Legislative Proposal Topic Worksheet

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# Question 1

## What topic would you like to address in your proposal?

The topic this proposal seeks to address revolves around the need for “Gun Control” in the country.

# Question 2

## Define the goal of your proposal

The goal of this proposal is to improve gun laws and create a process in which future gun owners have to meet certain criteria in order to successfully and legally own a firearm. This is done in hopes of lowering mass shootings and the spread of guns in our society.

## Identify a clear result that your proposal aims to achieve?

When making a purchase of an item, such as firearms, it is crucial that a thorough background check on an individual is performed, which is more well-rounded as compared to mere criminal background check. The fact that people can make purchase of a firearm and walk out of the store with their new purchase within the hour mark is obscene (Squires, 2012). This proposal aims to increase the waiting period for firearm possession and look deeply into implementing a step by step process that every individual must pass in order to obtain a firearm such as:

* Arduous background checks with 90 days waiting period (longer if necessary)
* Medical history and psychological evaluation of individuals applying for firearms.
* Mandatory firearm safety classes regarding the use of firearms.
* More police patrols to prevent future mass shootouts.

# Question 3

## Does your proposal fall within State Jurisdiction? Under which authority is jurisdiction established?

A number of acts discusses federal laws in various capacities. Most of these laws are established under the jurisdiction of the federal law and includes (Gettings & McNiff, 2019):

* **National Firearms Act 1934 (NFA):** Mandates registration of Title II weapons such as Machine guns, shotguns, and heavy weapons.
* **Federal Firearms Act of 1938 (FFA):** It requires gun manufactures to hold a license under the FFL and prohibits sales of firearms to convicted felons.
* **Omnibus Crime Control and Safe Streets Act of 1968:** Prohibits the interstate purchase of handguns. Additionally, it imposes a 21-year age limit on the buying and selling of handguns.
* **Gun Control Act of 1968 (GCA):** The guns control act focuses on the interstate trade of firearms by ensuring that the trade takes place between licensed dealers, importers and manufacturers.
* **Undetectable Firearms Act 1988:** The manufacture, sale, importation, delivery, shipment, possession, or trade of firearms containing 3.7 oz of metal content without a legal license is a criminal offense in the eyes of the law.
* **Gun-Free School Zones Act 1990:** This law prohibits unauthorized individuals from possessing firearms in a school zone, especially is the individual is aware of possessing one.
* **Brady Handgun Violence Prevention Act 1993:** This law mandates a background check for those that purchase a firearm. However, this law is subject to the seller and the establishment the purchase is being made from.
* **Law Enforcement Officers Safety Act 2004:** This law grants law enforcement officials to carry a concealed firearm within the country. This law is applicable in all states, although the local laws on the matter vary considerably.
* **Protection of Lawful Commerce in Arms Act 2005:** Protects firearms dealers and manufacturers from being held liable for negligence when their products have been used in a crime.

# Question 4

## What legislation already exists about this topic?

At present, the USA has some of the most-lax laws guns laws than any other developed country in the world. With respect to the law, a number of barriers are in place that prevent individuals making the purchase of a gun within the country (Melzer, 2012). However, the presence of a number of loopholes in the current laws makes it possible for individuals to easily purchase firearms within the country without much of a hassle. People under the age of 18, for shotguns and rifles, and under the age of 21 for other guns, convicted felons, fugitives, mentally ill individuals, those charged with domestic violence, people that use controlled substances unlawfully, and those that have been indicted for their crimes for a period of 12 months or more are all barred from making the purchase of a firearm by the federal law. Add in the fact that those that do make the purchase of a firearm are subjected to rigorous background check (Morrall, 2018). However, exists in this regard. If an individual is making a purchase of fire arm through a private seller, i.e. a family member or a friend, the background check is not carried out. This loophole is being exceedingly exploited over the internet, which makes proper gun control harder than it actually is. Furthermore, those buyers that are subjected to a background check aren’t capable of doing what is needed since the system us severely under-resourced, understaffed, and underfunded.

However, with regard to the laws of the state of Colorado, the sheriff’s department can permit residents to carry a concealed firearm in the entire state, except for Denver County. Furthermore, anyone above 18 years of age can carry a firearm, and also make a purchase within a specified area under the jurisdiction of the government.

**References**

Gettings, J., & McNiff, C. (2019). Federal Gun Control Legislation—Timeline. Retrieved September 12, 2019, from https://www.infoplease.com/milestones-federal-gun-control-legislation#1968

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