

CRPA v. LACSD, 2:23-cv-10169-SPG-ADS
Defendants LASD and Sheriff Luna's Survey of Historical License Requirements

Year of Enactment	Jurisdiction	Citation	Description of Regulation	Notes
1700	Delaware	"Chapter XLIII An Act for the trial of Negroes, Section 6," Laws of the State of Delaware 104	Prohibited "any Negro or Mulatto slave" from carrying weapons without the master's license .	This regulation is repealed and announced unconstitutional under the Thirteenth and/or Fourteenth Amendments. ¹

¹ Defendants LASD and Sheriff Luna created this survey of statutes, laws, and regulations that Defendants have determined are relevant to this action. In recognition of the historical inquiry mandated by *Bruen*, the spreadsheet identifies relevant firearms laws, some of which were drafted well before the Thirteenth Amendment's abolition of slavery and the Fourteenth Amendment's Equal Protection Clause. The Defendants in no way condone laws that target certain groups on the basis of race, gender, nationality, or other protected characteristic, but these laws are part of the history of the Second Amendment and may be relevant to determining the traditions that define its scope, even if they are inconsistent with other constitutional guarantees. *See New York State Rifle & Pistol Ass'n, Inc. v. Bruen*, 597 U.S. 1, 60-61 (2022) (citing *Dred Scott v. Sandford*, 19 How. 393 (1857) (enslaved party)). Reference to a particular historical analogue does not endorse the analogue's *application* in the past. Rather, it can confirm the *existence* of the doctrine and corresponding limitation on the Second Amendment right. *See* William Baude & Stephen E. Sachs, *Originalism & the Law of the Past*, 37 L. & Hist. Rev. 809, 813 (2019) ("Present law typically gives force to past *doctrine*, not to that doctrine's role in past society."); *see also* Adam Winkler, *Racist Gun Laws and the Second Amendment*, 135 Harv. L. Rev. F. 537, 539 (2022) ("Yet there will arise situations in which even a racially discriminatory gun law of the past might provide *some* basis for recognizing that lawmakers have a degree of regulatory authority over guns.").

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1715	Maryland	1715 Md. Laws 117, An Act for the Speedy Trial of Criminals, and Ascertaining Their Punishment in the County Courts When Prosecuted There, and For Payment of Fees Due From Criminal Persons, ch. 44, § 32	Prohibited “any negro or other slave” from carrying any gun or offensive weapon off their master’s land without a ticket .	This regulation is repealed and announced unconstitutional under the Thirteenth and/or Fourteenth Amendments.
1740	South Carolina	Acts Passed by the General Assembly of South Carolina, An Act for the better Ordering and Governing Negroes and Other Slaves in this Province sec. 23	Required any “Negro of Slave” to have a ticket to use a firearm that must be renewed every month.	This regulation is repealed and announced unconstitutional under the Thirteenth and/or Fourteenth Amendments.

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1755	Georgia	The Colonial Records of the State of Georgia Vol. XVIII, Statutes Enacted by the Royal Legislature of Georgia from its First Session in 1754 to 1768 117-18 (Allen D. Candler eds., 1910)	Requirement that “any Slave” have a ticket to use a firearm that must be renewed every month, subject to seizure.	This regulation is repealed and announced unconstitutional under the Thirteenth and/or Fourteenth Amendments.
1765	Georgia	An Act for the better ordering and governing Negroes and other Slaves in this Province, and to prevent the inveigling or carrying away Slaves from their Masters or Employers, Section 28	Required that “any Slave” have a ticket to use a firearm that must be renewed every month.	This regulation is repealed and announced unconstitutional under the Thirteenth and/or Fourteenth Amendments.

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1768	Georgia	A Digest of the Laws of the State of Georgia. From Its First Establishment as a British Province Down to the Year 1798 . . . , at 153-54 (1800)	Prohibited “any slave” from possessing firearms, ammunition, or weapons without a ticket from their master or a white person over the age of sixteen present and any time after sunset on Saturday but before sunrise Monday morning.	This regulation is repealed and announced unconstitutional under the Thirteenth and/or Fourteenth Amendments.
1797	Delaware	1797 Del. Laws 104, An Act for the Trial of Negroes, ch. 43, § 6	Prohibited “any Negro or Mulatto slave” from possessing any gun, ammunition, or weapon without their master’s license .	This regulation is repealed and announced unconstitutional under the Thirteenth and/or Fourteenth Amendments.

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1806	Maryland	1806 Md. Laws 44, An Act to Restrain the Evil Practices Arising From Negroes Keeping Dogs, and to Prohibit Them From Carrying Guns or Offensive Weapons, ch. 81	Prohibited “any negro or mulatto” from keeping a dog or gun, except any “free negro or mulatto” who has a license for such purpose.	This regulation is repealed and announced unconstitutional under the Thirteenth and/or Fourteenth Amendments.
1806	Virginia	1806 Va. Acts 51, ch. 94	Required any “free negro or mulatto” to obtain a license to keep or carry any kind of firelock, military weapon, powder, or lead.	This regulation is repealed and announced unconstitutional under the Thirteenth and/or Fourteenth Amendments.

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1819	Virginia	Ch. 111 §§ 7 & 8, 1 Va. Code 423 (1819)	Prohibited “free negro or mulatto” from keeping or carrying any kind of firelock, military weapon, powder, or lead without a license from a court.	This regulation is repealed and announced unconstitutional under the Thirteenth and/or Fourteenth Amendments.
1823	South Carolina	An Act the more effectually to prohibit Free Negroes and Persons of Colour from Entering into this State; and for other purposes, No. 2319, sec. 13	Prohibited any “free negro or other free person of color” from carry firearms without a ticket .	This regulation is repealed and announced unconstitutional under the Thirteenth and/or Fourteenth Amendments.
1831	Tennessee	Acts 1741, c. 24, in 1 Statute Laws of the State of Tennessee of a Public & General Nature, 314 (1831)	Prohibited any “slave” from being armed with a gun, sword, club, or other weapon without a certificate from a court.	This regulation is repealed and announced unconstitutional under the Thirteenth and/or Fourteenth Amendments.

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1833	Alabama	Digest of the Laws of the State of Ala. 391-92 (1833), sec. 7	Prohibited any “slave” from keeping or carrying any gun or ammunition without permission from a justice of the peace.	This regulation is repealed and announced unconstitutional under the Thirteenth and/or Fourteenth Amendments.
1838	Arkansas	Revised Statutes of the State of Arkansas, Adopted at the October Session of the General Assembly of Said State, A.D. 1837, at 733-34 (1838)	Prohibited any “free negro” from possessing or carrying a gun, ammunition, or weapon of any kind without a license .	This regulation is repealed and announced unconstitutional under the Thirteenth and/or Fourteenth Amendments.
1840	North Carolina	James Iredell, A Digested Manual of the Acts of the General Assembly of North Carolina, from the Year 1838 to the Year 1846 . . . 73 (1847)	Prohibited “any free negro, mulatto, or free person of color” from carrying or possessing any shotgun, musket, rifle, pistol, sword, dagger, or bowie knife without a license from the Court of Pleas and Quarter Sessions of his or her country.	This regulation is repealed and announced unconstitutional under the Thirteenth and/or Fourteenth Amendments.

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1841	Delaware	1841 Del. Laws 430, An Act Concerning Fees, ch. 368, § 1	Set payment for Justices of the Peace to receive 25 cents for each license issued to “negroes” to keep a firearm.	This regulation is repealed and announced unconstitutional under the Thirteenth and/or Fourteenth Amendments.
1845	Missouri	1854 Mo. Laws 1094, An Act Concerning Free Negroes and Mulattoes, ch. 114, §§ 2-3	Prohibited any “free negro or mulatto” from possessing or carrying any firelock, or weapon of any kind, or any ammunition without license from a Justice of the Peace.	This regulation is repealed and announced unconstitutional under the Thirteenth and/or Fourteenth Amendments.

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1860	Georgia	1860 Ga. Laws 56, An Act to add an additional Section to the 13th Division of the Penal Code, making it Penal to Sell to or Furnish Slaves or Free Persons of Color, with Weapons of Offence and Defence; and for other Purposes therein mentioned, § 1	Prohibited any person from selling or furnishing to any “minor, or slave, or free negro” “any pistol, dirk, bowie-knife, brass-knucks, slungshot, colt, cane-gun, or other deadly weapon, which is carried concealed. ”	This regulation is repealed and announced unconstitutional under the Thirteenth and/or Fourteenth Amendments.
1860	Kentucky	1860 Ky. Acts 245, An Act to amend an act, entitled “An act to reduce into one the several acts in relation to the town of Harrodsburg, ch. 33, § 23	Prohibited any person from selling or furnishing to any “minor, or slave, or free negro” “any pistol, dirk, bowie-knife, brass-knucks, slungshot, colt, cane-gun, or other deadly weapon, which is carried concealed. ”	This regulation is repealed and announced unconstitutional under the Thirteenth and/or Fourteenth Amendments.

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1876	Sacramento, California	Prohibiting the Carrying of Concealed Deadly Weapons, Ordinance no. 84, Charter and Ordinances of the City of Sacramento (1876)	Allowing police to issue a license to carry a concealed weapon to a “peaceable person, whose profession or occupation may require him to be out at late hours of the night, to carry concealed deadly weapons for his protection.”	
1876	Santa Barbara, California	Ordinance No. 51: To Prevent the Carrying of Concealed Deadly Weapons, printed in DAILY INDEPENDENT (Santa Barbara, Cal.), June 2, 1876, at 1	Allowing the mayor to issue a license to carry a concealed weapon to “to any peaceable person whose profession or occupation may require him to be out at late hours of the night.”	
1878	Eureka, California	Ordinance No. 55— Prohibiting the Carrying of Concealed Weapons, §§ 1-4 in Charter and Revised Ordinances of the City of Eureka (1878)	Allowing police to issue a license to carry a concealed weapon to “any peaceable person, whose profession or occupation may require him to be out at late hours of the night, to carry concealed weapons for his own protection.”	

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1880	Brooklyn, New York	Pistols Carrying Of Ordinance to Regulate the Carrying of Pistols, Oct. 25, 1880, reprinted in BROOKLYN DAILY EAGLE (N.Y.), Oct. 26, 1880, at 1	Permit to carry concealed weapon can be issued if “applicant is a proper and and law abiding person”	
1880	San Francisco, California	Prohibiting the Carrying of Concealed Deadly Weapons, § 22 of General Order no. 1,603—Relating to the Police Department, General Orders of the Board of Supervisors Providing Regulations for the Government of the City And County of San Francisco (1880)	Allowing police to issue a license to carry a concealed weapon to “any peaceable person, whose profession or occupation may require him to be out at late hours of the night, to carry concealed deadly weapons for his own protection.”	
1881	New York	Carrying of Pistols, N.Y.C., ORDINANCES ch. 8, art. 27, §§ 264-267 (1881).	Permit to carry concealed weapon can be issued if “applicant is a proper and law abiding person.”	

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1882	Alameda, California	Concerning Concealed Weapons, undated 1882, reprinted in ALAMEDA DAILY EVENING ENCINAL, May 3, 1882, at 3 (Alameda, California)	Allowing the president of the board of trustees to issue a license to carry a concealed weapon to “any peaceable person, whose profession or occupation may require him to be out at late hours of the night.”	
1882	St Paul, Minnesota	The Municipal Code of Saint Paul, Article 18: Concealed Weapons – License, § 314 (Jan. 17, 1882)	Allowing mayor to issue permits to carry concealed weapons to those he deems “proper.”	
1884	St. Helena, California	An Ordinance to Prohibit the Carrying of Concealed Deadly Weapons, ST. HELENA STAR, Dec. 9, 1884 at 2	“[T]he President of the Board of Trustees may grant written permission to any peaceable person whose profession or occupation may require him to be out at late hours of the night, to carry concealed deadly weapons for his own protection[.]”	

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1888	Concordia, Kansas	An Ordinance Regarding the Carrying of Concealed Weapons and Sale of Deadly Weapons, THE CONCORDIA WEEKLY DAYLIGHT, May 22, 1888 at 2	Allowing mayor to issue license to a person whose “employment or condition is such as to render it proper that he should carry a deadly weapon.”	
1888	Lompoc, California	An Ordinance Prohibiting the Carrying of Concealed Deadly Weapons, and Fixing the Penalty Therefor (No. 10), THE LOMPOC RECORD, Aug. 25, 1888 at 1	“The President of the Board of Trustees of the Town of Lompoc may grant written permission to any peaceable person whose profession or occupation may require him to be out at late hours of the night within the corporate limits of the said Town of Lompoc, to carry concealed deadly weapons for his own protection.”	
1890	Berlin, Wisconsin	Chapter 6— Miscellaneous Ordinances, Article 26— Concealed Weapons, §§ 485 in The Municipal Code of Berlin (1890)	Allowing mayor to issue permits to carry concealed weapons to those he deems “proper.”	

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1890	Oakland, California	Ordinance No. 1141: An Ordinance to Prohibit the Carrying of Concealed Weapons (May 15, 1890), reprinted in CITY CHARTER OF THE CITY OF OAKLAND 332-33 (1898) at 1	Allowing Mayor to issue a license to carry a concealed weapon to any “peaceable person whose profession or occupation may require him to be out at late hours of the night to carry a concealed deadly weapon upon his person.	
1892	Elmira, New York	City of Elmira Official Notice (July 22, 1892), reprinted in ELMIRA GAZETTE (N.Y.), July 28, 1892, at 7	Allowing police to issue licenses to carry concealed weapons if the applicant is a “proper and law abiding person.”	
1893	Evanston, Illinois	Chapter XXIX: Concealed Weapons, undated, Section 537 reprinted in REVISED ORDINANCES OF THE CITY OF EVANSTON 131- 32 (1893)	Allowing mayor to issue permits to carry concealed weapons to those he deems “proper.”	
1894	Scandia, Kansas	Ordinance No. 79: An Ordinance Relating to Crimes and Punishments, SCANDIA JOURNAL, Jan. 5, 1894, at 8	Allowing mayor to issue concealed carry permit to “any person engaged in a lawful occupation and of good moral character.”	

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1894	Syracuse, New York	CHARTER AND ORDINANCES OF THE CITY OF SYRACUSE, NEW YORK 243 (1894)	Allowing police to issue licenses to carry generally in “proper cases.”	
1895	Lincoln, Nebraska	Article XVI: Concealed Weapons, An Ordinance Regulating the Carrying of Concealed Weapons in the City of Lincoln, Prohibiting the Carrying of the Same Under Certain Conditions, Prescribing Penalties for Violation of the Provisions of this Ordinance, and Repealing Ordinances in Conflict Herewith, Aug. 26, 1895, reprinted in REVISED ORDINANCES OF LINCOLN, NEBRASKA 209-10 (1895)	Allowing mayor to issue permits to carry concealed weapons to those he deems “proper.”	

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1897	Montclair, New Jersey	Town of Montclair: An Ordinance to Regulate the Carrying of Concealed Weapons and to Prohibit the Carrying of the Same Except as Herein Provided, MONTCLAIR TIMES, May 15, 1897, at 8	Allowing superintendent of police to issue permits to carry concealed weapons when “he is satisfied that the applicant is a proper and law-aiding person and that there is a good reason why such applicant should be allowed to carry such weapon.”	
1899	Wyoming	1899 Wyo. Sess. Laws 32-33, An Act for the Better Protection of the Game and Fish of this State . . . , ch. 19, § 14	Allowed residents to receive hunting license for \$1, non-residents to receive hunting license for \$40.	
1902	New Jersey	1902 N.J. Laws 780, An Act to Require Non-residents to Secure License before Hunting or Gunning within the State of New Jersey and Providing Penalties for Violation of Its Provisions, ch. 263, § 1	Imposed licensing requirement for non-residents of the state “to hunt and gun.”	

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1903	Pennsylvania	1903 Pa. Laws 178, An Act Requiring non-resident hunters, and unnaturalized, foreign born, resident-hunters, to procure a license before hunting in the Commonwealth ... §§ 1 and 2	Imposed licensing requirement for non-residents and unnaturalized foreign-born resident to possess a gun in the fields, forests, or waters of the State. Punishable by fine.	
1905	Albany, New York	An Ordinance Regulating the Carrying of Loaded Firearms in the City of Albany, Part 4, Ch. 72, § 2 in The Municipal Code of the City of Albany (1905)	Allowing police to issue licenses to carry concealed weapons if the applicant is a “proper and law abiding person.”	
1905	Troy, New York	An Ordinance Regulating the Carrying of Loaded Firearms and Other Dangerous Weapons in the City of Troy, § 4, in Municipal Ordinances of the City of Troy (1905)	Allowing the commissioner of public safety to issue permits to carry concealed weapons when he is “satisfied that the applicant is a proper and law-abiding person.”	

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1905	Utah	1905 Utah Laws 197, An Act for the Protection of Fish, Game, and Birds . . . , ch. 118, § 30	Imposed licensing requirement for non-residents and unnaturalized foreign-born resident to kill any game, animals, birds, or fish in the State.	
1909	Delaware	1909 Del. Laws 577, House Joint Resolution Providing for Increase in Non-Resident Gunners License Fee, ch. 271	Imposed licensing requirement for non-residents who “make it a practice to gun” in the state.	
1909	Portland, Maine	An Ordinance Relating to Concealed Weapons, § 2, in City of Portland Auditor's Fifty-First Annual Report of the Receipts and Expenditures of the City of Portland for the Financial Year of 1909 152-53 (1910)	Allowing chief of police to issue concealed carry permits upon finding applicant has “good moral character, whose business or occupation requires the carrying of such weapons for protection.”	

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1911	Washington	1911 Wash. Sess. Laws 303, An Act Relating to the Carrying of Firearms, Requiring Licenses of Certain Persons, and Fixing a Penalty for the Violation Thereof, ch. 52, § 1	Required noncitizens to receive a license from the state auditor, upon a certificate from the consul of the individual's country of origin and payment of a fee, before noncitizen can possess a firearm.	
1911	New York	1911 N.Y. Laws 442, 442-45, An Act to Amend the Penal Law, in Relation to the Sale and Carrying of Dangerous Weapons. ch. 195, §2.	In 1911, New York enacted the Sullivan Act, which required prospective purchasers of handguns to apply for a permit from law enforcement in order to possess a firearm, and prohibited gun dealers from selling to anyone without such a permit.	

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1913	Montana	1913 Mont. Laws 53, An Act to Provide that Aliens Shall Pay a Gun License, and Providing a Penalty for Failure to Obtain License; to Provide for and Regulate the Duties of the Game and Fish Warden and His Deputies, and to Provide for the Disposition of the Fines so Collected, ch. 38, § 1	Required noncitizens to obtain a license (costing \$25) from the Game and Fish Warden before possessing a firearm; license valid for one year; provision does not apply to: (1) individuals who have purchased hunting license; (2) state residents owning at least 160 acres of land; (3) settlers on public land beginning to acquire land under federal law; or (4) persons engaged in tending or herding sheep or other animals.	
1913	Oregon	1913 Or. Laws 497, 497, ch. 256.	Oregon enacted a law in 1913 requiring a would-be handgun buyer to first acquire a permit to purchase, and before a magistrate would issue a permit, an applicant had to prove his good character by providing affidavits signed by two “reputable freeholders” testifying to the applicant’s “good moral character.”	

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1914	Illinois – City of Chicago	Ordinance of May 25, 1914, §§4a-6. (Samuel A. Ettelson, Opinions of the Corporation Counsel and Assistants from May 1, 1915, to June 30, 1916, at 458-59 (Vol. 7, 1916)	Required weapon sales through licensed dealers only; required purchasers of such weapons to first receive a permit from the General Superintendent of Police. Required purchasers provide proof of good moral character to receive permit ; gives Superintendent discretion on issuance of permits. Prohibited the issuance of permits to anyone who was convicted of any crime and minors. Punishable by a fine.	
1915	Wyoming	1915 Wyo. Sess. Laws 91, An Act Relating to the Preservation of the Game Animals, Game Birds, and Fish of the State of Wyoming . . . , ch. 91, § 13	Required noncitizens to purchase a specified license before owning or possessing any firearm or fishing tackle.	

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1917	New Hampshire	1917 N.H. Laws 728-29, An Act for the Regulation of the Sale and Use of Explosives and Firearms, ch. 185, § 6	Required noncitizens obtain a permit before possessing firearm. Permitted obtained by submitting application to police chief or selectment; permit must state purposes for possession of firearm and description of firearm to be obtained. Permit-holder must keep permit on them at all times.	
1918	Montana	1918 Mont. Laws 6, 7, An Act Entitled "An Act Providing for the Registration of All Fire Arms and Weapons and Regulating the Sale Thereof and Defining the Duties of Certain County Officers and Providing Penalties for a Violation of the Provisions of This Act," ch. 2, §§ 3.	A 1918 Montana law required registration of all firearms and prohibited certain sales unless law enforcement issued a permit after an investigation that concluded a gun buyer was "of good moral character and [did] not desire such fire arm or weapon for any unlawful purpose."	

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1923	New York	1923 N.Y. Laws 140–41, An Act to Amend the Conservation Law in Relation to Aliens, ch. 110, § 2	Prohibited noncitizens from owning or possessing any shotgun or rifle without a special license .	
1923	California	1923 Cal. Stat. 695 An Act to Control and Regulate the Possession, Sale and Use of Pistols, Revolvers, and Other Firearms Capable of Being Concealed Upon the Person	Prohibited ownership, possession, or control of any pistol, revolver or concealable firearm by any noncitizen or felony convicts.	
1925	Nevada	1925 Nev. Stat. 54, An Act to Control and Regulate the Manufacture, Sale, Possession, Use, and Carrying of Firearms and Weapons, and other Matters Properly Relating Thereto, ch. 47, § 2	Prohibited noncitizens and convicts from owning, possessing, or having under their custody or control any pistol, revolver, or concealable firearms ; violators subject to felony conviction and imprisonment of 1-5 yrs.	

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1927	Michigan	Michigan Act 372 of 1927, 28.422, § 2	“[a] person shall not purchase, carry, possess, or transport a pistol in this state without first having obtained a license ...”	
1927	New Jersey	1927 N.J. Laws 742, § 9	“No person shall sell a pistol or revolver to another person unless the purchaser has first secured a permit to purchase or carry a pistol or revolver.”	
1933	Hawaii Territory	1933 Haw. Special Sess. Laws 39, An Act Regulating the Sale, Transfer, and Possession of Firearms and Ammunition, § 8	Required license for concealed carry of pistol, firearm, or ammunition; prohibits issuance of license to felony convicts or mentally ill; violators subject to fine or imprisonment.	