

114TH CONGRESS  
1ST SESSION

# H. R. 986

To amend title 18, United States Code, to provide a means by which non-residents of a State whose residents may carry concealed firearms may also do so in the State.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2015

Mr. HUDSON (for himself, Mr. CUELLAR, Mr. BUCSHON, Mr. ROUZER, Mr. WEBER of Texas, Mr. OLSON, Mr. LATTA, Mr. NEUGEBAUER, Mr. BISHOP of Michigan, Mr. KINZINGER of Illinois, Mr. WHITFIELD, Mr. MULLIN, Mr. BRADY of Texas, Mr. BRAT, Mr. PALAZZO, Mr. WITTMAN, Mr. BROOKS of Alabama, Mr. REED, Mr. WALDEN, Mr. GOWDY, Mrs. BROOKS of Indiana, Mr. RODNEY DAVIS of Illinois, Mr. LONG, Mr. MESSER, Mr. YOUNG of Alaska, Mr. WESTMORELAND, Mr. COLLINS of New York, Mr. KATKO, Mr. SESSIONS, Mr. CRAMER, Mr. MACARTHUR, Mr. BURGESS, Mr. CURBELO of Florida, Mr. FLORES, Mr. SHIMKUS, Mr. BILIRAKIS, Mr. SANFORD, Mr. ZINKE, Mr. HUELSKAMP, Mr. LABRADOR, Mr. STIVERS, Mr. ROKITA, Mr. MCHENRY, Mr. CARTER of Texas, Mr. FRANKS of Arizona, Mr. FARENTHOLD, Mr. YODER, Mr. JOYCE, Mr. MOONEY of West Virginia, Mr. CONAWAY, Mr. SENSENBRENNER, Mrs. BLACKBURN, Mr. ALLEN, Mr. RICE of South Carolina, Mr. SALMON, Mr. POLIQUIN, Mr. BOUSTANY, Mr. STUTZMAN, Mr. KLINE, Mr. BARR, Mr. BENISHEK, Mr. BYRNE, Mr. DUNCAN of South Carolina, Mr. DUNCAN of Tennessee, Mr. HECK of Nevada, Mr. HUNTER, Mr. ROGERS of Alabama, Mr. SMITH of Missouri, Mr. SMITH of Texas, Mr. WILLIAMS, Mr. YOUNG of Iowa, Mr. HOLDING, Mr. HURD of Texas, Mr. JODY B. HICE of Georgia, Mr. CRAWFORD, Mr. THORNBERRY, Mr. LAMALFA, Mr. HUIZENGA of Michigan, and Mr. MCCAUL) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend title 18, United States Code, to provide a means

by which nonresidents of a State whose residents may carry concealed firearms may also do so in the State.

1       *Be it enacted by the Senate and House of Representa-*  
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Concealed Carry Reci-  
 5 procity Act of 2015”.

6 **SEC. 2. RECIPROCITY FOR THE CARRYING OF CERTAIN**  
 7 **CONCEALED FIREARMS.**

8       (a) IN GENERAL.—Chapter 44 of title 18, United  
 9 States Code, is amended by inserting after section 926C  
 10 the following:

11 **“§ 926D. Reciprocity for the carrying of certain con-**  
 12 **cealed firearms**

13       “(a) Notwithstanding any provision of the law of any  
 14 State or political subdivision thereof (except as provided  
 15 in subsection (b)), a person who is not prohibited by Fed-  
 16 eral law from possessing, transporting, shipping, or receiv-  
 17 ing a firearm, and who is carrying a valid identification  
 18 document containing a photograph of the person, and a  
 19 valid license or permit which is issued pursuant to the law  
 20 of a State and which permits the person to carry a con-  
 21 cealed firearm, may possess or carry a concealed handgun  
 22 (other than a machinegun or destructive device) that has  
 23 been shipped or transported in interstate or foreign com-

1 merce, in any State, other than the State of residence of  
2 the person, that—

3 “(1) has a statute under which residents of the  
4 State may apply for a license or permit to carry a  
5 concealed firearm; or

6 “(2) does not prohibit the carrying of concealed  
7 firearms by residents of the State for lawful pur-  
8 poses.

9 “(b) This section shall not be construed to supersede  
10 or limit the laws of any State that—

11 “(1) permit private persons or entities to pro-  
12 hibit or restrict the possession of concealed firearms  
13 on their property; or

14 “(2) prohibit or restrict the possession of fire-  
15 arms on any State or local government property, in-  
16 stallation, building, base, or park.

17 “(c)(1) A person who carries or possesses a concealed  
18 handgun in accordance with subsections (a) and (b) may  
19 not be arrested or otherwise detained for violation of any  
20 law or any rule or regulation of a State or any political  
21 subdivision thereof related to the possession, transpor-  
22 tation, or carrying of firearms unless there is probable  
23 cause to believe that the person is doing so in a manner  
24 not provided for by this section. Presentation of facially  
25 valid documents as specified in subsection (a) is prima

1 facie evidence that the individual has a license or permit  
2 as required by this section.

3 “(2) When a person asserts this section as a defense  
4 in a criminal proceeding, the prosecution shall bear the  
5 burden of proving, beyond a reasonable doubt, that the  
6 conduct of the person did not satisfy the conditions set  
7 forth in subsections (a) and (b).

8 “(3) When a person successfully asserts this section  
9 as a defense in a criminal proceeding, the court shall  
10 award the prevailing defendant a reasonable attorney’s  
11 fee.

12 “(d)(1) A person who is deprived of any right, privi-  
13 lege, or immunity secured by this section, under color of  
14 any statute, ordinance, regulation, custom, or usage of any  
15 State or any political subdivision thereof, may bring an  
16 action in any appropriate court against any other person,  
17 including a State or political subdivision thereof, who  
18 causes the person to be subject to the deprivation, for  
19 damages or other appropriate relief.

20 “(2) The court shall award a plaintiff prevailing in  
21 an action brought under paragraph (1) damages and such  
22 other relief as the court deems appropriate, including a  
23 reasonable attorney’s fee.

24 “(e) In subsection (a), the term ‘identification docu-  
25 ment’ means a document made or issued by or under the

1 authority of the United States Government, a State, or  
2 a political subdivision of a State which, when completed  
3 with information concerning a particular individual, is of  
4 a type intended or commonly accepted for the purpose of  
5 identification of individuals.”.

6 (b) CLERICAL AMENDMENT.—The table of sections  
7 for such chapter is amended by inserting after the item  
8 relating to section 926C the following:

“926D. Reciprocity for the carrying of certain concealed firearms.”.

9 (c) SEVERABILITY.—Notwithstanding any other pro-  
10 vision of this Act, if any provision of this section, or any  
11 amendment made by this section, or the application of  
12 such provision or amendment to any person or cir-  
13 cumstance is held to be unconstitutional, this section and  
14 amendments made by this section and the application of  
15 such provision or amendment to other persons or cir-  
16 cumstances shall not be affected thereby.

17 (d) EFFECTIVE DATE.—The amendments made by  
18 this section shall take effect 90 days after the date of the  
19 enactment of this Act.

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