denial
Handgun qualified purchaser permit	State Bureau of Identification ⁹⁰	Yes ⁹¹	Yes ⁹²	Yes ⁹³	Yes ⁹⁴

Waiting periods	Type of guns	Quantity of guns	Duration	Application fee	License to carry may be used to purchase
Yes (up to 30 days from the date of receipt of the application to approve or deny) ⁹⁵	Handguns ⁹⁶	Multiple	2 years ⁹⁷	None	No



District of Columbia

Type of license	Issuing agency	Proof of firearm safety training	Fingerprinting	In-person step	Risk-based denial
Registration	Chief of police ⁹⁷	Yes ⁹⁸	Yes ⁹⁹	Yes ¹⁰⁰	Yes ¹⁰¹

Waiting periods	Type of guns	Quantity of guns	Duration	Application Fee	License to carry may be used to purchase
Yes (up to 60 days after receipt of the application) ¹⁰²	All firearms	One per registration ¹⁰³	Until revocation ¹⁰⁴	Established by the mayor (currently \$13 for application and \$35 for fingerprinting) ¹⁰⁵	No



Hawaii

Type of license	Issuing agency	Proof of firearm safety training	Fingerprinting	In-person step	Risk-based denial
Permit to Acquire	Chief of police for the county that the applicant resides or has a place of business in ¹⁰⁶	Yes ¹⁰⁷	Yes ¹⁰⁸	Yes ¹⁰⁹	Yes ¹¹⁰

Waiting periods	Type of guns	Quantity of guns	Duration	Application fee	License to carry may be used to purchase
Yes. A permit shall be issued no sooner than 14 days and shall be issued or denied no later than 40 days after application ¹¹¹	All firearms ¹¹²	One handgun per permit; multiple long guns ¹¹³	30 days for handguns and one year for long gun ¹¹⁴	Reasonable fee for background check ¹¹⁵	No



Illinois

Type of license	Issuing agency	Proof of firearm safety training	Fingerprinting	In-person step	Risk-based denial
Firearm Owner's Identification ("FOID") Card	State police ¹¹⁶	No	No (applicant may submit fingerprints in lieu of a photograph) ¹¹⁷	No	Yes ¹¹⁸
Waiting periods	Type of guns	Quantity of guns	Duration	Application fee	License to carry may be used to purchase
Yes (up to 30 days to approve original application and up to 60 days for renewal) ¹¹⁹	All firearms ¹²⁰	Multiple	10 years ¹²¹	\$10 ¹²²	No



Maryland

Type of license	Issuing agency	Proof of firearm safety training	Fingerprinting	In-person step	Risk-based denial
Handgun qualification license	State police ¹²³	Yes ¹²⁴	Yes ¹²⁵	Yes ¹²⁶	No
Waiting periods	Type of guns	Quantity of guns	Duration	Application fee	License to carry may be used to purchase
Yes (up to 30 days) ¹²⁷	Handguns	Multiple	10 years ¹²⁸	Up to \$500 ¹²⁹	No



Massachusetts

Type of license	Issuing agency	Proof of firearm safety Training	Fingerprinting	In-person step	Risk-based denial
Firearm Identification Card	Police department in the town of residence ¹³⁰	Yes ¹³¹	Yes ¹³²	Yes ¹³³	Yes ¹³⁴
Waiting periods	Type of guns	Quantity of guns	Duration	Application fee	License to carry may be used to purchase
Yes (up to 40 days from date of application) ¹³⁵	All firearms	Multiple	Up to 6 years ¹³⁶	\$100 ¹³⁷	Yes ¹³⁸



Michigan

Type of license	Issuing agency	Proof of firearm safety training	Fingerprinting	In-person step	Risk-based denial
License to purchase	Commissioner or chief of police of a city, township, or village police department or the commissioner's or chief's duly authorized deputy, or the sheriff or the sheriff's duly authorized deputy, in the parts of a county not included in a city, township, or village having an organized police department ¹³⁹	No	No	No	Yes ¹⁴⁰

Waiting periods	Type of guns	Quantity of guns	Duration	Application fee	License to carry may be used to purchase
No (to be issued with all due speed and diligence) ¹⁴¹	All firearms ¹⁴²	Multiple	Up to 30 days ¹⁴³	None ¹⁴⁴	Yes ¹⁴⁵



Nebraska

Type of license	Issuing agency	Proof of firearm safety training	Fingerprinting	In-person step	Risk-based denial
Handgun Certificate	Chief of police or sheriff of the applicant's place of residence ¹⁴⁶	No	No	Yes ¹⁴⁷	No

Waiting periods	Type of guns	Quantity of guns	Duration	Application fee	License to carry may be used to purchase
Yes (up to 3 days) ¹⁴⁸	Handgun ¹⁴⁹	Multiple	3 years ¹⁵⁰	None ¹⁵¹	Yes ¹⁵²



New Jersey

Type of license	Issuing agency	Proof of firearm safety training	Fingerprinting	In-person step	Risk-based denial
Permit to Purchase	Chief police officer of an organized full-time police department of the municipality where the applicant resides or superintendent of state police ¹⁵³	Yes ¹⁵⁴	Yes ¹⁵⁵	Yes ¹⁵⁶	Yes ¹⁵⁷
Firearm Purchaser Identification Card	Chief police officer of an organized full-time police department of the municipality where the applicant resides or superintendent of state police ¹⁶³	Yes ¹⁶⁴	Yes ¹⁶⁵	Yes ¹⁶⁶	Yes ¹⁶⁷

Waiting periods	Type of guns	Quantity of guns	Duration	Application fee	License to carry may be used to purchase
Yes, up to 30 days for residents and 45 days for non-residents ¹⁵⁸	Handguns ¹⁵⁹	One ¹⁶⁰	90 days ¹⁶¹	\$25 ¹⁶²	No
Yes, up to 30 days for residents and 45 days for non-residents ¹⁶⁸	Rifles and shotguns ¹⁶⁹	Multiple ¹⁷⁰	On the applicant's birthday in the 10th calendar year following the date of issuance ¹⁷¹	\$25 ¹⁷²	No



New York

Type of license	Issuing agency	Proof of firearm safety training	Fingerprinting	In-person step	Risk-based denial
License to have/possess handgun or purchase a rifle	Licensing officer in the city or county where applicant resides, is principally employed, or where the principal place of business is located ¹⁷³	No, except for Westchester County ¹⁷⁴	Yes ¹⁷⁵	Yes ¹⁷⁶	Yes ¹⁷⁷

Waiting periods	Type of guns	Quantity of guns	Duration	Application fee	License to carry may be used to purchase
Yes (up to 6 months) ¹⁷⁸	Handguns and semi-automatic rifles ¹⁷⁹	One per handgun permit, multiple rifles ¹⁸⁰	Until revoked ¹⁸¹	Varies	No



Oregon¹⁸²

Type of license	Issuing agency	Proof of firearm safety training	Fingerprinting	In-person step	Risk-based denial
Permit to purchase ¹⁸³	Local police chief or county sheriff	Yes	Yes	Yes (fingerprint and photograph in person)	Yes

Waiting periods	Type of guns	Quantity of guns	Duration	Application fee	License to carry may be used to purchase
Yes (up to 30 days)	All firearms	Multiple	5 years	Up to \$65	No

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119 430 Ill. Comp. Stat. Ann. 65/5 (2024).

120 430 Ill. Comp. Stat. Ann. 65/2(a)(1) (2023).

121 430 Ill. Comp. Stat. Ann. 65/7 (2022).

122 430 Ill. Comp. Stat. Ann. 65/5 (2022).

123 Md. Code Ann. Pub. Safety § 5-117.1 (2023).

124 Md. Code Ann. Pub. Safety § 5-117.1(d)(3) (2013).

125 Md. Code Ann. Pub. Safety § 5-117.1(f)(3) (2013).

126 Md. Code Ann. Pub. Safety § 5-117.1(f)(3) (2013).

127 Md. Code Ann. Pub. Safety § 5-117.1(h) (2013); see also MD PUBLIC SAFETY § 5-123 (2003); MD PUBLIC SAFETY § 5-124 (2003) (establishing a 7-day waiting period for all firearm purchases).

128 Md. Code Ann. Pub. Safety § 5-117.1(i) (2013).

129 Md. Code Ann. Pub. Safety § 5-117.1(g)(2) (2013).

130 <https://www.mass.gov/how-to/apply-for-a-firearms-license>.

131 Mass. Gen. Laws Ann. ch. 140, § 131P (2021).

132 Mass. Gen. Laws Ann. ch. 140, § 129B(7) (2021).

133 Mass. Gen. Laws Ann. ch. 140, § 129B(7) (2021).

134 Mass. Gen. Laws Ann. ch. 140, § 129B (1 ½) (2021) (The licensing authority may file a petition in the district court of jurisdiction to have an applicant or a license-holder seeking renewal found unsuitable. “A determination of unsuitability shall be based on a preponderance of evidence that there exists: (i) reliable, articulable, and credible information that the applicant has exhibited or engaged in behavior to suggest the applicant could potentially create a risk to public safety; or (ii) existing factors that suggest that the applicant could potentially create a risk to public safety.”).

- 135 Mass. Gen. Laws Ann. ch. 140, § 129B(3) (2021).
- 136 Mass. Gen. Laws Ann. ch. 140, § 129B(9) (2021).
- 137 Mass. Gen. Laws Ann. ch. 140, § 129B(9A) (2021).
- 138 Mass. Gen. Laws Ann. ch. 140, § 131(b) (2022).
- 139 Mich. Comp. Laws Ann. § 28.422(3) (2024).
- 140 Mich. Comp. Laws Ann. § 28.422(3) (2024) (Issuing authority is instructed to issue a license to a qualified individual unless the licensing authority “has probable cause to believe that the applicant would be a threat to the applicant or to other individuals, or would commit an offense with the firearm that would violate a law of this or another state or of the United States.”).
- 141 Mich. Comp. Laws Ann. § 28.422(3) (2024).
- 142 Mich. Comp. Laws Ann. § 28.422(1) (2024).
- 143 Mich. Comp. Laws Ann. § 28.422(4) (2024).
- 144 However, localities require permits to be notarized, typically for a fee or \$10. See e.g. <https://detroitmi.gov/departments/police-department/gun-permits-information>.
- 145 Mich. Comp. Laws Ann. § 28.422a(1)(a) (2024).
- 146 Neb. Rev. Stat. Ann. § 69-2404 (2024).
- 147 Neb. Rev. Stat. Ann. § 69-2404 (2024) (Though an applicant may apply in person or by mail, if a person applies by mail the application must “describe the license or card used for identification and be notarized by a notary public who has verified the identification of the applicant through such a license or card.”).
- 148 Neb. Rev. Stat. Ann. § 69-2405 (2006).
- 149 Neb. Rev. Stat. Ann. § 69-2403(1) (2010).
- 150 Neb. Rev. Stat. Ann. § 69-2407 (2009) (Fee for criminal background check).
- 151 Neb. Rev. Stat. Ann. § 69-2404 (2009) (“A fee of five dollars shall be charged for each application for a certificate to cover the cost of a criminal history record check.”).
- 152 Neb. Rev. Stat. Ann. § 69-2403(2)(f) (2010).
- 153 N.J. Stat. Ann. § 2C:58-3(d) (2024).
- 154 N.J. Stat. Ann. § 2C:58-3(c) (2024).
- 155 N.J. Stat. Ann. § 2C:58-3(e) (2024).
- 156 <https://nj.gov/njsp/firearms/pdf/sts-033-instructions.pdf>.
- 157 N.J. Stat. Ann. § 2C:58-3(c)(5) (2024) (“A handgun purchase permit or firearms purchaser identification card shall not be issued ... “[t]o any person where the issuance would not be in the interest of the public health, safety or welfare because the person is found to be lacking the essential character of temperament necessary to be entrusted with a firearm[.]”).
- 158 N.J. Stat. Ann. § 2C:58-3(f) (2024).
- 159 N.J. Stat. Ann. § 2C:58-3(a) (2024).
- 160 N.J. Stat. Ann. § 2C:58-3(i) (2024).
- 161 N.J. Stat. Ann. § 2C:58-3(f) (2024).
- 162 N.J. Stat. Ann. § 2C:58-3(f) (2024).
- 163 N.J. Stat. Ann. § 2C:58-3(d) (2024).
- 164 N.J. Stat. Ann. § 2C:58-3(c) (2024).
- 165 N.J. Stat. Ann. § 2C:58-3(e) (2024).
- 166 <https://nj.gov/njsp/firearms/pdf/sts-033-instructions.pdf>.
- 167 N.J. Stat. Ann. § 2C:58-3(c)(5) (2024) (“A handgun purchase permit or firearms purchaser identification card shall not be issued ... “[t]o any person where the issuance would not be in the interest of the public health, safety or welfare because the person is found to be lacking the essential character of temperament necessary to be entrusted with a firearm[.]”).
- 168 N.J. Stat. Ann. § 2C:58-3(f) (2024).
- 169 N.J. Stat. Ann. § 2C:58-3(b) (2024).
- 170 N.J. Stat. Ann. § 2C:58-3(i) (2024).
- 171 N.J. Stat. Ann. § 2C:58-3(f) (2024).
- 172 N.J. Stat. Ann. § 2C:58-3(f) (2024).
- 173 N.Y. Penal Law § 400.00(1) (2024).
- 174 N.Y. Penal Law § 400.00(4-c) (2024).
- 175 N.Y. Penal Law § 400.00(4) (2024).
- 176 N.Y. Penal Law § 400.00(4) (2024).
- 177 N.Y. Penal Law § 400.00(1)(b) (2024) (“No license shall be issued or renewed except for an applicant ... of good moral character, which, for the purposes of this article, shall mean having the essential character, temperament and judgement necessary to be entrusted with a weapon and to use it only in a manner that does not endanger oneself or others[.]”).
- 178 N.Y. Penal Law § 400.00(4-b) (2024).
- 179 N.Y. Penal Law § 400.00(2) (2024).
- 180 N.Y. Penal Law § 400.00(7) (2024) (“A license to carry or possess a pistol or revolver shall specify the weapon covered by calibre, make, model, manufacturer’s name and serial number, or if none, by any other distinguishing number or identification mark, and shall indicate whether issued to carry on the person or possess on the premises, and if on the premises shall also specify the place where the licensee shall possess the same.”).
- 181 N.Y. Penal Law § 400.00(10) (2024) (In New York City, a license to carry or possess a pistol shall be valid for 3 years, and in Nassau, Suffolk, and Westchester counties, a license to carry or possess a pistol or revolver shall be valid for 5 years).
- 182 As of February 2025, Oregon has passed but not yet implemented its FPL law.
- 183 <https://sos.oregon.gov/admin/Documents/irr/2022/017text.pdf>.