

Law Enforcement Officers Safety Act of 2004 & Law Enforcement Safety Improvement Act of 2010 (HR 218)

On July 22, 2004, President George W. Bush signed into legislation a federal law which exempts law enforcement officers from state laws prohibiting carrying concealed firearms. On October 12, 2010, President Barak Obama signed the Law Enforcement Safety Improvement Act improving the ability of retired officers to comply with the documents required when carrying a firearm under this law and making other modifications to existing law.

Under current law, "qualified law enforcement officers, current or retired, may be allowed to carry a concealed firearm in any state without a concealed handgun permit. An officer becomes "qualified" if he or she is a currently certified officer and:

1. Has full arrest powers;
2. Has statutory powers of arrest or apprehension under the Uniform Code of Military Justice;
3. Is authorized by his or her agency to carry a firearm;
4. Is not the subject of any disciplinary action by their employing agency;
5. Meets their employing agency's firearms qualification requirements;
6. Is not under the influence of drugs or alcohol; and
7. Is not prohibited by federal law from possessing a firearm.

For a retired officer, the officer must meet the following to be "qualified":

1. Has separated from a law enforcement agency in good standing or due to a service connected disability;
2. Prior to retirement had full arrest powers;
3. Had statutory powers of arrest or apprehension under the Uniform Code of Military Justice;
4. Had an aggregate of 10 or more years of employment as a law enforcement officer; or
5. During prior 12 months met state's firearms qualifications;
6. Is not under the influence of alcohol or drugs; and
7. Is not prohibited by federal law from possessing a firearm.