

# **IDAHO SB 1389**

SB 1389 recognizes a law-abiding adult's unconditional Right to Keep and Bear Arms for self-defense in the manner he or she chooses. Self-defense situations are difficult, if not impossible, to anticipate. Accordingly, a law-abiding adult's right to defend themselves in such situations should not be conditioned by government-mandated time delays and taxes. *SB 1389 will go into effect on July 1, 2016*.

## Frequently Asked Questions

> Question: What exactly does SB 1389 do?

Answer: Senate Bill 1389 makes three major changes to the Idaho Code.

**First,** it allows a law-abiding adult to lawfully possess a concealed handgun throughout the state without a Concealed Weapons License (CWL) if he or she is: (1) at least twenty-one years of age; (2) a resident of Idaho; and (3) not prohibited from possessing a firearm under state or federal law.

**Second,** it creates an avenue by which law-abiding, trained 18-20 year olds may obtain a "shall issue" provisional CWL. These individuals will be required to undergo a background check and take the same training course required to obtain Idaho's "Enhanced CWL," though they will not be eligible to receive an "Enhanced CWL" until after they turn twenty-one. Law-abiding individuals over the age of eighteen can open carry in Idaho, serve in our military, work in law enforcement, and even serve in public office, yet they were previously restricted in exercising their fundamental right to self-defense.

**Third,** it recognizes that Idaho's rich hunting heritage and beautiful geography draws tens-of-thousands of individuals throughout the state and around the nation to Idaho's rural areas. Law-abiding individuals who are over the age of 18 and not prohibited from possessing a firearm under state or federal law will be able to exercise their right to carry a concealed weapon for self-defense while afield (outside of city limits) without needing to possess a CWL.

### Question: Will SB 1389 lead to an increase in firearm accidents or misuse because governmentmandated training is no longer required in order for law-abiding adults to carry a concealed weapon?

**Answer:** While firearm training is *always* encouraged, data indicates that there is *no direct correlation* between government-mandated, minimum training for CWLs and an increase in firearm misuse or accidents. All gun owners should seek the training that best suits their needs, whether that training comes from a friend, family member, or licensed firearm instructor. Furthermore, for over a century, Idaho law has recognized the right to openly carry a firearm without a CWL or government-mandated training and current law does not require handgun training in order to obtain a "Standard CWL."

### Question: How many other states allow law-abiding adults to carry a concealed weapon without a government-issued permit?

**Answer:** Vermont, Alaska, Arizona, Wyoming, Kansas, Maine, Mississippi and West Virginia currently allow law-abiding individuals to carry a concealed handgun without a government-issued permit. Additionally, twenty-five (25) states allow law-abiding individuals to possess a concealed handgun in their vehicle for self-defense, without a government-issued permit.



### Question: Will SB 1389 "dismantle" or eliminate Idaho's existing concealed weapon licensing system?

**Answer:** No. Idaho's dual CWL system (Standard CWL and Enhanced CWL) is left fully intact. As a result, law-abiding Idahoans will still be able to avail themselves of the benefits that a CWL provides; including concealed carry reciprocity with other states and NICS alternative.

### Question: Will SB 1389 allow individuals to carry concealed weapon in k-12 schools or on college and university campuses without a CWL?

**Answer:** No. Under Idaho and federal law, it is a misdemeanor to possess a concealed handgun on public or private school premises without a CWL. Furthermore, SB 1389 does not alter the existing requirements for lawful possession of a concealed firearm on public college and university campuses.

### > Question: I heard that law enforcement was opposed to SB 1389, is that true?

**Answer:** No. While news organizations did cite certain isolated instances of law enforcement opposition, the Idaho Sheriffs Association and the Idaho Fraternal Order of Police (FOP) *SUPPORTED* SB 1389. In a letter to the legislature the Idaho FOP stated, "law abiding, mentally sound and responsible gun owners are our partners in keeping crime rates low in Idaho."

Furthermore, in the states that have passed similar legislation, law enforcement officers who initially opposed "permitless/constitutional" carry legislation have admitted that their concerns never materialized. Wyoming Sheriff, Jim Whalen, of Teton County, has stated, "Wyoming's Legislature passed constitutional carry in 2011. Prior to passing the legislation, I had officer safety concerns and public safety concerns. However, my concerns have been allayed over the last few years as we have not experienced increased gun crimes or assaults on deputies."