

119TH CONGRESS
2D SESSION

S. 4339

To reform Federal firearms laws, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 16 (legislative day, APRIL 14), 2026

Mr. KAINE (for himself and Mr. WARNER) introduced the following bill; which
was read twice and referred to the Committee on the Judiciary

A BILL

To reform Federal firearms laws, and for other purposes.

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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Virginia Plan to Reduce Gun Violence Act of 2026”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—FIREARM SALES

Sec. 101. Firearms transfers.

Sec. 102. Handgun sales.

Sec. 103. Ghost guns.

Sec. 104. Assault weapons.

TITLE II—EXTREME RISK PROTECTION ORDERS

- Sec. 201. Definitions.
- Sec. 202. Extreme risk protection grant program.
- Sec. 203. National extreme risk protection order law.
- Sec. 204. Federal firearms prohibition.
- Sec. 205. Full faith and credit.

TITLE III—FIREARM SAFETY REQUIREMENTS

- Sec. 301. Reporting lost or stolen firearms.
- Sec. 302. Access to firearms by minors.
- Sec. 303. Prohibiting stalkers and individuals subject to court order from possessing a firearm.
- Sec. 304. Causing or enabling a child to gain possession of a firearm.

TITLE IV—DOMESTIC VIOLENCE RELINQUISHMENT

- Sec. 401. Definitions.
- Sec. 402. Domestic violence relinquishment grant program.
- Sec. 403. National domestic violence relinquishment.

TITLE V—OTHER FIREARMS MATTERS

- Sec. 501. Ban on firearms in institutions of higher education and areas surrounding mental health facilities.
- Sec. 502. Disqualification from possessing firearms for misdemeanor hate crimes.

1 **TITLE I—FIREARM SALES**

2 **SEC. 101. FIREARMS TRANSFERS.**

3 (a) OFFENSE.—Section 922 of title 18, United States
4 Code, is amended by adding at the end the following:

5 “(aa)(1)(A) It shall be unlawful for any person who
6 is not a licensed importer, licensed manufacturer, or li-
7 censed dealer to transfer a firearm to any other person
8 who is not so licensed, unless a licensed importer, licensed
9 manufacturer, or licensed dealer has first taken possession
10 of the firearm for the purpose of complying with sub-
11 section (t).

12 “(B) Upon taking possession of a firearm under sub-
13 paragraph (A), a licensee shall comply with all require-
14 ments of this chapter as if the licensee were transferring

1 the firearm from the inventory of the licensee to the unli-
2 censed transferee.

3 “(C) If a transfer of a firearm described in subpara-
4 graph (A) will not be completed for any reason after a
5 licensee takes possession of the firearm (including because
6 the transfer of the firearm to, or receipt of the firearm
7 by, the transferee would violate this chapter), the return
8 of the firearm to the transferor by the licensee shall not
9 constitute the transfer of a firearm for purposes of this
10 chapter.

11 “(2) Paragraph (1) shall not apply to—

12 “(A) a law enforcement agency or any law en-
13 forcement officer, armed private security profes-
14 sional, or member of the Armed Forces, to the ex-
15 tent the officer, professional, or member is acting
16 within the course and scope of employment and offi-
17 cial duties;

18 “(B) a transfer that is a loan or bona fide gift
19 between spouses, between domestic partners, be-
20 tween parents and their children, including step-par-
21 ents and their step-children, between siblings, be-
22 tween aunts or uncles and their nieces or nephews,
23 or between grandparents and their grandchildren;

24 “(C) a transfer to an executor, administrator,
25 trustee, or personal representative of an estate or a

1 trust that occurs by operation of law upon the death
2 of another person;

3 “(D) a temporary transfer that is necessary to
4 prevent imminent death or great bodily harm, if the
5 possession by the transferee lasts only as long as im-
6 mediately necessary to prevent the imminent death
7 or great bodily harm, including the harm of domestic
8 violence, dating partner violence, sexual assault,
9 stalking, and domestic abuse;

10 “(E) a transfer that is approved by the Attor-
11 ney General under section 5812 of the Internal Rev-
12 enue Code of 1986; or

13 “(F) a temporary transfer if the transferor has
14 no reason to believe that the transferee will use or
15 intends to use the firearm in a crime or is prohibited
16 from possessing firearms under State or Federal
17 law, and the transfer takes place and the trans-
18 feree’s possession of the firearm is exclusively—

19 “(i) at a shooting range or in a shooting
20 gallery or other area designated for the purpose
21 of target shooting;

22 “(ii) while reasonably necessary for the
23 purposes of hunting, trapping, or fishing, if the
24 transferor—

1 “(I) has no reason to believe that the
2 transferee intends to use the firearm in a
3 place where it is illegal; and

4 “(II) has reason to believe that the
5 transferee will comply with all licensing
6 and permit requirements for such hunting,
7 trapping, or fishing; or

8 “(iii) while in the presence of the trans-
9 feror.

10 “(3)(A) Notwithstanding any other provision of this
11 chapter, the Attorney General may implement this sub-
12 section with regulations.

13 “(B) Regulations promulgated under this paragraph
14 may not include any provision requiring licensees to facili-
15 tate transfers in accordance with paragraph (1).

16 “(C) Regulations promulgated under this paragraph
17 may not include any provision requiring persons not li-
18 censed under this chapter to keep records of background
19 checks or firearms transfers.

20 “(D) Regulations promulgated under this paragraph
21 may not include any provision placing a cap on the fee
22 licensees may charge to facilitate transfers in accordance
23 with paragraph (1).

24 “(4) It shall be unlawful for a licensed importer, li-
25 censed manufacturer, or licensed dealer to transfer posses-

1 sion of, or title to, a firearm to another person who is
 2 not so licensed unless the importer, manufacturer, or deal-
 3 er has provided such other person with a notice of the
 4 prohibition under paragraph (1), and such other person
 5 has certified that such other person has been provided
 6 with this notice on a form prescribed by the Attorney Gen-
 7 eral.”.

8 (b) EFFECTIVE DATE.—The amendment made by
 9 subsection (a) shall take effect 180 days after the date
 10 of enactment of this Act.

11 **SEC. 102. HANDGUN SALES.**

12 (a) LIMITATION ON MULTIPLE HANDGUN PUR-
 13 CHASES.—Section 922 of title 18, United States Code, as
 14 amended by section 101, is amended by adding at the end
 15 the following:

16 “(bb)(1) Except as provided in paragraph (2), it shall
 17 be unlawful for any person who is not a licensed importer,
 18 licensed manufacturer, or licensed dealer to purchase more
 19 than 1 handgun in a 30-day period.

20 “(2) Paragraph (1) shall not apply to—

21 “(A) an individual with a certificate issued by
 22 a law enforcement agency of the State in which the
 23 individual resides certifying the individual has
 24 passed an enhanced background check;

1 “(B) a law enforcement agency or law enforce-
 2 ment officer or member of the Armed Forces, to the
 3 extent the officer, professional, or member is acting
 4 within the course and scope of employment and offi-
 5 cial duties;

6 “(C) a State or local correctional facility;

7 “(D) a private security company licensed by the
 8 State or unit of local government in which the com-
 9 pany operates; or

10 “(E) the purchase of a handgun that is—

11 “(i) an antique firearm; or

12 “(ii) listed as a curio or relic by the Attor-
 13 ney General pursuant to section 921(a)(13) by
 14 a licensed collector.”.

15 (b) EFFECTIVE DATE.—The amendment made by
 16 subsection (a) shall take effect 180 days after the date
 17 of enactment of this Act.

18 **SEC. 103. GHOST GUNS.**

19 (a) IN GENERAL.—Section 922(p) of title 18, United
 20 States Code, is amended—

21 (1) by striking “(p)(1) It shall be unlawful”
 22 and all that follows through the end of paragraph
 23 (1) and inserting the following:

1 “(p)(1)(A) It shall be unlawful for any person to
2 manufacture, import, sell, ship, deliver, possess, transfer,
3 or receive any firearm that—

4 “(i) after removal of grips, stocks, and maga-
5 zines, is not as detectable as the Security Exemplar,
6 by walk-through metal detectors calibrated and oper-
7 ated to detect the Security Exemplar; or

8 “(ii) after removal of all parts other than a
9 major component, is not detectable as a firearm
10 when subjected to inspection by the types of detec-
11 tion devices, including X-ray machines, commonly
12 used at airports, government buildings, schools, cor-
13 rectional facilities, and other locations for security
14 screening.

15 “(B) It shall be unlawful for any person to—

16 “(i) knowingly possess a firearm or any com-
17 pleted or unfinished frame or receiver that is not im-
18 printed with a valid serial number; or

19 “(ii) knowingly import, purchase, sell, offer for
20 sale, or transfer ownership any completed or unfin-
21 ished frame or receiver, unless the completed or un-
22 finished frame or receiver—

23 “(I) is a firearm; and

24 “(II) is imprinted with a valid serial num-
25 ber.

1 “(C) It shall be unlawful for any person to manufac-
 2 ture or assemble, cause to be manufactured or assembled,
 3 import, purchase, sell, offer for sale, or transfer ownership
 4 of any firearm that is not imprinted with a valid serial
 5 number.”; and

6 (2) in paragraph (2), by striking subparagraph
 7 (C) and inserting the following:

8 “(C) the term ‘Security Exemplar’ means an
 9 object, to be fabricated at the direction of the Attor-
 10 ney General, that is suitable for testing and cali-
 11 brating metal detectors.”.

12 (b) APPLICABILITY.—The amendments made by sub-
 13 section (a) shall take effect 1 year after the date of enact-
 14 ment of this Act.

15 **SEC. 104. ASSAULT WEAPONS.**

16 (a) DEFINITION.—Section 921(a) of title 18, United
 17 States Code, is amended by adding at the end the fol-
 18 lowing:

19 “(39)(A) The term ‘assault weapon’ means each
 20 of the following:

21 “(i) A semi-automatic center-fire rifle or
 22 pistol with a fixed magazine capacity in excess
 23 of 15 rounds.

24 “(ii) A semi-automatic center-fire rifle that
 25 meets the following criteria:

1 “(I) Has the ability to accept a de-
2 tachable magazine, not including an at-
3 tached tubular device designed to accept
4 and capable of operating only with .22 cal-
5 iber rimfire ammunition.

6 “(II) Has 1 or more of the following
7 characteristics:

8 “(aa) A folding, telescoping, or
9 collapsible stock.

10 “(bb) A thumbhole stock or pistol
11 grip that protrudes conspicuously be-
12 neath the action of the rifle.

13 “(cc) A second handgrip or a
14 protruding grip that can be held by
15 the non-trigger hand.

16 “(dd) A grenade launcher.

17 “(ee) A threaded barrel capable
18 of accepting—

19 “(AA) a muzzle brake;

20 “(BB) a muzzle compen-
21 sator;

22 “(CC) a sound suppressor;
23 or

24 “(DD) a flash suppressor.

1 “(iii) A semi-automatic center-fire pistol
2 that has 2 or more of the following characteris-
3 tics:

4 “(I) A second handgrip or a pro-
5 truding grip that can be held by the non-
6 trigger hand.

7 “(II) The capacity to accept a maga-
8 zine that attaches to the pistol outside of
9 the pistol grip.

10 “(III) A shroud that is attached to, or
11 partially or completely encircles, the barrel
12 and that permits the shooter to hold the
13 pistol with the non-trigger hand without
14 being burned.

15 “(IV) A threaded barrel capable of ac-
16 cepting—

17 “(aa) a sound suppressor;

18 “(bb) a flash suppressor;

19 “(cc) a barrel extender; or

20 “(dd) a forward handgrip.

21 “(V) A buffer tube, arm brace, or
22 other part that protrudes horizontally be-
23 hind the pistol grip and is designed or re-
24 designed to allow or facilitate the firing of
25 a firearm from the shoulder.

1 “(iv) A semi-automatic shotgun that meets
2 the following criteria:

3 “(I) Expels single or multiple projec-
4 tiles by action of an explosion of a combus-
5 tible material.

6 “(II) Has 1 or more of the following
7 characteristics:

8 “(aa) A folding, telescoping, or
9 collapsible stock.

10 “(bb) The ability to accept a de-
11 tachable magazine.

12 “(cc) A fixed magazine capacity
13 in excess of 15 rounds.

14 “(dd) Any characteristic of like
15 kind, as enumerated in items (aa),
16 (bb), and (cc).

17 “(v) A shotgun with a revolving cylinder.

18 “(vi) A firearm that has the capacity to ac-
19 cept a belt ammunition feeding device.

20 “(vii) A firearm that has been modified to
21 be operable as a firearm as described in clauses
22 (i) through (vi).

23 “(B) The term ‘assault weapon’ does not in-
24 clude a firearm that—

25 “(i) is an antique firearm;

1 “(ii) has been rendered permanently inop-
 2 erable; or

3 “(iii) is manually operated by bolt, pump,
 4 lever, or slide action.”.

5 (b) PROHIBITION ON ASSAULT WEAPONS.—

6 (1) IN GENERAL.—Section 922 of title 18,
 7 United States Code, is amended—

8 (A) in subsection (a)(4), by inserting “as-
 9 sault weapon,” before “machinegun”; and

10 (B) in subsection (b)(4), by inserting “as-
 11 sault weapon,” before “machinegun”.

12 (2) ENHANCED PENALTIES FOR CRIMES OF VI-
 13 OLENCE AND DRUG TRAFFICKING CRIMES.—Section
 14 924 of title 18, United States Code, is amended—

15 (A) in subsection (c)(1), by striking “a
 16 machinegun or” each place it appears and in-
 17 serting “an assault weapon, a machinegun, or”;
 18 and

19 (B) in subsection (o), by striking “a ma-
 20 chinegun or” and inserting “an assault weapon,
 21 machinegun, or”.

22 (3) CARRYING OF CONCEALED FIREARMS BY
 23 RETIRED LAW ENFORCEMENT OFFICERS.—Section
 24 926C(e)(C) of title 18, United States Code, is
 25 amended—

1 (A) in clause (ii), by striking “and” at the
2 end;

3 (B) in clause (ii), by striking “and” at the
4 end; and

5 (C) by adding at the end the following:

6 “(iv) any assault weapon; and”.

7 (c) PROHIBITION ON POSSESSION OF ASSAULT
8 WEAPONS BY INDIVIDUALS UNDER 18.—

9 (1) IN GENERAL.—Section 922 of title 18,
10 United States Code, as amended by section 102 of
11 this Act, is amended by adding at the end the fol-
12 lowing:

13 “(cc) PROHIBITION ON POSSESSION OF ASSAULT
14 WEAPONS BY INDIVIDUALS UNDER 18.—

15 “(1) IN GENERAL.—Subject to paragraph (2),
16 it shall be unlawful for any individual who is less
17 than 18 years of age to possess an assault weapon.

18 “(2) EXCEPTIONS.—Paragraph (1) shall not
19 apply to—

20 “(A) any person while present in his or her
21 home or on the property of his or her parent,
22 grandparent, or legal guardian and possessing
23 the assault weapon with the consent of his or
24 her parent, grandparent, or legal guardian who
25 owns the assault weapon;

1 “(B) any person who, while accompanied
2 by an adult, is present at a lawful shooting
3 range or firearms educational class, provided
4 that the weapons are unloaded while being
5 transported;

6 “(C) any person who, while accompanied
7 by an adult, is actually engaged in lawful hunt-
8 ing;

9 “(D) any person while engaged in official
10 training or carrying out his or her duties as a
11 law enforcement officer or as a member of the
12 Armed Forces (including as a member of a re-
13 serve component);

14 “(E) any cadet who is participating in
15 training, competitive, or ceremonial activities as
16 a member of the Corps of Cadets or the Re-
17 serve Officers’ Training Corps at a public insti-
18 tution of higher education; or

19 “(F) any active duty law enforcement offi-
20 cer in the course of his or her duties, including
21 as part of training as a recruit at a law enforce-
22 ment academy.”.

23 (2) PENALTY.—Section 924 of title 18, United
24 States Code, is amended—

1 (A) in subsection (a)(1), by striking “or
2 (p)” and inserting “(p), or (q)”; and

3 (B) by adding at the end the following:

4 “(q) A person who violates section 922(cc) shall be
5 fined not more than \$2,500, imprisoned for not more than
6 1 year, or both.”.

7 (d) APPLICABILITY.—The amendments made by this
8 section shall take effect 1 year after the date of enactment
9 of this Act.

10 **TITLE II—EXTREME RISK** 11 **PROTECTION ORDERS**

12 **SEC. 201. DEFINITIONS.**

13 In this title:

14 (1) ELIGIBLE ENTITY.—The term “eligible enti-
15 ty” means—

16 (A) a State or Indian Tribe—

17 (i) that enacts legislation described in
18 section 203;

19 (ii) with respect to which the Attorney
20 General determines that the legislation de-
21 scribed in clause (i) complies with the re-
22 quirements of section 203; and

23 (iii) that certifies to the Attorney
24 General that the State or Indian Tribe
25 shall—

1 (I) use a grant under section 202
2 for the purposes described in section
3 202(b); and

4 (II) allocate not less than 25 per-
5 cent of the amount received under the
6 grant for training for law enforcement
7 officers; or

8 (B) a unit of local government or other
9 public or private entity that—

10 (i) is located in a State or in the terri-
11 tory under the jurisdiction of an Indian
12 Tribe that meets the requirements de-
13 scribed in clauses (i) and (ii) of subpara-
14 graph (A); and

15 (ii) certifies to the Attorney General
16 that the unit of local government or entity
17 shall—

18 (I) use a grant under section 202
19 for the purposes described in section
20 202(b); and

21 (II) allocate not less than 25 per-
22 cent of the amount received under the
23 grant for training for law enforcement
24 officers.

1 (2) EXTREME RISK PROTECTION ORDER.—The
2 term “extreme risk protection order” means a writ-
3 ten order or warrant, issued by a State or Tribal
4 court or signed by a magistrate (or other com-
5 parable judicial officer), the primary purpose of
6 which is to reduce the risk of firearm-related death
7 or injury by doing 1 or more of the following:

8 (A) Prohibiting a named individual from
9 having under the custody or control of the indi-
10 vidual, owning, purchasing, possessing, or re-
11 ceiving a firearm.

12 (B) Having a firearm removed or requiring
13 the surrender of firearms from a named indi-
14 vidual.

15 (3) FIREARM.—The term “firearm” has the
16 meaning given the term in section 921 of title 18,
17 United States Code.

18 (4) INDIAN TRIBE.—The term “Indian Tribe”
19 has the meaning given the term “Indian tribe” in
20 section 1709 of the Omnibus Crime Control and
21 Safe Streets Act of 1968 (34 U.S.C. 10389).

22 (5) LAW ENFORCEMENT OFFICER.—The term
23 “law enforcement officer” means a public servant
24 authorized by State, local, or Tribal law or by a
25 State, local, or Tribal government agency to—

1 (A) engage in or supervise the prevention,
 2 detection, investigation, or prosecution of an of-
 3 fense; or

4 (B) supervise sentenced criminal offenders.

5 (6) PETITIONER.—The term “petitioner”
 6 means an individual authorized under State or Trib-
 7 al law to petition for an extreme risk protection
 8 order.

9 (7) STATE.—The term “State” means—

10 (A) a State;

11 (B) the District of Columbia;

12 (C) the Commonwealth of Puerto Rico;

13 and

14 (D) any other territory or possession of the
 15 United States.

16 (8) UNIT OF LOCAL GOVERNMENT.—The term
 17 “unit of local government” has the meaning given
 18 the term in section 901 of title I of the Omnibus
 19 Crime Control and Safe Streets Act of 1968 (34
 20 U.S.C. 10251).

21 **SEC. 202. EXTREME RISK PROTECTION GRANT PROGRAM.**

22 (a) IN GENERAL.—The Director of the Office of
 23 Community Oriented Policing Services of the Department
 24 of Justice shall establish a program under which, from
 25 amounts made available to carry out this section, the Di-

1 rector may make grants to eligible entities to assist in car-
2 rying out the provisions of the legislation described in sec-
3 tion 203.

4 (b) USE OF FUNDS.—Funds awarded under this sec-
5 tion may be used by an applicant to—

6 (1) enhance the capacity of law enforcement
7 agencies and the courts of a State, unit of local gov-
8 ernment, or Indian Tribe by providing personnel,
9 training, technical assistance, data collection, and
10 other resources to carry out legislation described in
11 section 203;

12 (2) train judges, court personnel, and law en-
13 forcement officers to more accurately identify indi-
14 viduals whose access to firearms poses a danger of
15 causing harm to themselves or others by increasing
16 the risk of firearms suicide or interpersonal violence;

17 (3) develop and implement law enforcement and
18 court protocols, forms, and orders so that law en-
19 forcement agencies and the courts may carry out the
20 provisions of the legislation described in section 203
21 in a safe and effective manner, including through
22 the removal and storage of firearms pursuant to ex-
23 treme risk protection orders under the legislation;
24 and

1 (4) raise public awareness and understanding of
2 the legislation described in section 203 so that ex-
3 treme risk protection orders may be issued in appro-
4 priate situations to reduce the risk of firearms-re-
5 lated death and injury.

6 (c) APPLICATION.—An eligible entity desiring a grant
7 under this section shall submit to the Attorney General
8 an application at such time, in such manner, and con-
9 taining or accompanied by such information as the Attor-
10 ney General may reasonably require.

11 (d) INCENTIVES.—For each of fiscal years 2024
12 through 2028, the Attorney General shall give affirmative
13 preference in awarding any discretionary grant awarded
14 by the Bureau of Justice Assistance to a State or Indian
15 Tribe that has enacted legislation described in section 203.

16 (e) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated such sums as are nec-
18 essary to carry out this section.

19 **SEC. 203. NATIONAL EXTREME RISK PROTECTION ORDER**
20 **LAW.**

21 (a) REQUIREMENTS.—Legislation described in this
22 section is legislation that establishes requirements that are
23 substantially similar to the following:

24 (1) APPLICATION FOR EXTREME RISK PROTEC-
25 TION ORDER.—A petitioner, including a law enforce-

ment officer, may submit an application to a State or Tribal court, on a form designed by the court or a State or Tribal agency, that—

(A) describes the facts and circumstances justifying that an extreme risk protection order be issued against the named individual; and

(B) is signed by the applicant, under oath.

(2) NOTICE.—The individual named in an application for an extreme risk protection order as described in paragraph (1) shall be given—

(A) written notice of the application;

(B) an opportunity to be heard on the matter in accordance with this section; and

(C) an opportunity to voluntarily surrender any firearm in the possession of the individual.

(3) ISSUANCE OF EXTREME RISK PROTECTION ORDERS.—

(A) HEARING.—

(i) IN GENERAL.—Upon receipt of an application described in paragraph (1), or request of an individual named in such application, the court shall order a hearing to be held not later than 30 days after the date of such application or request.

1 (ii) DETERMINATION.—After a hear-
2 ing described in clause (i), if the court
3 finds by a preponderance of the evidence
4 that the respondent poses a danger of
5 causing harm to himself or herself or to
6 another individual by having access to a
7 firearm, the court may issue an extreme
8 risk protection order.

9 (B) LENGTH OF EXTREME RISK PROTEC-
10 TION ORDER.—An extreme risk protection order
11 shall be in effect until—

12 (i) an order is entered terminating or
13 superseding the extreme risk protection
14 order; or

15 (ii) the date, if any, specified in the
16 extreme risk protection order.

17 (C) RETURN OF FIREARMS.—After a hear-
18 ing conducted under this paragraph, if the
19 Court finds that the respondent does not pose
20 a substantial risk of personal injury to himself
21 or herself or to another individual by having ac-
22 cess to a firearm, the court shall order that
23 each firearm surrendered, transferred, or re-
24 moved under paragraph (5) shall be returned to
25 the respondent.

1 (4) EX PARTE EXTREME RISK PROTECTION OR-
2 DERS.—

3 (A) IN GENERAL.—Upon receipt of an ap-
4 plication described in paragraph (1), the court
5 may issue an ex parte extreme risk protection
6 order before conducting the hearing required
7 under paragraph (3), if—

8 (i) the application for an extreme risk
9 protection order alleges that the respond-
10 ent poses a danger of causing harm to
11 himself, herself, or others in the near fu-
12 ture by having access to a firearm; and

13 (ii) the court finds there is reasonable
14 cause to believe that the respondent poses
15 a danger of causing harm to himself, her-
16 self, or others in the near future by having
17 access to a firearm.

18 (B) LENGTH OF EX PARTE EXTREME RISK
19 PROTECTION ORDER.—An ex parte extreme risk
20 protection order shall be in effect for a period
21 not to exceed 30 days, unless continued for
22 good cause.

23 (5) SURRENDER AND REMOVAL OF FIRE-
24 ARMS.—

1 (A) IN GENERAL.—Upon receipt of notice
2 under paragraph (1), the individual who is the
3 subject of an extreme risk protection order ap-
4 plication shall surrender to a law enforcement
5 agency, or transfer to a third party, all firearms
6 in the possession of the individual.

7 (B) REMOVAL.—If an individual described
8 in subparagraph (A) does not surrender or
9 transfer all firearms in the possession of the in-
10 dividual, the firearms shall be removed by a law
11 enforcement officer with appropriate jurisdic-
12 tion.

13 (6) STORAGE OF REMOVED FIREARMS.—All
14 firearms removed by, or surrendered to, a law en-
15 forcement officer under paragraph (5) shall be re-
16 tained by the law enforcement officer or appropriate
17 law enforcement agency until the named individual
18 regains his or her eligibility to possess firearms, ex-
19 cept that the legislation may authorize a law en-
20 forcement agency to—

21 (A) contract with a manufacturer, dealer,
22 or importer licensed under chapter 44 of title
23 18, United States Code, for the secure storage
24 of firearms; and

1 (B) transfer the firearm upon proof that
2 the named individual will no longer have access
3 to the firearm.

4 (7) NOTIFICATION.—

5 (A) IN GENERAL.—A State or tribal court
6 that issues an extreme risk protection order
7 shall notify the Department of Justice or the
8 comparable State or Tribal agency, as applica-
9 ble, of the order as soon as practicable. Such
10 notice shall be submitted in an electronic for-
11 mat, in a manner prescribed by the Department
12 of Justice or the comparable State or Tribal
13 agency.

14 (B) UPDATE OF DATABASES.—As soon as
15 practicable after receiving a notification under
16 subparagraph (A), the Department of Justice
17 or the comparable State or Tribal agency shall
18 ensure the extreme risk protection order is re-
19 flected in the National Instant Criminal Back-
20 ground Check System.

21 (8) CONFIDENTIALITY PROTECTIONS.—All per-
22 sonally identifiable information provided to the
23 court, the Department of Justice, and comparable
24 State or Tribal agencies shall be kept confidential,

1 as required by the laws of the jurisdiction, except as
2 necessary to carry out the legislation.

3 (9) MINORS.—If an extreme risk protection
4 order is issued with respect to an individual who is
5 less than 18 years of age, a copy of the extreme risk
6 protection order shall be served on the parent or
7 guardian of such individual at any address where
8 such individual resides, or the local board of social
9 services in the case where such individual is the sub-
10 ject of a dependency or court-approved out-of-home
11 placement.

12 (b) ADDITIONAL AUTHORITIES.—Legislation de-
13 scribed in this section may—

14 (1) provide procedures for the termination of an
15 extreme risk protection order;

16 (2) provide procedures for the renewal of an ex-
17 treme risk protection order;

18 (3) establish burdens of proof for issuance of
19 orders described in paragraphs (3) and (4) of sub-
20 section (a) that are higher than the burdens of proof
21 required under those paragraphs;

22 (4) limit the individuals who may submit an ap-
23 plication described in subsection (a)(1), provided
24 that, at a minimum, law enforcement officers are
25 authorized to do so; and

1 (5) include other authorizations or requirements
 2 that the State or Indian Tribe determines appro-
 3 priate.

4 **SEC. 204. FEDERAL FIREARMS PROHIBITION.**

5 (a) IN GENERAL.—Section 922 of title 18, United
 6 States Code, is amended—

7 (1) in subsection (d)—

8 (A) in paragraph (10), by striking “or” at
 9 the end;

10 (B) by redesignating paragraph (11) as
 11 paragraph (12);

12 (C) by inserting after paragraph (10) the
 13 following:

14 “(11) is subject to a court order that prohibits
 15 such person from having under his or her custody or
 16 control, owning, purchasing, possessing, or receiving
 17 any firearms, or requires the surrender or removal
 18 of firearms from the person, provided that the
 19 order—

20 “(A) is issued in a manner consistent with
 21 the due process rights of the person; and

22 “(B) is based on a finding that the person
 23 poses a danger of causing harm to himself, her-
 24 self, or others by having access to a firearm;
 25 or”; and

1 (D) in paragraph (12), as so redesignated,
 2 by striking “through (10)” and inserting
 3 “through (11)”; and
 4 (2) in subsection (g)—

5 (A) in paragraph (8)(C)(ii), by striking
 6 “or” at the end;

7 (B) in paragraph (9), by striking the
 8 comma at the end and inserting “; or”; and

9 (C) by inserting after paragraph (9) the
 10 following:

11 “(10) is subject to a court order that prohibits
 12 such person from having under his or her custody or
 13 control, owning, purchasing, possessing, or receiving
 14 any firearms, or requires the surrender or removal
 15 of firearms from the person, provided that the
 16 order—

17 “(A) is issued in a manner consistent with
 18 the due process rights of the person; and

19 “(B) is based on a finding that the person
 20 poses a danger of causing harm to himself, her-
 21 self, or others by having access to a firearm,”.

22 (b) CONFORMING AMENDMENT.—Section 3(1) of the
 23 NICS Improvement Amendments Act of 2007 (34 U.S.C.
 24 40903(1)) is amended by striking “section 922(g)(8)” and
 25 inserting “paragraph (8) or (12) of section 922(g)”.

1 **SEC. 205. FULL FAITH AND CREDIT.**

2 Any extreme risk protection order issued under a
 3 State or Tribal law enacted in accordance with this title
 4 shall be accorded the same full faith and credit by the
 5 court of another State or Indian Tribe (in this section re-
 6 ferred to as the “enforcing State or Indian Tribe”) and
 7 enforced by the court and law enforcement personnel of
 8 the other State or Tribal government as if it were the
 9 order of the enforcing State or Tribe.

10 **TITLE III—FIREARM SAFETY**
 11 **REQUIREMENTS**

12 **SEC. 301. REPORTING LOST OR STOLEN FIREARMS.**

13 (a) OFFENSE.—

14 (1) IN GENERAL.—Section 922 of title 18,
 15 United States Code, as amended by section 104 of
 16 this Act, is amended by adding at the end the fol-
 17 lowing:

18 “(dd)(1) It shall be unlawful for a person to fail to
 19 provide notice to an appropriate State or local law enforce-
 20 ment agency of a firearm of the individual which has been
 21 shipped or transported in interstate or foreign commerce,
 22 other than an antique firearm, that was lost or stolen
 23 within 48 hours after the person discovers the loss or theft
 24 or is informed by another person with knowledge of the
 25 loss or theft.

1 “(2) Except as provided in paragraph (3), a person
 2 who, in good faith, reports the loss or theft of a firearm
 3 under this subsection shall not be liable for any acts or
 4 omissions that result from the theft or loss of the firearm.

5 “(3) Paragraph (2) shall not apply to any person
 6 who—

7 “(A) knowingly reports a false loss or theft
 8 under this subsection; or

9 “(B) stored the firearm in a reckless or neg-
 10 ligent manner under this subsection.”.

11 (2) PENALTY.—Section 924 of title 18, United
 12 States Code, as amended by section 104 of this Act,
 13 is amended—

14 (A) in subsection (a)(1), by striking “or
 15 (q)” and inserting “(q), or (r)”; and

16 (B) by adding at the end the following:

17 “(r) A person who violates section 922(dd) shall be
 18 subject to a civil penalty of not more than \$250.”.

19 (b) EFFECTIVE DATE.—The amendments made by
 20 subsection (a) shall take effect 180 days after the date
 21 of enactment of this Act.

22 (c) REPORTING.—

23 (1) IN GENERAL.—Each State and local law en-
 24 forcement agency shall report to the National Crime
 25 Information Center any lost or stolen firearm that is

1 reported to the agency under section 922(dd) of title
 2 18, United States Code, as amended by subsection
 3 (a).

4 (2) USE OF FUNDS REQUIREMENTS.—Section
 5 502(a) of title I of the Omnibus Crime Control and
 6 Safe Streets Act of 1968 (34 U.S.C. 10153(a)) is
 7 amended by adding at the end the following:

8 “(7) An assurance that, for each fiscal year
 9 covered by an application, the applicant will use not
 10 less than 5 percent of the total amount of the grant
 11 award for the fiscal year to study and implement ef-
 12 fective management and collection of data relating to
 13 lost or stolen firearms reported to the a law enforce-
 14 ment agency of the applicant under section 922(dd)
 15 of title 18, United States Code, unless the applicant
 16 has ensured, and the Attorney General has certified,
 17 that the applicant and each local law enforcement
 18 agency of the applicant is in substantial compliance
 19 with the reporting requirement in section 301(c)(1)
 20 of the Virginia Plan to Reduce Gun Violence Act of
 21 2026.”.

22 **SEC. 302. ACCESS TO FIREARMS BY MINORS.**

23 (a) OFFENSE.—Section 922(z) of title 18, United
 24 States Code, is amended by adding at the end the fol-
 25 lowing:

1 “(4) MINORS.—

2 “(A) IN GENERAL.—It shall be unlawful
3 for a person to recklessly leave a loaded and un-
4 secured firearm, which has moved in, or that
5 has otherwise affected, interstate or foreign
6 commerce, in such a manner as to endanger the
7 life or limb of any other person who is under
8 18 years of age.

9 “(B) EXCEPTIONS.—Subparagraph (A)
10 shall not apply to a person if the person—

11 “(i) keeps the firearm—

12 “(I) secure using a secure gun
13 storage or safety device; or

14 “(II) in a location which a rea-
15 sonable person would believe to be se-
16 cure; or

17 “(ii) carries the firearm on his or her
18 person or within such close proximity
19 thereto that the person can readily retrieve
20 and use the firearm as if the person car-
21 ried the firearm on his or her person.”.

22 (b) PENALTY.—Section 924 of title 18, United States
23 Code, as amended by section 301, is amended—

24 (1) in subsection (a)(1), by striking “or (r)”
25 and inserting “(r), or (s)”; and

1 (2) by adding at the end the following:

2 “(s) A person who violates section 922(z)(4) shall be
3 imprisoned for not more than 1 year, fined not more than
4 \$2,500, or both.”.

5 (c) EFFECTIVE DATE.—The amendment made by
6 subsection (a) shall take effect 180 days after the date
7 of enactment of this Act.

8 **SEC. 303. PROHIBITING STALKERS AND INDIVIDUALS SUB-**
9 **JECT TO COURT ORDER FROM POSSESSING A**
10 **FIREARM.**

11 (a) IN GENERAL.—Section 922 of title 18, United
12 States Code, as amended by section 204 of this Act, is
13 amended—

14 (1) in subsection (d)—

15 (A) in paragraph (8), by striking “that re-
16 strains such person” and all that follows, and
17 inserting “described in subsection (g)(8);”;

18 (B) in paragraph (11)(B), by striking “or”
19 at the end;

20 (C) by redesignating paragraph (12) as
21 paragraph (13);

22 (D) by inserting after paragraph (11) the
23 following:

24 “(12) has been convicted in any court of a mis-
25 demeanor crime of stalking; or”; and

1 (E) in paragraph (13), as so redesignated,
2 by striking “through (11)” and inserting
3 “through (12)”; and
4 (2) in subsection (g)—

5 (A) by amending paragraph (8) to read as
6 follows:

7 “(8) who is subject to a court order—

8 “(A) that was issued—

9 “(i) after a hearing of which such per-
10 son received actual notice, and at which
11 such person had an opportunity to partici-
12 pate; or

13 “(ii) in the case of an ex parte order,
14 relative to which notice and opportunity to
15 be heard are provided—

16 “(I) within the time required by
17 State, tribal, or territorial law; and

18 “(II) in any event within a rea-
19 sonable time after the order is issued,
20 sufficient to protect the due process
21 rights of the person;

22 “(B) that restrains such person from—

23 “(i) harassing, stalking, or threat-
24 ening an intimate partner of such person
25 or child of such intimate partner or person,

1 or engaging in other conduct that would
2 place an intimate partner in reasonable
3 fear of bodily injury to the partner or
4 child; or

5 “(ii) intimidating or dissuading a wit-
6 ness from testifying in court; and

7 “(C) that—

8 “(i) includes a finding that such per-
9 son represents a credible threat to the
10 physical safety of such individual described
11 in subparagraph (B); or

12 “(ii) by its terms explicitly prohibits
13 the use, attempted use, or threatened use
14 of physical force against such individual
15 described in subparagraph (B) that would
16 reasonably be expected to cause bodily in-
17 jury;”;

18 (B) in paragraph (9), by striking “or” at
19 the end;

20 (C) in paragraph (10), by striking the
21 comma at the end and inserting “; or”; and

22 (D) by inserting after paragraph (10) the
23 following:

24 “(11) who has been convicted in any court of
25 a misdemeanor crime of stalking,”.

1 (b) DEFINITION.—Section 921(a) of title 18, United
2 States Code, is amended—

3 (1) by redesignating paragraphs (34) and (35)
4 as paragraphs (35) and (36) respectively; and

5 (2) by inserting after paragraph (33) the fol-
6 lowing:

7 “(34)(A) The term ‘misdemeanor crime of
8 stalking’ means an offense that—

9 “(i) is a misdemeanor crime of stalking
10 under Federal, State, Tribal, or municipal law;
11 and

12 “(ii) is a course of harassment, intimidat-
13 ion, or surveillance of another person that—

14 “(I) places that person in reasonable
15 fear of material harm to the health or safe-
16 ty of—

17 “(aa) that person;

18 “(bb) an immediate family mem-
19 ber (as defined in section 115) of that
20 person;

21 “(cc) a household member of that
22 person; or

23 “(dd) a spouse or intimate part-
24 ner of that person; or

1 “(II) causes, attempts to cause, or
 2 would reasonably be expected to cause
 3 emotional distress to a person described in
 4 item (aa), (bb), (cc), or (dd) of subclause
 5 (I).

6 “(B) A person shall not be considered to have
 7 been convicted of such an offense for purposes of
 8 this chapter, unless—

9 “(i) the person was represented by counsel
 10 in the case, or knowingly and intelligently
 11 waived the right to counsel in the case; and

12 “(ii) in the case of a prosecution for an of-
 13 fense described in this paragraph for which a
 14 person was entitled to a jury trial in the juris-
 15 diction in which the case was tried, either—

16 “(I) the case was tried by a jury; or

17 “(II) the person knowingly and intel-
 18 ligently waived the right to have the case
 19 tried by a jury, by guilty plea or otherwise.

20 “(C) A person shall not be considered to have
 21 been convicted of such an offense for purposes of
 22 this chapter if the conviction has been expunged or
 23 set aside, or is an offense for which the person has
 24 been pardoned or has had civil rights restored (if the
 25 law of the applicable jurisdiction provides for the

1 loss of civil rights under such an offense) unless the
 2 pardon, expungement, or restoration of civil rights
 3 expressly provides that the person may not ship,
 4 transport, possess, or receive firearms.”.

5 **SEC. 304. CAUSING OR ENABLING A CHILD TO GAIN POS-**
 6 **SESSION OF A FIREARM.**

7 (a) IN GENERAL.—Section 922 of title 18, United
 8 States Code, as amended by section 301 of this Act, is
 9 amended by adding at the end the following:

10 “(ee)(1) In this subsection—

11 “(A) the term ‘covered caregiver’ means a par-
 12 ent, a guardian, or another person who is not less
 13 than 18 years of age who is responsible for the care
 14 of a child under 18 years of age; and

15 “(B) the term ‘violent felony’ has the meaning
 16 given that term in section 924(e)(2).

17 “(2) It shall be unlawful for a covered caregiver to,
 18 through a willful act or a willful failure to act, cause or
 19 enable a child in the care of the covered caregiver who
 20 is under 18 years of age to gain possession of a firearm—

21 “(A) after having received notice from a child
 22 welfare (or other comparable) agency, from a mental
 23 health provider for the child, or from an educational
 24 institution attended by the child that the child poses

1 a risk of violence or physical harm to himself or her-
2 self or to others; or

3 “(B) after the covered caregiver knows or rea-
4 sonably should know that—

5 “(i) the child has charges pending for or
6 has been convicted or adjudicated delinquent of
7 a violent felony; or

8 “(ii) the child has been determined by a
9 State, local, Tribal, or Federal court to pose a
10 risk of physical harm to himself or herself or to
11 others.

12 “(3)(A) A covered caregiver shall not be in violation
13 of paragraph (2)(A) if, at the time of the applicable act
14 or failure to act, the covered caregiver has received notice
15 from a provider or entity listed in such paragraph that
16 the child no longer poses a risk of violence or physical
17 harm to himself or herself or to others.

18 “(B) A covered caregiver shall not be in violation of
19 paragraph (2)(B) if, at the time of the applicable act or
20 failure to act, the covered caregiver has received notice
21 that any pending charge for a violent felony has been dis-
22 missed or a nolle prosequi has been entered.

23 “(4) It is an affirmative defense to prosecution for
24 a violation of paragraph (2) that the covered caregiver en-
25 abled a child to gain possession of a firearm while in a

1 dwelling because of a reasonable belief that the covered
 2 caregiver or the child was in imminent danger of bodily
 3 injury.”.

4 (b) PENALTY.—Section 924 of title 18, United States
 5 Code, as amended by section 302, is amended—

6 (1) in subsection (a)(1), by striking “or (s)”
 7 and inserting “(s), or (t)”; and

8 (2) by adding at the end the following:

9 “(t) A person who violates section 922(ee) shall be
 10 fined under this title, imprisoned for not more than 10
 11 years, or both.”.

12 **TITLE IV—DOMESTIC VIOLENCE**

13 **RELINQUISHMENT**

14 **SEC. 401. DEFINITIONS.**

15 In this title:

16 (1) ELIGIBLE ENTITY.—The term “eligible enti-
 17 ty” means—

18 (A) a State or Indian Tribe—

19 (i) that enacts legislation described in
 20 section 403;

21 (ii) with respect to which the Attorney
 22 General determines that the legislation de-
 23 scribed in clause (i) complies with the re-
 24 quirements of section 403; and

1 (iii) that certifies to the Attorney
2 General that the State or Indian Tribe
3 shall—

4 (I) use a grant under section 402
5 for the purposes described in section
6 402(b); and

7 (II) allocate not less than 25 per-
8 cent of the amount received under the
9 grant for training for law enforcement
10 officers; or

11 (B) a unit of local government or other
12 public or private entity that—

13 (i) is located in a State or in the terri-
14 tory under the jurisdiction of an Indian
15 Tribe that meets the requirements de-
16 scribed in clauses (i) and (ii) of subpara-
17 graph (A); and

18 (ii) certifies to the Attorney General
19 that the unit of local government or entity
20 shall—

21 (I) use a grant under section 402
22 for the purposes described in section
23 402(b); and

24 (II) allocate not less than 25 per-
25 cent of the amount received under the

1 grant for training for law enforcement
2 officers.

3 (2) FIREARM.—The term “firearm” has the
4 meaning given the term in section 921 of title 18,
5 United States Code.

6 (3) INDIAN TRIBE.—The term “Indian Tribe”
7 has the meaning given the term “Indian tribe” in
8 section 1709 of the Omnibus Crime Control and
9 Safe Streets Act of 1968 (34 U.S.C. 10389).

10 (4) LAW ENFORCEMENT OFFICER.—The term
11 “law enforcement officer” means a public servant
12 authorized by State, local, or Tribal law or by a
13 State, local, or Tribal government agency to—

14 (A) engage in or supervise the prevention,
15 detection, investigation, or prosecution of an of-
16 fense; or

17 (B) supervise sentenced criminal offenders.

18 (5) NONPROHIBITED PERSON.—The term “non-
19 prohibited person” means a person who—

20 (A) is not otherwise prohibited by law from
21 possessing a firearm;

22 (B) is not less than 21 years of age; and

23 (C) does not reside with the applicable pro-
24 hibited person.

1 (6) PROHIBITED PERSON.—The term “prohib-
 2 ited person” means any person prohibited from pos-
 3 sessing a firearm under paragraph (8) or (9) of sec-
 4 tion 922(g) of title 18, United States Code.

5 (7) QUALIFYING ORDER.—The term “qualifying
 6 order” means an order which triggers the prohibi-
 7 tion on possession of a firearm possession under
 8 paragraph (8) or (9) of section 922(g) of title 18,
 9 United States Code.

10 (8) STATE.—The term “State” means—

11 (A) a State;

12 (B) the District of Columbia;

13 (C) the Commonwealth of Puerto Rico;

14 and

15 (D) any other territory or possession of the
 16 United States.

17 (9) UNIT OF LOCAL GOVERNMENT.—The term
 18 “unit of local government” has the meaning given
 19 the term in section 901 of title I of the Omnibus
 20 Crime Control and Safe Streets Act of 1968 (34
 21 U.S.C. 10251).

22 **SEC. 402. DOMESTIC VIOLENCE RELINQUISHMENT GRANT**
 23 **PROGRAM.**

24 (a) IN GENERAL.—The Director of the Office of
 25 Community Oriented Policing Services of the Department

1 of Justice shall establish a program under which, from
2 amounts made available to carry out this section, the Di-
3 rector may make grants to eligible entities to assist in car-
4 rying out the provisions of the legislation described in sec-
5 tion 403.

6 (b) USE OF FUNDS.—Funds awarded under this sec-
7 tion may be used by an applicant to—

8 (1) enhance the capacity of law enforcement
9 agencies and courts of a State, unit of local govern-
10 ment, or Indian Tribe by providing personnel, train-
11 ing, technical assistance, data collection, and other
12 resources to carry out legislation described in section
13 403; and

14 (2) develop and implement law enforcement and
15 court protocols, forms, and orders so that law en-
16 forcement agencies and courts may carry out the
17 provisions of the legislation described in section 403
18 in a safe and effective manner, including through
19 the removal and storage of firearms pursuant to re-
20 linquishment under that legislation.

21 (c) APPLICATION.—An eligible entity desiring a grant
22 under this section shall submit to the Attorney General
23 an application at such time, in such manner, and con-
24 taining or accompanied by such information as the Attor-
25 ney General may reasonably require.

1 (d) INCENTIVES.—For each of fiscal years 2026
 2 through 2030, the Attorney General shall give affirmative
 3 preference in awarding any discretionary grant awarded
 4 by the Bureau of Justice Assistance to a State or Indian
 5 Tribe that has enacted legislation described in section 403.

6 (e) AUTHORIZATION OF APPROPRIATIONS.—There
 7 are authorized to be appropriated such sums as are nec-
 8 essary to carry out this section.

9 **SEC. 403. NATIONAL DOMESTIC VIOLENCE RELINQUISH-**
 10 **MENT.**

11 (a) REQUIREMENTS.—Legislation described in this
 12 section is legislation that establishes requirements that are
 13 substantially similar to the following:

14 (1) INDIVIDUALS COVERED.—An individual is
 15 covered by the legislation if the individual—

16 (A) is a prohibited person; and

17 (B) is in possession of a firearm at the
 18 time the applicable qualifying order is issued.

19 (2) SURRENDER AND REMOVAL OF FIRE-
 20 ARMS.—

21 (A) IN GENERAL.—Upon issuance of a
 22 qualifying order, the prohibited person shall
 23 surrender to a law enforcement agency, or
 24 transfer to a nonprohibited person, all firearms
 25 in the possession of the individual.

1 (B) REMOVAL.—If an individual described
2 in subparagraph (A) does not surrender or
3 transfer all firearms in the possession of the in-
4 dividual, the firearms shall be removed by a law
5 enforcement officer with appropriate jurisdic-
6 tion.

7 (C) CONFIRMATION.—The entity issuing
8 the qualifying order and applicable law enforce-
9 ment agencies shall establish a process to con-
10 firm that all firearms in the possession of an in-
11 dividual described in subparagraph (A) are sur-
12 rendered or transferred in accordance with sub-
13 paragraph (A) or removed in accordance with
14 subparagraph (B).

15 (3) STORAGE OF REMOVED FIREARMS.—All
16 firearms surrendered to or removed by a law en-
17 forcement officer under paragraph (2) shall be re-
18 tained by the law enforcement officer or appropriate
19 law enforcement agency until the applicable prohib-
20 ited person regains his or her eligibility to possess
21 firearms, except that the legislation may authorize a
22 law enforcement agency to—

23 (A) contract with a manufacturer, dealer,
24 or importer licensed under chapter 44 of title

1 18, United States Code, for the secure storage
2 of firearms; and

3 (B) transfer the firearm to a nonprohibited
4 person upon proof that the applicable prohibited
5 person will no longer have access to the firearm.

6 (4) CONFIDENTIALITY PROTECTIONS.—All per-
7 sonally identifiable information provided to the
8 court, the Department of Justice, and comparable
9 State or Tribal agencies to carry out the legislation
10 shall be kept confidential, as required by the laws of
11 the jurisdiction, except as necessary to carry out the
12 legislation.

13 (b) ADDITIONAL AUTHORITIES.—Legislation de-
14 scribed in this section may include other authorizations
15 or requirements that the applicable State or Indian Tribe
16 determines appropriate.

17 **TITLE V—OTHER FIREARMS** 18 **MATTERS**

19 **SEC. 501. BAN ON FIREARMS IN INSTITUTIONS OF HIGHER** 20 **EDUCATION AND AREAS SURROUNDING MEN-** 21 **TAL HEALTH FACILITIES.**

22 (a) DEFINITIONS.—Section 921(a) of title 18, United
23 States Code, as amended by section 104 of this Act, is
24 amended by adding at the end the following:

1 “(40) The term ‘institution of higher education’
 2 has the meaning given that term in section 101 of
 3 the Higher Education Act of 1965 (20 U.S.C.
 4 1001).

5 “(41) The term ‘mental healthcare facility’
 6 means a hospital that provides mental health serv-
 7 ices or s mental health facility, including any hos-
 8 pital that provides mental health services or develop-
 9 mental services, including an emergency department
 10 or other facility rendering emergency medical care.

11 “(42) The term ‘mental healthcare facility zone’
 12 means—

13 “(A) in, or on the grounds of, a mental
 14 healthcare facility; and

15 “(B) within a distance of 1,000 feet of a
 16 mental healthcare facility.”.

17 (b) PROHIBITION.—Section 924 of title 18, United
 18 States Code, as amended by section 304 of this Act, is
 19 amended by adding at the end the following:

20 “(ff)(1) It shall be unlawful for any individual know-
 21 ingly to possess a firearm that has moved in or that other-
 22 wise affects interstate or foreign commerce at a place that
 23 the individual knows, or has reasonable cause to believe,
 24 is—

1 “(A) in, or on the grounds of, an institution of
2 higher education; or

3 “(B) in a mental healthcare facility zone.

4 “(2) Paragraph (1) does not apply to the possession
5 of a firearm—

6 “(A) on private property not part of an institu-
7 tion of higher education or mental healthcare facil-
8 ity, or the grounds of the institution or facility;

9 “(B) if the individual possessing the firearm is
10 licensed to do so by the State in which the institu-
11 tion of higher education or mental healthcare facility
12 zone is located or a political subdivision of the State,
13 and the law of the State or political subdivision re-
14 quires that, before an individual obtains such a li-
15 cense, the law enforcement authorities of the State
16 or political subdivision verify that the individual is
17 qualified under law to receive the license;

18 “(C) that is—

19 “(i) not loaded; and

20 “(ii) in a locked container, or a locked fire-
21 arms rack that is on a motor vehicle;

22 “(D) by an individual for use in a program ap-
23 proved by the applicable institution of higher edu-
24 cation or mental healthcare facility;

1 “(E) by an individual in accordance with a con-
2 tract entered into between the applicable institution
3 of higher education or mental healthcare facility and
4 the individual or an employer of the individual;

5 “(F) by a law enforcement officer acting in his
6 or her official capacity; or

7 “(G) that is unloaded and is possessed by an
8 individual while traversing the premises of the appli-
9 cable institution of higher education or mental
10 healthcare facility for the purpose of gaining access
11 to public or private lands open to hunting, if the
12 entry on such premises is authorized by the applica-
13 ble institution of higher education or mental
14 healthcare facility.”.

15 (c) PENALTIES.—Section 924(a) of title 18, United
16 States Code, is amended—

17 (1) in paragraph (1)(B), by striking “or (q)”
18 and inserting “(q), or (ff)”; and

19 (2) in paragraph (4), by striking “section
20 922(q)” each place it appears and inserting “sub-
21 section (q) or (ff) of section 922”.

1 **SEC. 502. DISQUALIFICATION FROM POSSESSING FIRE-**
 2 **ARMS FOR MISDEMEANOR HATE CRIMES.**

3 (a) DEFINITION.—Section 921(a) of title 18, United
 4 States Code, as amended by section 501 of this Act, is
 5 amended by adding at the end the following:

6 “(43)(A) Except as provided in subparagraph
 7 (B), term ‘misdemeanor hate crime’ means an of-
 8 fense that—

9 “(i) is a misdemeanor under Federal,
 10 State, Tribal, or local law;

11 “(ii) involves the use or attempted use of
 12 physical force, the threatened use of a deadly
 13 weapon, or another credible threat to the phys-
 14 ical safety of any person; and

15 “(iii) has, as an element of the offense that
 16 the conduct of the offender was because of the
 17 actual or perceived race, color, religion, or na-
 18 tional origin of any person.

19 “(B) A person shall not be considered to have
 20 been convicted of such an offense for purposes of
 21 this chapter unless the order is issued in a manner
 22 consistent with the due process rights of the per-
 23 son.”.

24 (b) DISQUALIFICATION.—Section 922 of title 18,
 25 United States Code, as amended by section 303 of this
 26 Act, is amended—

1 (1) in subsection (d)—

2 (A) in paragraph (12), by striking “or” at
3 the end;

4 (B) by redesignating paragraph (13) as
5 paragraph (14);

6 (C) by inserting after paragraph (12) the
7 following:

8 “(13) has been convicted in any court of a mis-
9 demeanor hate crime; or”; and

10 (D) in paragraph (14), as so redesignated,
11 by striking “through (12)” and inserting
12 “through (13)”; and

13 (2) in subsection (g)—

14 (A) in paragraph (10), by striking “or” at
15 the end;

16 (B) in paragraph (11), by striking the
17 comma at the end and inserting “; or”; and

18 (C) by inserting after paragraph (11) the
19 following:

20 “(12) who has been convicted in any court of
21 a misdemeanor hate crime,”.

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