



By Susan Greitz

## Firearms At Festivals – A Liability Issue?

Firearms at festivals and events are probably not what you had in mind when you started organizing your event, but do you have the authority to bar them? While there is limited federal law, 48 states have passed laws allowing citizens to carry certain concealed firearms in public, either without a permit or after obtaining a permit from the local law enforcement. Thirteen states allow both concealed and open carry of a handgun. Each state has jurisdiction on the regulation, permit type and training requirements.

That being said, this topic is more of a 'police' matter rather than an insurance matter. A festival/fair through the IFEA and/or in conjunction with the IFEA should determine if they have the right to bar concealed (or holstered) firearms and other weapons. A festival/event can generally bar any non-legal weapon (knives w/blades over 4", martial arts-type of weapons, etc.), but if the state has granted concealed carry permits to citizens, the event organizers have to determine if they can prohibit concealed handguns that are otherwise permitted by the state in public places. Many events are in some fashion a quasi-government entity and may be able to bar handguns. Other private, not-for-profit, and otherwise not run by a branch of the local state government would require research.

Most festival and event organizers work very closely with their local governmental entity and should work with them to obtain an exemption from concealed carry and be able to prohibit carrying a handgun on site. This would take local research into each state ordinance that grants concealed carry to its citizens to determine how far that privilege goes.

In a state that grants concealed carry privileges, and will not allow a festival/fair to ban handguns, the festival/fair has no more or less liability than in a

state that does not allow concealed carry. Liability is determined by the circumstances, and whether reasonable precaution was taken. All major events should institute some screening of patron's handbags, etc...for contraband, illegal weapons and such. If the state allows concealed carry and someone is carrying a firearm legally, the festival may want to note or 'register' that the individual's presence is on the premises as a precaution.

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