



Written by [Bob Adelman](#) on January 5, 2017

National Concealed Carry Reciprocity Bill in 115th Congress

House member Richard Hudson (R-N.C.) [introduced a bill in the 115th Congress](#) on Wednesday, the “Concealed Carry Reciprocity Act of 2017.” Hudson, a member of President-elect Donald Trump’s Second Amendment Coalition, released this statement simultaneously:



Our Second Amendment right doesn’t disappear when we cross state lines, and this legislation guarantees that. The Concealed Carry Reciprocity Act of 2017 is a common sense solution to a problem too many Americans face. It will provide law-abiding citizens the right to conceal carry and travel freely between states without worrying about conflicting state codes or onerous civil suits. As a member of President-elect Trump’s Second Amendment Coalition, I look forward to working with my colleagues and the administration to get this legislation across the finish line.

The chorus of supporters joined in. The director of the National Rifle Association’s Institute for Legislative Action (NRAILA), Chris Cox, said, “Congressman Hudson’s legislation provides a much needed solution to a real problem for law-abiding gun owners. The Hudson bill would ensure that victims of crime like Pennsylvania concealed carry holder Shaneen Allen do not face decades of imprisonment merely because they took an erroneous turn into another state.”

Larry Pratt, executive director of Gun Owners of American (GOA), announced his group’s “strong support” for Hudson’s bill, adding that “this legislation would simplify the puzzling variation of concealed carry laws across the states and make America safer by letting citizens defend themselves when they travel.”

When a similar bill was introduced last year, the arguments in favor were likewise similar: Uninformed citizens should not be fined and/or imprisoned for not knowing the law; the laws in the various states differ, causing confusion; the Second Amendment says the right to keep and bear (and by extension, travel with) firearms “shall not be infringed,” and surely this mess of laws issued by the states constitute an infringement; and so forth.

That bill received support from more than 200 members of the House, but never made it to the floor for a vote. Hudson is optimistic that this time the bill will pass during the new Congress.

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Missing from any of the support statements is just how the bill would solve a number of problems. First, those living in states enjoying “constitutional carry” — permitless carry — will enjoy greater freedom than citizens in states that do require concealed carriers to have a permit. Second, those citizens living in states with stricter requirements to obtain such a permit will walk alongside those visiting from states with less onerous restrictions.

Third, Hudson’s bill implies the strong-arm interpretation of the 14th Amendment to force the states — all states — to comply. Here are the teeth of Hudson’s bill: “A person who carries or possesses a concealed handgun ... may not be arrested or otherwise detained for violation of any law or any rule of regulation of a State or any political subdivision thereof related to the possession, transportation, or carrying of firearms.”

In a single stroke, then, Hudson’s bill, if passed into law, would abrogate and obliterate state laws — laws that each of the states have passed on their own, exercising their sovereign right to do so — making the federal government the final arbiter of who is allowed to carry where, state laws to the contrary notwithstanding.

In addition, there’s another problem: If Hudson’s bill gets traction, passes the House, is sent to the Senate which also approves, and then is signed into law by then-President Donald Trump, would not another Congress, in the future, just as easily abrogate and rescind Hudson’s bill, and take things a step further and infringe on every citizen’s right to carry freely across the land? In other words, passage of Hudson’s bill into law would neatly remove the last protection — those 50 sovereign states — against Second Amendment infringements by an overreaching federal government. Once the federal government gets the power to overrule state laws regarding concealed carry, such power could be used both ways — in favor of less restrictions or more restrictions.

Constitutional attorney Joe Wolverton, a contributor to *The New American*, summed up the conundrum and difficulty with Hudson’s bill, or any others like it:

The problem plaguing Americans [is] looking to Washington, D.C. for permission to do that which is beyond their authority to rule.... Our Republic was not founded by men and women who looked to government for the green light for the exercise of timeless rights that have been enjoyed by their ancestors for years.... [Any] federal law that would force states to recognize concealed carry permits issued by other states ... would be unconstitutional.

But what about Shaneen Allen, the Pennsylvania woman who entered New Jersey carrying her firearm and her Pennsylvania concealed carry permit? Ignorance of the law is no excuse. That’s why several sources are available for travelers to make certain that they won’t be subjected to the potential punishment Allen faced (until New Jersey Governor Chris Christie intervened). There’s [NationalGunLaw.us](#) for the current status of each state’s gun laws. And there’s the [Concealed Carry Map](#) downloadable at [USConcealedCarry.net](#).

What about the “confusion” stemming from those laws, and the simplistic answer of a federally enforced national concealed carry reciprocity law? More than 30 states already have solved that problem, without any federal interference or threat of same. In other words, the states are already well on their way to solving the problem Hudson’s bill is designed to solve.

Hudson’s bill was immediately referred to the House Judiciary Committee where it is likely to languish given the “100-day” agenda the incoming president will be following. If and when Hudson’s bill does surface, it is hoped that cooler and better-informed minds will rule, and reject it out of hand.



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