

105TH CONGRESS
2D SESSION

S. 1984

To prohibit the transfer of a handgun by a licensed dealer unless the transferee states that the transferee is not the subject of a restraining order with respect to an intimate partner of the transferee, a child of the transferee, or a child of an intimate partner of the transferee.

IN THE SENATE OF THE UNITED STATES

APRIL 24, 1998

Mr. LAUTENBERG introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To prohibit the transfer of a handgun by a licensed dealer unless the transferee states that the transferee is not the subject of a restraining order with respect to an intimate partner of the transferee, a child of the transferee, or a child of an intimate partner of the transferee.

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

1 **SECTION 1. PROHIBITION OF THE TRANSFER OF A HAND-**
 2 **GUN BY A LICENSED DEALER UNLESS THE**
 3 **TRANSFeree STATES THAT THE TRANS-**
 4 **FEREE IS NOT THE SUBJECT OF A RESTRAIN-**
 5 **ING ORDER WITH RESPECT TO AN INTIMATE**
 6 **PARTNER OF THE TRANSFeree, A CHILD OF**
 7 **THE TRANSFeree, OR A CHILD OF AN INTI-**
 8 **MATE PARTNER OF THE TRANSFeree.**

9 Section 922(s)(3)(B) of title 18, United States Code,
 10 is amended—

11 (1) by striking “and” at the end of clause (vi);

12 and

13 (2) by adding “and” at the end of clause (vii);

14 and

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

16 “(viii) is not subject to a court order
 17 that—

18 “(I) restrains the transferee from
 19 harassing, stalking, or threatening an inti-
 20 mate partner of the transferee or child of
 21 such intimate partner or transferee, or en-
 22 gaging in other conduct that would place
 23 an intimate partner in reasonable fear of
 24 bodily injury to the partner or child;

25 “(II) was issued after a hearing of
 26 which the transferee received actual notice,

1 and at which the transferee had the oppor-
2 tunity to participate; and

3 “(III)(aa) includes a finding that the
4 transferee represents a credible threat to
5 the physical safety of such intimate part-
6 ner or child; or

7 “(bb) by its terms explicitly prohibits
8 the use, attempted use, or threatened use
9 of physical force against such intimate
10 partner or child that would reasonably be
11 expected to cause bodily injury;”.

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