



COUNCILMEMBER LINDA MAIO  
City of Berkeley

**CONSENT CALENDAR**  
November 28, 2017

TO: Honorable Mayor and Members of the City Council

FROM: Councilmembers Linda Maio, Susan Wengraf, Sophie Hahn, and Cheryl Davila

SUBJECT: In Opposition to H.R. 38/S. 446 (Concealed Carry Reciprocity)

### RECOMMENDATION

Adopt a Resolution expressing the City of Berkeley's strong opposition to H.R. 38, the Concealed Carry Reciprocity Act Of 2017, and S. 446, the Constitutional Concealed Carry Reciprocity Act Of 2017, which would force every state to recognize concealed carry permits by every other state, regardless of the permitting standards, or lack thereof, of that state.

### BACKGROUND

H.R. 38, the Concealed Carry Reciprocity Act Of 2017 (1), and S. 446, the Constitutional Concealed Carry Reciprocity Act Of 2017 (2), would overrule state laws, by forcing each state to honor concealed carry permits from every other state, no matter the difference in strength of those state laws. Concealed carry reciprocity will have the most significant impact in states like California that have strong, sensible gun laws. State protections against the proliferation of guns in public will be undermined, and in doing so, endanger law enforcement officers and vastly complicate their jobs. These bills will weaken attempts to stop illegal gun trafficking.

Local resistance to these federal measures has been increasing. The US Conference of Mayors has passed a resolution in opposition (3), as well as the American Bar Association (4). It is deplorable that we cannot work together as a country to pass sensible gun legislation at the national level, so we must act locally to combat this public health issue.

Both San Francisco (5) and Oakland (6) have adopted resolutions opposing H.R. 38 and S. 446.

- (1) <https://www.congress.gov/bill/115th-congress/house-bill/38>
- (2) <https://www.congress.gov/bill/115th-congress/senate-bill/446>
- (3) <http://www.newsweek.com/mayors-oppose-concealed-carry-guns-629401>
- (4) [http://www.abajournal.com/news/article/aba\\_opposes\\_bills\\_requiring\\_states\\_to\\_recognize\\_concealed\\_carry\\_permits\\_iss](http://www.abajournal.com/news/article/aba_opposes_bills_requiring_states_to_recognize_concealed_carry_permits_iss)

(5) <http://sfbos.org/sites/default/files/r0386-17.pdf>

(6) <https://oakland.legistar.com/LegislationDetail.aspx?ID=3161215&GUID=6DB46419-3D3D-4417-8465-397C1A665F89>

ENVIRONMENTAL SUSTAINABILITY

No environmental sustainability impact.

FINANCIAL IMPLICATIONS

No financial impact.

CONTACT

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Councilmember Susan Wengraf, District 6, 510-981-7160

RESOLUTION NO. ##,###-N.S.

EXPRESSING THE CITY OF BERKELEY'S OPPOSITION TO UNITED STATES HOUSE OF REPRESENTATIVES BILL 38, THE CONCEALED CARRY RECIPROCITY ACT OF 2017, AND UNITED STATES SENATE BILL 446, THE CONSTITUTIONAL CONCEALED CARRY RECIPROCITY ACT OF 2017

WHEREAS, H.R. 38, the Concealed Carry Reciprocity Act of 2017, and S. 446, the Constitutional Concealed Carry Reciprocity Act of 2017, would force every state to recognize concealed carry permits by every other state, regardless of the permitting standards, or lack thereof, of that state; and

WHEREAS, these federal bills would overrule state laws, by forcing each state to honor concealed carry permits from every other state; and

WHEREAS, these federal bills will undermine our state protections against the proliferation of guns in public; and

WHEREAS, these federal bills will endanger law enforcement officers and vastly complicate their jobs; and

WHEREAS, the bills will weaken attempts to stop illegal gun trafficking.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that a Resolution be created in opposition to H.R. 38 and S. 446.

