

Governor Carney Signs Beau Biden Gun Violence Prevention Act

New law will limit access to firearms for those considered a danger to themselves or others

NEWARK, Del. – On Monday, Governor John Carney signed the Beau Biden Gun Violence Prevention Act alongside Vice President Joe Biden, Dr. Jill Biden, Ashley Biden, Representative David Bentz, legislators, and gun safety advocates at the Biden Institute at the University of Delaware.

The [Beau Biden Act](#), passed unanimously by the General Assembly, will help restrict access to firearms for those who mental health professionals believe present a danger to themselves or others. The Act, which takes effect six months after its signing, mirrors legislation championed by former Attorney General Beau Biden in 2013.

“I am honored to sign this legislation, and to help carry on Beau’s legacy and his commitment to protecting Delawareans,” said **Governor Carney**. “The Beau Biden Gun Violence Prevention Act is important, common sense legislation – and one piece in a [package](#) of comprehensive gun safety reform that will help make our state safer. This law will ensure that law enforcement and health professionals are working more closely together to confront the issue of gun violence and mental health. And it will help keep firearms away from those who may pose a danger to themselves or others, while protecting due process rights, and ensuring continued access to important mental health services.”

“My son Beau always believed that there was room for common sense gun safety legislation. It is something he supported and worked for his whole professional career, including championing a nearly identical bill as Attorney General,” said **Vice President Joe Biden**. “While that bill came up short of passage before we lost Beau, he was always confident that we would move in the right direction. This bill will make the state of Delaware safer while safeguarding every Delawarean’s rights to due process. It is a fitting tribute to Beau’s legacy.”

“Delaware has taken a substantial step forward in addressing mental health and gun safety with this thoughtful, consensus-driven piece of legislation. The Beau Biden Gun Violence Prevention Act balances due process and public safety in the ultimate effort to prevent senseless gun violence by keeping guns out of the hands of those who present a danger to themselves or others,” said **Representative David Bentz**. “It was an honor to stand with Vice President Joe Biden as Governor Carney signed legislation addressing an issue that meant so much to the Vice President’s son. I hope this legislation serves as a model for other states as they work through gun safety policies.”

“Delaware has a responsibility to take action on the gun violence epidemic. Today, we’re upholding that responsibility,” said **Senate Majority Leader Margaret Rose Henry**. “As policymakers, we have to have a good faith conversation about mental health and gun safety, but we also need to make sure that we protect due process and that we don’t perpetuate the harmful, stigmatizing myth that people with mental illness are dangerous. Two unanimous votes show that Representative Bentz struck that balance. His work on gun safety will save lives, and he deserves real praise for that.”

“The Delaware Coalition Against Gun Violence is grateful to those legislators on both sides of the aisle who were willing to work together to craft this important piece of legislation.

This was a bipartisan effort that will protect people in our state who might pose a threat to themselves or others,” said **Dennis Greenhouse, Chairman of the Delaware Coalition Against Gun Violence**. “The fight against gun violence is not a partisan issue, and it does not stop here. As we continue into the final months of this session, we are optimistic that legislators will approach other common-sense gun violence bills before them with a similar commitment to action and willingness to work together to get things done.”

— **DETAILS OF THE BEAU BIDEN GUN VIOLENCE PREVENTION ACT:**

The Beau Biden Gun Violence Prevention Act adds the following individuals to the list of persons prohibited from owning a firearm:

- Any person who has been committed to a hospital for treatment of a mental condition.
- Perpetrators of violent crimes who have been found:
 - Not guilty by reason of insanity;
 - Guilty but mentally ill;
 - Mentally incompetent to stand trial.

Those individuals have not been prohibited from owning firearms under Delaware law. The new law also requires health professionals to report to law enforcement anyone they believe presents a danger to themselves or others. Appropriate law enforcement agencies must then investigate – and may seek a court order to require individuals to relinquish firearms, if they are found to present a danger. The law, which takes effect six months after its signing, also allows affected individuals to appeal orders to the Supreme Court, and petition to have their firearms returned.

Click [here](#) to learn more about Governor Carney's call for comprehensive gun safety reform.

Click [here](#) to watch the bill signing.

Click [here](#) for photos from the bill signing.

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