



Written by [Bob Adelman](#) on November 18, 2024

Trump Victory Breathes New Life Into Massie's National Constitutional Carry Act

Efforts in the past to clarify, simplify, and expand the Second Amendment's guarantee of the citizens' right to keep and bear arms across the country have failed. But H.R. 9534 — the [National Constitutional Carry Act](#) — introduced by Rep. Thomas Massie (R-Ky.) in September, now has an excellent chance of passage, thanks to the trifecta won by Republicans earlier this month.

The bill, just five pages long, makes the case for gun owners being able to travel freely across the land without having to worry about, or get caught in, the myriad laws various states have enacted under the guise of public safety. It refers to [Heller](#) (which affirms "an individual right to keep and bear arms"), [McDonald](#) (which makes the Second Amendment applicable to the states through the Fourteenth Amendment), and [Bruen](#) (which affirms that the Second Amendment's "unqualified command" only allowed infringements that are "consistent with this Nation's historical tradition of firearm regulation").



AP Images
Thomas Massie

The language, which would amend Section 927 of Title 18 of the United States Code, is clear:

No State or political subdivision of a State may impose a criminal or civil penalty on, or otherwise indirectly dissuade the carrying of firearms (including by imposing a financial or other barrier to entry) in public by residents or nonresidents of that State who are citizens of the United States and otherwise eligible to possess firearms under State and Federal law.

And it would neuter enforcement of any of those offending laws:

Any statute, ordinance, regulation, custom, or usage of a State or a political subdivision of a State that criminalizes, penalizes, or otherwise indirectly dissuades the carrying of firearms (including by imposing a financial or other barrier to entry) in public by any resident or nonresident who is a United States citizen and otherwise eligible to possess firearms under State and Federal law, shall have no force or effect.

Said Massie, who lives in a state that celebrates the Second Amendment:



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I'm fortunate to live in a state where people are free to exercise their right to keep and bear arms without begging the government or paying a fee.

Unfortunately, not every American enjoys the same right to carry firearms in public because some states and localities infringe upon this right through a variety of criminal, civil, and regulatory penalties.

By prohibiting state or local restrictions on the right to bear arms, H.R. 9534 upholds the original purpose of the Second Amendment — to ensure the security of a free state — while safeguarding individual liberties against government infringement.

Hunter King, director of public affairs for the National Association for Gun Rights (NAGR), [noted](#) regarding Massie's bill:

Currently, 29 states have adopted constitutional carry laws, yet contrary to the warnings of gun control advocates, there's no evidence of rampant violence or "wild west" scenarios. Instead, crime rates either remain stable or show a decline.

Indeed, a study in Ohio showed reduced gun-related crime in six cities after they adopted constitutional carry. On the other hand, states that pass and enforce draconian laws against the right to carry, like California and Illinois, continue to face staggering levels of gun violence, thus erasing claims that such laws somehow reduce violent crime.

American Firearms Association (AFA) spokesman Patrick Parsons [confirmed this](#):

For the past 15 years, anti-gun liberals have told everyone that states passing constitutional carry would experience violence like we haven't seen since the "wild west" days.

Twenty-nine states have proven them wrong, all while gun-control strongholds like DC, Chicago, and California have descended into violence and deadly chaos.

Better Chance of Passage

Legislation partially succeeded during Trump's first term when the Republican-controlled House passed the Concealed Carry Reciprocity Act by 231-198. But it stalled in the Democrat-controlled Senate.

In January 2023, Rep. Richard Hudson (R-N.C.) reintroduced the legislation, but it remains stalled in the Democrat-controlled House Judiciary Committee.

Trump's second term will change the mix so that Massie's bill would have a much better chance of passage. However, anti-gun pols, media, and nonprofit groups like Everytown for Gun Safety will work to derail the bill's momentum. Everytown has already declaring that states' rights would be violated. A spokesman said that states should "decide which out-of-staters may carry concealed handguns within their borders."

Shaneen Allen was one of those out-of-staters whom New Jersey snared in its net. Driving from Philadelphia to Atlantic City in 2013, Allen was stopped for a minor traffic violation. Upon disclosing that she was carrying a firearm she was immediately arrested and charged with unlawful possession of a firearm under New Jersey's laws, which don't reciprocate with Pennsylvania's concealed carry law. She faced up to five years in jail.



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Following her conviction, then-New Jersey Governor Chris Christie (R) pardoned the single mother of two. But the lack of reciprocity cost her thousands in legal fees and 18 months of angst.

As the Firearm Industry Trade Association (NSSF, formerly the National Shooting Sports Foundation) noted, the present “combination of inconsistent state and local laws ... has created a confusing patchwork of every-changing rules for firearm owners when traveling across state lines.”

NSSF added that a national reciprocity bill would “not preempt the authority of state governments to set the laws and regulations for carrying and for using permits within their state.”

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