

**SUMMARY OF RESPONSES BY AIRPORTS AND AIRPORT
AUTHORITIES TO THE SURVEY**

Twenty-eight airports and airport authorities (airports) responded to a survey regarding the carrying of firearms by private individuals in their airports.¹ The responses should not be taken as a representation of a majority position among airports as the survey was used only to gather information. The survey was not conducted for the purpose of an empirical study of the nation's airports on the matters discussed in the report.

1(a). Twenty airports responded that private individuals are allowed to carry firearms in the non-sterile area of the airport.² Seven airports responded that private individuals are not allowed to carry firearms in the non-sterile area.³

¹ Albuquerque International Sunport Airport; Austin-Bergstrom International Airport; Bangor International Airport; Bill and Hillary Clinton National/Adams Field Airport, Arkansas (Clinton National/Adams Field Airport); Bismarck Municipal Airport; Blue Grass Airport, Lexington, KY; Casper/Natrona County International Airport; Columbia Metropolitan Airport, South Carolina; Dallas/Fort-Worth International Airport; Detroit Metropolitan Wayne County Airport; Eppley Airfield Airport (Omaha); General Mitchell International Airport, Milwaukee; George Bush Intercontinental/Houston Airport; Gerald R. Ford International Airport, Grand Rapids; Grand Forks International Airport, North Dakota; Huntsville International-Carl T. Jones Field, Alabama; Joe Foss Field, Sioux Falls; Laguardia Airport, New York (Laguardia Airport); Lincoln Airport-Lincoln Airport Authority, Nebraska; Louisville International International-Standiford Field; Memphis International Airport, Tennessee; Minneapolis-St. Paul International/World-Chamberlain Airport; Nashville International Airport; Portsmouth International Airport, Portsmouth, New Hampshire; San Francisco International Airport; Spokane International Airport; Theodore Francis Green State Airport-Rhode Island Airport Corp.; Tucson International Airport-Tucson Airport Authority.

² Albuquerque International Sunport Airport; Austin-Bergstrom International Airport; Blue Grass Airport, Lexington, KY; Casper/Natrona County International Airport; Clinton National/Adams Field Airport; Dallas/Fort-Worth International Airport (stating "only with a permit"); General Mitchell International Airport, Milwaukee; George Bush Intercontinental/Houston Airport; Gerald R. Ford International Airport, Grand Rapids; Huntsville International-Carl T. Jones Field, Alabama (citing 2013 Ala. Acts 283); Laguardia Airport; Lincoln Airport-Lincoln Airport Authority, Nebraska; Louisville International International-Standiford Field; Memphis International Airport; Minneapolis-St. Paul International/World-Chamberlain Airport; Portsmouth International Airport, New Hampshire; Theodore Francis Green State Airport-Rhode Island Airport Corp.; Joe Foss Field, Sioux Falls; Spokane International Airport; Tucson International Airport-Tucson Airport Authority.

1(b). Twenty-two airports reported that private individuals may carry firearms on other airport property such as parking areas,⁴ whereas five airports responded that private individuals are not allowed to carry firearms in parking areas.⁵

2. Airports were asked to provide information regarding state statutes or any municipal or county ordinances that permit or prohibit the open carrying of firearms in the non-sterile area of an airport terminal or on airport property.

2(a). Eleven airports reported that there are laws in their state, city, or county that permit the open carrying of firearms in the non-sterile area of an airport terminal or on airport property.⁶

³ Bangor International Airport; Bismarck Municipal Airport (stating that the answer is no, unless the firearm comes within N.D. Century Code § 6-08-02-2 or § 62.1-02-05); Columbia Metropolitan Airport, South Carolina (stating that firearms may be carried by one holding a concealed weapons permit); Detroit Metropolitan Wayne County Airport; Eppley Airfield Airport (Omaha); Grand Forks International Airport, North Dakota (stating that under N.D. CENT. CODE § 62.1-02-05(1) firearms are prohibited in public buildings); Nashville International Airport.

⁴ Albuquerque International Sunport Airport; Austin-Bergstrom International Airport; Blue Grass Airport, Lexington, KY; Casper/Natrona County International Airport; Clinton National/Adams Field Airport (citing Ark. Const. art. 2, § 5, ARK. CODE ANN. § 5-73-119(e)); Columbia Metropolitan Airport, South Carolina (stating that firearms may be carried by one holding a concealed weapons permit); Dallas/Fort-Worth International Airport (stating “only with a permit”); Eppley Airfield Airport (Omaha); George Bush Intercontinental/Houston Airport; Gerald R. Ford International Airport, Grand Rapids; Grand Forks International Airport, North Dakota; Huntsville International-Carl T. Jones Field, Alabama (citing 2013 Ala. Acts 283); Laguardia Airport; Lincoln Airport-Lincoln Airport Authority, Nebraska; Louisville International International-Standiford Field; Memphis International Airport; Minneapolis-St. Paul International/World-Chamberlain Airport; Portsmouth International Airport, New Hampshire; Theodore Francis Green State Airport-Rhode Island Airport Corp. (citing R.I. GEN. LAWS § 11-47-11, license or permit to carry concealed pistol or revolver); Joe Foss Field, Sioux Falls; Spokane International Airport; Tucson International Airport-Tucson Airport Authority.

⁵ Bangor International Airport; Bismarck Municipal Airport (stating that the answer is no, unless the firearm falls under N.D. CENT. CODE § 6-08-02); Detroit Metropolitan Wayne County Airport; General Mitchell International Airport, Milwaukee; Nashville International Airport (stating that a firearm may be kept in the trunk of a vehicle).

⁶ Albuquerque International Sunport Airport (citing N.M. CONST. art. II, § 6 (right to bear arms), N.M. STAT. ANN. §§ 29-19-1—29-19-13 (Concealed Handgun Carry Act), N.M. STAT. ANN. § 30-7-2 (unlawful carrying of a deadly weapon); N.M. STAT. ANN. § 30-7-2.2 (unlawful possession of a handgun)); Austin-Bergstrom International Airport; Blue Grass Airport, Lexington, KY (citing KY. REV. STAT. ANN. § 183.8811); Huntsville International-Carl T. Jones Field, Alabama (citing 2013 Ala. Acts 283); Clinton National/Adams Field Airport (citing Ark. Const. art. 2, § 5, ARK. CODE ANN. § 5-73-

Fourteen airports advised that there are no laws that allow the carrying of firearms in an airport terminal or on airport property.⁷ San Francisco International Airport and Portsmouth International Airport in New Hampshire did not respond to the question; Minneapolis-St. Paul International/World-Chamberlain Airport stated that there was no law that was specific to airport property.

Portsmouth International Airport, New Hampshire reported that New Hampshire law does not prohibit the carrying of firearms in the non-sterile area of the airport. George Bush Intercontinental/Houston Airport stated:

It is illegal to carry a handgun in public (in Texas) without a permit. Tex. Penal Code § 46.02. State statute prohibits firearms in the “secured area” of an airport. Tex. Penal Code § 46.03. State statute prohibits the City of Houston from “from regulating “the transfer, private ownership, keeping, transportation, licensing, or registration of firearms, air guns, ammunition, or firearm or air gun supplies.” See Loc. Gov’t Code § 229.001(a).

Furthermore, George Bush Intercontinental/Houston Airport reported that the “City of Houston cannot use the Texas criminal trespass statute to prevent a concealed handgun license holder from entering government property.”⁸

119(e)); Dallas/Fort-Worth International Airport (stating “only with a permit”) (citing TEX. PENAL CODE ANN. §§ 46.03, 46.035, 30.05, 30.06, 30.07) (citing TEX. GOV’T CODE, ch. 411); Eppley Airfield Airport (Omaha) (citing NEB. REV. STAT. ANN. § 69-2441); General Mitchell International Airport, Milwaukee (citing WIS. STAT. § 175.60(2)(c) (open carry); Louisville International International-Standiford Field; Spokane International Airport (citing WASH. REV. CODE ANN. § 941.300(1)(e)); Tucson International Airport-Tucson Airport Authority (citing ARIZ. REV. STAT. § 13-3102).

⁷ Bangor International Airport; Bismarck Municipal Airport; Casper/Natrona County International Airport; Columbia Metropolitan Airport, South Carolina; Detroit Metropolitan Wayne County Airport; George Bush Intercontinental/Houston Airport (stating that the answer is no until January 1, 2016, then yes); Gerald R. Ford International Airport, Grand Rapids (citing MICH. COMP. LAWS SERV. § 28.425); Grand Forks International Airport, North Dakota; Laguardia Airport; Lincoln Airport-Lincoln Airport Authority, Nebraska; Memphis International Airport; Nashville International Airport; Theodore Francis Green State Airport-Rhode Island Airport Corp.; Joe Foss Field, Sioux Falls.

⁸ George Bush Intercontinental/Houston Airport (citing TEX. PENAL CODE ANN. § 30.06(e)).

Minneapolis-St. Paul International/World-Chamberlain Airport likewise noted that section 624.714, subdivision 23 of the Minnesota Statutes has taken away the ability of Minnesota government agencies or units to regulate the carrying and permitting of pistols. As such, only federal law prohibits where a pistol may be carried on airport property.”

2(b). Ten airports stated that there are laws in their state that prohibit the open carrying of firearms in the non-sterile area of an airport terminal or on airport property.⁹ Sixteen airports reported that there are no laws that prohibit the open carrying of firearms in the non-sterile area of an airport terminal or on airport property.¹⁰

2(c). Seventeen airports reported that the laws in their state permitted the carrying of concealed firearms in the non-sterile area of an airport or on airport property.¹¹ Eight airports

⁹ Albuquerque International Sunport Airport; Bangor International Airport; Blue Grass Airport, Lexington, KY (citing KY. REV. STAT. ANN. § 183.8811); Dallas/Fort-Worth International Airport (stating without a permit); Eppley Airfield Airport (Omaha) (citing NEB. REV. STAT. § 69-2441); Bismarck Municipal Airport; George Bush Intercontinental/Houston Airport (stating that the answer is yes until January 1, 2016, then no); Grand Forks International Airport, North Dakota; Nashville International Airport (citing TENN. CODE ANN. § 39-17-1359); Theodore Francis Green State Airport-Rhode Island Airport Corp.

¹⁰ Austin-Bergstrom International Airport; Casper/Natrona County International Airport; Clinton National/Adams Field Airport; Columbia Metropolitan Airport, South Carolina; Detroit Metropolitan Wayne County Airport; General Mitchell International Airport, Milwaukee; Gerald R. Ford International Airport, Grand Rapids; Huntsville International-Carl T. Jones Field, Alabama (citing 2013 Ala. Acts 283); Lagueardia Airport; Lincoln Airport-Lincoln Airport Authority, Nebraska; Louisville International International-Standiford Field; Memphis International Airport; Minneapolis-St. Paul International/World-Chamberlain Airport; Portsmouth International Airport, New Hampshire; Joe Foss Field, Sioux Falls; Spokane International Airport; Tucson International Airport-Tucson Airport Authority (citing ARIZ. REV. STAT. § 13-3102). San Francisco International Airport did not respond to the question.

¹¹ Albuquerque International Sunport Airport; Austin-Bergstrom International Airport; Bismarck Municipal Airport; Blue Grass Airport, Lexington, KY (citing KY. REV. STAT. ANN. § 183.8811); Detroit Metropolitan Wayne County Airport; Huntsville International-Carl T. Jones Field, Alabama (citing 2013 Ala. Acts 283); Casper/Natrona County International Airport; Clinton National/Adams Field Airport (citing Ark. Const. art. II, § 5, ARK. CODE ANN. § 5-73-119(e)); Dallas/Fort-Worth International Airport (stating with a permit), Houston, Spokane International Airport (citing WASH. REV. CODE ANN. § 9.41.300(1)(e)); General Mitchell International Airport, Milwaukee (citing WIS. STAT. § 175.60 (concealed carry), WIS. STAT. § 941.23(2)(e) (permit); Gerald R. Ford International Airport, Grand Rapids; Louisville International International-Standiford Field; Memphis International Airport (citing TENN. CODE ANN. § 39-17-1359); Theodore Francis Green State Airport-Rhode Island Airport Corp.

stated that concealed weapons could not be carried in the non-sterile area of an airport or on airport property.¹² Minneapolis-St. Paul International/World-Chamberlain Airport stated that there was no law that was specific to the airport.

2(d). Eleven airports reported that there are laws that prohibit the carrying of concealed weapons in the non-sterile area of an airport terminal or on airport property;¹³ however, fifteen airports reported that there are no laws that prohibit the carrying of concealed weapons in the non-sterile area of an airport terminal or on airport property.¹⁴

Lincoln Airport-Lincoln Airport Authority, Nebraska reported that its state’s statute, Neb. Rev. Stat. § 69-2441, “provides for the prohibiting of concealed carry by the entity in control of the property. We have posted the building.”

(citing R.I. GEN. LAWS § 11-47-11 (license or permit to carry concealed pistol or revolver)); Tucson International Airport-Tucson Airport Authority (citing ARIZ. REV. STAT. § 13-3102).

¹² Bangor International Airport; Columbia Metropolitan Airport, South Carolina; Eppley Airfield Airport (Omaha) (citing NEB. REV. STAT. § 69-2441); Grand Forks International Airport, North Dakota; Laguardia Airport; Lincoln Airport-Lincoln Airport Authority, Nebraska; Nashville International Airport; Joe Foss Field, Sioux Falls. San Francisco International Airport and Portsmouth International Airport, New Hampshire did not respond to the question.

¹³ Albuquerque International Sunport Airport; Bangor International Airport; Bismarck Municipal Airport; Blue Grass Airport, Lexington, KY; Clinton National/Adams Field Airport (citing ARK. CONST. art. II § 5, ARK. CODE ANN. § 5-73-119(e)); Dallas/Fort-Worth International Airport (stating “without a permit”); Eppley Airfield Airport (Omaha) (citing NEB. REV. STAT. § 69-2441); Grand Forks International Airport, North Dakota; Lincoln Airport-Lincoln Airport Authority, Nebraska; Nashville International Airport (citing TENN. CODE ANN. § 39-17-1359); Spokane International Airport.

¹⁴ Austin-Bergstrom International Airport; Casper/Natrona County International Airport; Columbia Metropolitan Airport, South Carolina; Detroit Metropolitan Wayne County Airport; General Mitchell International Airport, Milwaukee; George Bush Intercontinental/Houston Airport; Gerald R. Ford International Airport, Grand Rapids; Huntsville International-Carl T. Jones Field, Alabama (citing 2013 Ala. Acts 283); Laguardia Airport; Louisville International International-Standiford Field; Memphis International Airport; Minneapolis-St. Paul International/World-Chamberlain Airport; Theodore Francis Green State Airport-Rhode Island Airport Corp.; Joe Foss Field, Sioux Falls; Tucson International Airport-Tucson Airport Authority (citing ARIZ. REV. STAT. § 13-3102). San Francisco International Airport and New Hampshire did not respond to the question.

3(a). Seven airports reported that in their state either a state statute or a municipal or county ordinance required a license or permit to carry anywhere a firearm openly in public,¹⁵ whereas nineteen airports stated that there are no such laws in their state that require a license or permit to carry a firearm openly in public.¹⁶

Bismarck Municipal Airport stated that under section 62.1-02-10 of North Dakota Century Code the open carry of long guns generally is permitted. Minneapolis-St. Paul International/World-Chamberlain Airport noted that section 624.714 of the Minnesota Statutes that regulates the granting of permits to carry a firearm applies to the entire state.

3(b). Twenty-three airports reported that in their state a state statute or municipal or county ordinance requires a license or permit to carry a concealed weapon.¹⁷

¹⁵ Austin-Bergstrom International Airport; Bismarck Municipal Airport (citing N.D. CENT. CODE §§ 6-08-02-2-k, 62.1-02-05); Dallas/Fort-Worth International Airport; Grand Forks International Airport, North Dakota; Minneapolis-St. Paul International/World-Chamberlain Airport; Nashville International Airport; Portsmouth International Airport, New Hampshire.

¹⁶ Albuquerque International Sunport Airport; Blue Grass Airport, Lexington, KY; Casper/Natrona County International Airport; Clinton National/Adams Field Airport (citing ARK. CODE ANN. § 5-73-309 as to handguns); Columbia Metropolitan Airport, South Carolina; Detroit Metropolitan Wayne County Airport; Eppley Airfield Airport (Omaha); General Mitchell International Airport, Milwaukee; George Bush Intercontinental/Houston Airport; Gerald R. Ford International Airport, Grand Rapids; Huntsville International-Carl T. Jones Field, Alabama (citing ALA. CODE § 13a-11-52); Lagueardia Airport; Lincoln Airport-Lincoln Airport Authority, Nebraska; Louisville International International-Standiford Field; Memphis International Airport; Theodore Francis Green State Airport-Rhode Island Airport Corp.; Joe Foss Field, Sioux Falls; Spokane International Airport; Tucson International Airport-Tucson Airport Authority. San Francisco International Airport and Bangor International Airport did not respond to the question.

¹⁷ Albuquerque International Sunport Airport (citing N.M. STAT. ANN. §§ 29-1—29-19-13 (Concealed Handgun Carry Act), N.M. STAT. ANN. § 30-7-2 (regarding unlawful carrying of a deadly weapon)); Austin-Bergstrom International Airport; Bangor International Airport; Bismarck Municipal Airport (citing N.D. CENT. CODE §§ 6-08-02-2-k, 62.1-02-05); Blue Grass Airport, Lexington, KY; Casper/Natrona County International Airport; Clinton National/Adams Field Airport; Columbia Metropolitan Airport, South Carolina (citing S.C. CODE ANN. § 23-31-205); Dallas/Fort-Worth International Airport; Detroit Metropolitan Wayne County Airport; Epperly Airport Omaha; George Bush Intercontinental/Houston Airport; Gerald R. Ford International Airport, Grand Rapids (citing Act 327 of 1927); Grand Forks International Airport, North Dakota (citing R.I. GEN. LAWS § 11-47-11, license or permit to carry concealed pistol or revolver); Huntsville International-Carl T. Jones Field, Alabama (citing ALA. CODE § 13A-11-52); Lincoln Airport-Lincoln Airport Authority, Nebraska (citing NEB. REV.

4(a). Three airports reported that they are aware of a judicial decision, administrative decision, or a ruling or opinion by the attorney general in their state that firearms are allowed in the non-sterile area of the airport terminal,¹⁸ whereas twenty-five airports advised that they are unaware of any such decision, ruling, or opinion.¹⁹ Clinton National/Adams Field Airport stated that the attorney general of Arkansas has interpreted Arkansas law to permit open carry and provided a copy of the opinion.²⁰

Minneapolis-St. Paul International/World-Chamberlain Airport commented in its response to the survey that its state statute on permits to carry was “challenged by many different

STAT. ANN. § 69-2441); Louisville International International-Standiford Field; Minneapolis-St. Paul International/World-Chamberlain Airport; Nashville International Airport; Portsmouth International Airport, New Hampshire (citing N.H. REV. STAT. ANN. §§ 159:4—159:6); San Francisco International Airport; Joe Foss Field, Sioux Falls (citing S.D. CODIFIED LAWS §§ 22-14, 23-7); Spokane International Airport (citing WASH. REV. CODE § 9.41.070); Tucson International Airport-Tucson Airport Authority (citing ARIZ. REV. STAT. § 13-3102).

¹⁸ Clinton National/Adams Field Airport (by supplemental e-mail dated September 1, 2015); Dallas/Fort-Worth International Airport; Theodore Francis Green State Airport-Rhode Island Airport Corp.

¹⁹ Albuquerque International Sunport Airport; Austin-Bergstrom International Airport; Bangor International Airport; Bismarck Municipal Airport; Blue Grass Airport, Lexington, KY; Casper/Natrona County International Airport; Clinton National/Adams Field Airport; Columbia Metropolitan Airport, South Carolina; Detroit Metropolitan Wayne County Airport; Eppley Airfield Airport (Omaha) (citing NEB. REV. STAT. ANN. § 69-2441); General Mitchell International Airport, Milwaukee; George Bush Intercontinental/Houston Airport; Gerald R. Ford International Airport, Grand Rapids; Grand Forks International Airport, North Dakota; Huntsville International-Carl T. Jones Field, Alabama (citing 2013 Ala. Acts 283, Ala. Code §§ 13A-11-52, 11-80-11); Laguardia Airport; Lincoln Airport-Lincoln Airport Authority, Nebraska; Louisville International International-Standiford Field; Memphis International Airport; Minneapolis-St. Paul International/World-Chamberlain Airport; Nashville International Airport; Theodore Francis Green State Airport-Rhode Island Airport Corp. (citing R.I. GEN. LAWS § 11-47-11 (license or permit to carry concealed pistol or revolver)); San Francisco International Airport; Joe Foss Field, Sioux Falls; Spokane International Airport; Tucson International Airport-Tucson Airport Authority. San Francisco International Airport did not respond to the question.

²⁰ See Ark. Att’y Gen. Op. No. 2015-064 (2015), available at <http://ag.arkansas.gov/opinions/docs/2015-064.pdf>.

persons; however, [there was] no specific challenge regarding the airport.” Dallas-Fort Worth also reported that the Texas laws are not specific to airports but nevertheless cover airports.²¹

4(b). One airport stated that it was aware of a judicial decision, administrative decision, or a ruling or opinion by the attorney general stating that in its state firearms are not allowed in the non-sterile area of the airport terminal.²² Twenty-six airports reported that they are unaware of any such decisions, rulings, or opinions.²³

4(c). Three airports reported that they are aware of a judicial opinion, administrative decision, or a ruling by the attorney general stating that in their state firearms are allowed on airport property.²⁴ Twenty-four airports reported that they are unaware of any such decision, ruling, or opinion or did not respond to the question.²⁵

²¹ Dallas/Fort-Worth International Airport (citing 95 Tex. Att’y Gen. Op. No. DM-363 (Aug. 30, 1995); 105 Tex. Att’y Gen. Op. No. 95-058 (Sept. 15, 1995); 6 Tex. Att’y Gen. Op. No. JC-0325 (Jan. 5, 2001)).

²² Eppley Airfield Airport (Omaha).

²³ Albuquerque International Sunport Airport; Austin-Bergstrom International Airport; Bangor International Airport; Bismarck Municipal Airport; Blue Grass Airport, Lexington, KY; Casper/Natrona County International Airport; Clinton National/Adams Field Airport; Columbia Metropolitan Airport, South Carolina; Dallas/Fort-Worth International Airport; Detroit Metropolitan Wayne County Airport; General Mitchell International Airport, Milwaukee; George Bush Intercontinental/Houston Airport; Gerald R. Ford International Airport, Grand Rapids; Grand Forks International Airport, North Dakota; Huntsville International-Carl T. Jones Field, Alabama (citing 2013 Ala. Acts 283; ALA. CODE §§ 13A-11-52, 11-80-11); Laguardia Airport; Lincoln Airport-Lincoln Airport Authority, Nebraska; Louisville International International-Standiford Field; Memphis International Airport; Minneapolis-St. Paul International/World-Chamberlain Airport; Nashville International Airport; Portsmouth International Airport, New Hampshire; Theodore Francis Green State Airport-Rhode Island Airport Corp. (citing R.I. GEN. LAWS § 11-47-11 (license or permit to carry concealed pistol or revolver)); San Francisco International Airport; Joe Foss Field, Sioux Falls; Spokane International Airport; Tucson International Airport-Tucson Airport Authority.

²⁴ Clinton National/Adams Field Airport; Dallas/Fort-Worth International Airport; and Memphis International Airport (citing Tenn. Att’y Gen. Op. No. 13-41 (May 28, 2013), 2015 Tenn. Pub. Acts, ch. 80).

²⁵ Albuquerque International Sunport Airport; Austin-Bergstrom International Airport; Bangor International Airport; Bismarck Municipal Airport; Blue Grass Airport, Lexington, KY; Casper/Natrona County International Airport; Clinton National/Adams Field Airport; Columbia Metropolitan Airport, South Carolina; Detroit Metropolitan Wayne County Airport; Eppley Airfield Airport (Omaha) (citing

4(d). Twenty-seven airports advised that they are unaware of any judicial decision, administrative decision, or a ruling or opinion by the attorney general in their state determining that firearms are not allowed on airport property.²⁶

5(a). Five airports stated that they are aware of incidents at the airport involving private individuals carrying a firearm openly in the non-sterile area of the airport terminal,²⁷ whereas twenty-three airports reported that they are unaware of any incidents.²⁸

NEB. REV. STAT. ANN. § 69-2441); General Mitchell International Airport, Milwaukee; George Bush Intercontinental/Houston Airport; Gerald R. Ford International Airport, Grand Rapids; Grand Forks International Airport, North Dakota; Huntsville International-Carl T. Jones Field, Alabama (citing 2013 Ala. Acts 283; ALA. CODE §§ 13A-11-52, 11-80-11); Lagueardia Airport; Lincoln Airport-Lincoln Airport Authority, Nebraska; Louisville International International-Standiford Field; Minneapolis-St. Paul International/World-Chamberlain Airport; Nashville International Airport; Portsmouth International Airport, New Hampshire; Theodore Francis Green State Airport-Rhode Island Airport Corp. (citing R.I. GEN. LAWS § 11-47-11, license or permit to carry concealed pistol or revolver); Joe Foss Field, Sioux Falls; Spokane International Airport; Tucson International Airport-Tucson Airport Authority. San Francisco International Airport did not respond to the question.

²⁶ Albuquerque International Sunport Airport; Austin-Bergstrom International Airport; Bangor International Airport; Bismarck Municipal Airport; Blue Grass Airport, Lexington, KY; Casper/Natrona County International Airport; Clinton National/Adams Field Airport; Columbia Metropolitan Airport, South Carolina; Dallas/Fort-Worth International Airport; Detroit Metropolitan Wayne County Airport; Eppley Airfield Airport (Omaha); General Mitchell International Airport, Milwaukee; George Bush Intercontinental/Houston Airport; Gerald R. Ford International Airport, Grand Rapids; Grand Forks International Airport, North Dakota; Huntsville International-Carl T. Jones Field, Alabama (citing 2013 Ala. Acts 283; ALA. CODE §§ 13A-11-52, 11-80-11); Lagueardia Airport; Lincoln Airport-Lincoln Airport Authority, Nebraska; Louisville International International-Standiford Field; Memphis International Airport; Minneapolis-St. Paul International/World-Chamberlain Airport; Nashville International Airport; Portsmouth International Airport, New Hampshire; Theodore Francis Green State Airport-Rhode Island Airport Corp. (citing R.I. GEN. LAWS § 11-47-11 (license or permit to carry concealed pistol or revolver)); Joe Foss Field, Sioux Falls; Spokane International Airport; Tucson International Airport-Tucson Airport Authority.

²⁷ Huntsville International-Carl T. Jones Field, Alabama (stating that there are few restrictions on open carry in Alabama); George Bush Intercontinental/Houston Airport; Gerald R. Ford International Airport, Grand Rapids; Minneapolis-St. Paul International/World-Chamberlain Airport; Joe Foss Field, Sioux Falls.

²⁸ Albuquerque International Sunport Airport; Austin-Bergstrom International Airport; Bangor International Airport; Bismarck Municipal Airport; Blue Grass Airport, Lexington, KY; Casper/Natrona County International Airport; Clinton National/Adams Field Airport; Columbia Metropolitan Airport, South Carolina; Dallas/Fort-Worth International Airport; Detroit Metropolitan Wayne County Airport; Eppley Airfield Airport (Omaha); General Mitchell International Airport, Milwaukee; Grand Forks International Airport, North Dakota; Lagueardia Airport; Lincoln Airport-Lincoln Airport Authority,

Gerald R. Ford International Airport reported that there had been two incidents of open carry in the non-sterile area of the airport terminal; that no reports were filed; and that the “individuals were exercising their Second Amendment rights.” George Bush Intercontinental/Houston Airport provided a link to an incident at the airport that occurred on May 2, 2013.²⁹

5(b). As for incidents at the airports involving private individuals carrying firearms openly on other airport property, five airports reported that there had been incidents.³⁰ Twenty-two airports advised that they were unaware of any incidents or did not respond to the question.³¹

Minneapolis-St. Paul International/World-Chamberlain Airport reported that persons are “found to be openly carrying a weapon about 2 to 3 times per year. The police department does stop these individuals [to verify] their carry permit. We also frequently have people who are

Nebraska; Louisville International International-Standiford Field; Memphis International Airport; Nashville International Airport; Portsmouth International Airport, New Hampshire; Theodore Francis Green State Airport-Rhode Island Airport Corp. (citing R.I. GEN. LAWS § 11-47-11, license or permit to carry concealed pistol or revolver); San Francisco International Airport; Spokane International Airport; Tucson International Airport-Tucson Airport Authority.

²⁹ Guiseppe Barranco, et al., “Beaumont man shot dead at Houston's Bush Airport,” CHRON.COM (May 3, 2013), <http://www.chron.com/news/houston-texas/houston/article/Beaumont-man-shot-dead-at-Houston-s-Bush-Airport-4483406.php>.

³⁰ Casper/Natrona County International Airport; General Mitchell International Airport, Milwaukee; Huntsville International-Carl T. Jones Field, Alabama (stating that there are few restrictions on open carry in Alabama); Minneapolis-St. Paul International/World-Chamberlain Airport; Joe Foss Field, Sioux Falls.

³¹ Albuquerque International Sunport Airport; Austin-Bergstrom International Airport; Bangor International Airport; Bismarck Municipal Airport; Blue Grass Airport, Lexington, KY; Clinton National/Adams Field Airport; Columbia Metropolitan Airport, South Carolina; Dallas/Fort-Worth International Airport; Detroit Metropolitan Wayne County Airport; Eppley Airfield Airport (Omaha); George Bush Intercontinental/Houston Airport; Gerald R. Ford International Airport, Grand Rapids; Grand Forks International Airport, North Dakota; Laguardia Airport; Lincoln Airport-Lincoln Airport Authority, Nebraska; Louisville International International-Standiford Field; Memphis International Airport; Nashville International Airport; Portsmouth International Airport, New Hampshire; Theodore Francis Green State Airport-Rhode Island Airport Corp. (citing R.I. GEN. LAWS § 11-47-11, license or permit to carry concealed pistol or revolver); Spokane International Airport; Tucson International Airport-Tucson Airport Authority. San Francisco International Airport did not respond to the question.

found to have a gun in their possession at the checkpoint,” in which the case the airport authority takes action for the individual’s failure to notify “the checkpoint staff about the weapon.”

6(a). One airport stated that it was aware of a proposed law in its jurisdiction that would make it lawful for a private individual to carry a firearm in the non-sterile area of an airport terminal or on airport property,³² but twenty-six airports responded that they are unaware of any proposed laws or did not respond to the question.³³ DFW noted that “open carry was legalized earlier this year [2015] in Texas.”

6(b). One airport reported that it was aware of proposed laws in its jurisdiction that would make it unlawful for a private individual to carry a firearm in the non-sterile area of the airport terminal or on airport property.³⁴ However, twenty-six airports stated that they are not aware of any such proposed laws.³⁵

³² Detroit Metropolitan Wayne County Airport.

³³ Albuquerque International Sunport Airport; Austin-Bergstrom International Airport; Bangor International Airport; Bismarck Municipal Airport; Blue Grass Airport, Lexington, KY; Casper/Natrona County International Airport; Clinton National/Adams Field Airport; Columbia Metropolitan Airport, South Carolina; Dallas/Fort-Worth International Airport; Eppley Airfield Airport (Omaha); General Mitchell International Airport, Milwaukee; George Bush Intercontinental/Houston Airport; Gerald R. Ford International Airport, Grand Rapids; Grand Forks International Airport, North Dakota; Huntsville International-Carl T. Jones Field, Alabama (stating that current Alabama law permits open carry with few restrictions but that concealed carry presents different issues); Lagueardia Airport; Lincoln Airport-Lincoln Airport Authority, Nebraska; Louisville International International-Standiford Field; Memphis International Airport; Minneapolis-St. Paul International/World-Chamberlain Airport; Nashville International Airport; Portsmouth International Airport, New Hampshire; Theodore Francis Green State Airport-Rhode Island Airport Corp. (citing R.I. GEN. LAWS § 11-47-11 (license or permit to carry concealed pistol or revolver)); Joe Foss Field, Sioux Falls; Spokane International Airport; Tucson International Airport-Tucson Airport Authority. San Francisco International Airport did not respond to the question.

³⁴ Nashville International Airport.

³⁵ Albuquerque International Sunport Airport; Austin-Bergstrom International Airport; Bangor International Airport; Bismarck Municipal Airport; Blue Grass Airport, Lexington, KY; Casper/Natrona County International Airport; Clinton National/Adams Field Airport; Columbia Metropolitan Airport, South Carolina; Dallas/Fort-Worth International Airport; Detroit Metropolitan Wayne County Airport; Eppley Airfield Airport (Omaha); General Mitchell International Airport, Milwaukee; George Bush Intercontinental/Houston Airport; Gerald R. Ford International Airport, Grand Rapids; Grand Forks

In responding to questions 6(a) and (b), George Bush Intercontinental/Houston Airport stated that in 2015 the

Texas Legislative passed the following bills that affect firearm regulation:

HB 910 - Legalized open carry and reduced criminal trespass for both concealed carry and open carry to a Class C misdemeanor; effective January 1, 2016.

SB 273 – Creates a civil violation for a political subdivision to post signs described by Texas Penal Code § 30.06, or referring to that law or to a concealed handgun license, that a license holder is prohibited from carrying a handgun on government-owned property unless the property is specified in Texas Penal Code § 46.03 or § 46.035; effective September 1, 2015.

HB 554 – Allows person found with firearm at TSA screening check point to avoid prosecution if they immediately exit the screening checkpoint upon notification; effective September 1, 2015.

7. Twelve airports advised that the airport or airport authority has rules and regulations on the possession of firearms by private individuals in the non-sterile area of an airport terminal or on airport property,³⁶ whereas sixteen airports reported that they do not have such rules and regulations.³⁷

International Airport, North Dakota; Huntsville International-Carl T. Jones Field, Alabama (stating that current Alabama law permits open carry with few restrictions but that concealed carry presents different issues); Laguegardia Airport; Lincoln Airport-Lincoln Airport Authority, Nebraska; Louisville International International-Standiford Field; Memphis International Airport; Minneapolis-St. Paul International/World-Chamberlain Airport; Portsmouth International Airport, New Hampshire; Theodore Francis Green State Airport-Rhode Island Airport Corp.; Joe Foss Field, Sioux Falls; Spokane International Airport; Tucson International Airport-Tucson Airport Authority. San Francisco International Airport did not respond to the question.

³⁶ Austin-Bergstrom International Airport; Bangor International Airport; Bismarck Municipal Airport (citing N.D. CENT. CODE § 62.1-02-05); Blue Grass Airport, Lexington, KY; Clinton National/Adams Field Airport; Columbia Metropolitan Airport, South Carolina; Detroit Metropolitan Wayne County Airport; Eppley Airfield Airport (Omaha) (citing NEB. REV. STAT. ANN. § 69-2441); General Mitchell International Airport, Milwaukee; Grand Forks International Airport, North Dakota; Lincoln Airport-Lincoln Airport Authority, Nebraska; and Nashville International Airport.

³⁷ Albuquerque International Sunport Airport; Casper/Natrona County International Airport; Dallas/Fort-Worth International Airport; George Bush Intercontinental/Houston Airport; Gerald R. Ford International Airport, Grand Rapids; Huntsville International-Carl T. Jones Field, Alabama; Laguegardia Airport; Louisville International International-Standiford Field; Memphis International Airport; Minneapolis-St.

Clinton National/Adams Field Airport provided a copy of its rules in which section 305

states:

(1) No Persons except the following shall carry any firearms, explosives or similar inflammable materials anywhere in the AOA without the prior written permission of the Executive Director

(2) No firearms shall be allowed inside the terminal building unless carried by sworn law enforcement officers or packaged for shipment via aircraft in compliance with federal regulations

(4) All persons other than those permitted in (1) above shall surrender all such firearms, explosives or similar inflammable materials in their possession upon demand to the Airport Police or remove same from the Airport.

Blue Grass Airport in Lexington, Kentucky referred to sections 4 and 14 of the Lexington-Fayette Urban County Airport Board Rules and Regulations.³⁸

Section 14 states:

No Person (excluding Airport Public Safety Officers, commissioned law enforcement officers, Federal Air Marshals, Federal Flight Deck Officers and government commissioned peace officers) may carry, possess, use or store any Firearm, ammunition, explosive or destructive device or other deadly Weapons in any form inside the Passenger Terminal or on Airport property, except to the extent that Firearms or Weapons (excluding explosives) are properly encased for shipment with an airline to be lawfully transported on an Aircraft as cargo or checked baggage and actually delivered to an airline before the Person approaches the security checkpoint.³⁹

Paul International/World-Chamberlain Airport; Portsmouth International Airport, New Hampshire; Theodore Francis Green State Airport-Rhode Island Airport Corp.; San Francisco International Airport; Joe Foss Field, Sioux Falls; Spokane International Airport; Tucson International Airport-Tucson Airport Authority.

³⁸ LEXINGTON-FAYETTE URBAN CNTY. AIRPORT BD. RULES AND REGULATIONS (Sept. 26, 2012), available at <https://www.bluegrassairport.com/documents/lfucabRulesandRegs-3.pdf>.

³⁹ *Id.* at 21.

Lincoln Airport-Lincoln Airport Authority, Nebraska reported that “terminal CCW [is] prohibited by state statute [Neb. Rev. Stat.] § 69-2441 due to posting” and that “Airport Rules and Regulations § 3.19 also prohibit CCW.”

Grand Forks International Airport, North Dakota referred to section 4.11 of its rules and regulations that state in part that no person may bring any firearms “onto the airport” except as permitted in the circumstances described in section 4.11.⁴⁰

Columbia Metropolitan Airport, South Carolina cited section 7-70 of its rules and regulations.

General Mitchell-Milwaukee reported that it has posted signs that comply with its state’s statute to exclude weapons.

On the other hand, Minneapolis-St. Paul International/World-Chamberlain Airport reported that

MSP Airport cannot regulate possession of firearms in non-sterile areas of the airport terminal or on airport property. The airport authority does have a local ordinance about Presenting a Weapon at the security checkpoints. The ordinance requires people who have a weapon to notify the screening checkpoint personnel that they have a weapon in their possession before placing the weapon into the screening equipment. The ordinance is viewed as a “public welfare” requirement, rather than a “criminal” type offense. The difference allows the ordinance to exist without requiring a “mens rea” or specific criminal intent. Ordinance section is attached.

Likewise, George Bush Intercontinental/Houston Airport reported that “the City is prohibited from regulating ‘the transfer, private ownership, keeping, transportation, licensing, or registration of firearms, air guns, ammunition, or firearm or air gun supplies’” and cited Loc. Gov’t Code §229.001(a).

⁴⁰ GRAND FORKS INTERNATIONAL AIRPORT RULES AND REGULATIONS (Aug. 1, 1995), *available at* http://gfkairport.com/wp-content/uploads/pdf/rules_regs.pdf.

8. With respect to whether there had been any legal actions brought against an airport or airport authority responding to the survey involving a private individual carrying or discharging a firearm in an airport terminal or on airport property:

(a) one airport reported an action by the owner or possessor of the firearm;⁴¹

(b) three airports reported an action by a passenger or other user of the airport terminal or airport property;⁴²

(c) one airport reported an action by an airport employee;⁴³ and

(d) one airport reported an action by someone other than an owner or possessor of a firearm, a passenger or other user of the airport, or by an airport employee.⁴⁴

Blue Grass Airport-Lexington stated that the Kentucky Concealed Carry Coalition had filed against the Lexington-Fayette Urban County Airport in 2013.⁴⁵

Minneapolis-St. Paul International/World-Chamberlain Airport reported that the

airport authority will routinely criminally charge people who present a weapon at the security screening checkpoint. If the individual is an employee within the airport (*e.g.* a badged worker) then the airport authority can take administrative action against the ability to have a security badge for up to two years. These actions are based on the failure to notify than the possession of a weapon.

⁴¹ Blue Grass Airport, Lexington, KY. San Francisco International Airport and Minneapolis-St. Paul International/World-Chamberlain Airport did not respond to question 8(a).

⁴² Austin-Bergstrom International Airport; Bismarck Municipal Airport; Blue Grass Airport, Lexington, KY. San Francisco International Airport and Minneapolis-St. Paul International/World-Chamberlain Airport did not respond to question 8(b).

⁴³ Blue Grass Airport, Lexington, KY. San Francisco International Airport did not respond to question 8(c).

⁴⁴ Blue Grass Airport, Lexington, KY.

⁴⁵ *Ky. Concealed Carry Coalition, Inc. v. Lexington-Fayette Urban Cnty Airport*, No. 13-C1-1398 (Apr. 3, 2013). No information on the case is available on LEXIS as of this writing.

9. Ten airports or airport authorities reported that as government-owned entities they have immunity under state law from claims of the kind described in question 8 because of sovereign immunity, a tort claims or governmental immunity act, or other legislation specific to airports or airport authorities.⁴⁶ Although twelve airports responded that they do not have immunity to such claims,⁴⁷ it may be noted that some airports in the same state responded differently to the question. Six airports did not respond to the question or did not know.⁴⁸

George Bush Intercontinental/Houston Airport stated that the city of Houston has immunity under the Texas Tort Claims Act, section 101.021 of the Texas Civil Practice and Remedies Code.

Clinton National/Adams Field Airport cited section 21-9-301 of the Arkansas Code that states:

(a) It is declared to be the public policy of the State of Arkansas that all counties, municipal corporations, school districts, special improvement districts, and all other political subdivisions of the state and any of their boards, commissions, agencies, authorities, or other governing bodies shall be immune from liability

⁴⁶ Albuquerque International Sunport Airport; Casper/Natrona County International Airport (citing Wyoming Governmental Claims Act, WYO. STAT. ANN. § 1-39-101); Clinton National/Adams Field Airport (citing Ark. Code Ann. § 21-9-301); Dallas/Fort-Worth International Airport (citing TEX. CIV. PRAC. & REM. CODE ANN. §§ 101.101-101.109); Eppley Airfield Airport (Omaha) (citing Neb. Rev. Stat. § 13-901); General Mitchell International Airport, Milwaukee; George Bush Intercontinental/Houston Airport; Huntsville International-Carl T. Jones Field, Alabama (citing ALA. CODE § 4-3-50 that provides “limited immunity”); Louisville International International-Standiford Field; Memphis International Airport (citing Tennessee Governmental Tort Liability Act, TENN. CODE ANN. §§ 29-20-101 to 29-20-112).

⁴⁷ Bangor International Airport; Blue Grass Airport, Lexington, KY; Bismarck Municipal Airport (stating, however, that political subdivisions have limited immunity by statute); Columbia Metropolitan Airport, South Carolina; Detroit Metropolitan Wayne County Airport; Gerald R. Ford International Airport, Grand Rapids; Laguardia Airport; Lincoln Airport-Lincoln Airport Authority, Nebraska; Nashville International Airport; Theodore Francis Green State Airport-Rhode Island Airport Corp.; Tucson International Airport-Tucson Airport Authority.

⁴⁸ Austin-Bergstrom International Airport; Grand Forks International Airport, North Dakota (“unknown”); Minneapolis-St. Paul International/World-Chamberlain Airport; Portsmouth International Airport, New Hampshire; San Francisco International Airport; Joe Foss Field, Sioux Falls.

and from suit for damages except to the extent that they may be covered by liability insurance.

(b) No tort action shall lie against any such political subdivision because of the acts of its agents and employees.

Minneapolis-St. Paul International/World-Chamberlain Airport's response to question 9 stated:

The airport authority is established as a government entity with the same ability as other governmental entities to argue immunity for damages. In addition, because the state law does not allow for the airport authority to impact a valid permit holder's ability to carry a firearm, the airport authority would [defer] to state law regulations.

Portsmouth International Airport, New Hampshire stated that only general sovereign immunity applied as there was "nothing specific to firearm use."

Albuquerque International Sunport Airport reported that "[t]he New Mexico Tort Claims Act, NMSA 1978 §§ 41-4-7, waives immunity for airports generally[] but provides liability caps for bodily injury or death ranging from \$400,000 to \$1,050,000. The caps do not apply to federal civil rights actions, which could arise from deprivation of constitutional rights."

10. Some airports provided additional information.

Minneapolis-St. Paul International/World-Chamberlain Airport stated also that

[t]he regulation of firearms at an airport can be complex with the various number of jurisdictions that may have power over the airport. In general, the main problem tends to be people who forget that they have their gun when they try to enter a sterile area. The problem can be viewed as the gun owner not paying attention or being responsible for their gun rather than loose or no gun regulations.

Bismarck Municipal Airport stated that a person who possesses a firearm at a publicly owned or operated building is guilty of an offense unless the possession comes under title 6, section 08-02-02 of North Dakota Century Code or title 62.1, section 02-05-02 of North Dakota Century Code.

Joe Foss Field, Sioux Falls stated that “open carry has been a locally debated subject for our community but has not included the airport specifically.”