

106TH CONGRESS
1ST SESSION

H. R. 2007

To authorize the Consumer Product Safety Commission to regulate gun safety, to ban the transfer of a firearm to, or the possession of a firearm by, a person who has been convicted of a violent misdemeanor, and to ban the importation or manufacture of handguns which do not have certain safety features, and to ban the transfer of a firearm to, or the possession of a firearm by, a person who has been twice convicted of drunk driving.

IN THE HOUSE OF REPRESENTATIVES

JUNE 7, 1999

Mr. BLUMENAUER introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To authorize the Consumer Product Safety Commission to regulate gun safety, to ban the transfer of a firearm to, or the possession of a firearm by, a person who has been convicted of a violent misdemeanor, and to ban the importation or manufacture of handguns which do not have certain safety features, and to ban the transfer of a firearm to, or the possession of a firearm by, a person who has been twice convicted of drunk driving.

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. COVERAGE UNDER THE CONSUMER PRODUCT**
 4 **SAFETY ACT.**

5 Subparagraph (E) of paragraph (1) of section 3 of
 6 the Consumer Product Safety Act (15 U.S.C. 2052) is re-
 7 pealed.

8 **SEC. 2. PROHIBITION ON TRANSFER OF FIREARM TO, OR**
 9 **POSSESSION OF FIREARM BY, A PERSON WHO**
 10 **HAS BEEN CONVICTED OF A VIOLENT MIS-**
 11 **DEMEANOR.**

12 (a) TRANSFER BAN.—Section 922(d) of title 18,
 13 United States Code, is amended—

14 (1) by striking “or” at the end of paragraph
 15 (8);

16 (2) by striking the period at the end of para-
 17 graph (9) and inserting “; or”; and

18 (3) by inserting after paragraph (9) the fol-
 19 lowing:

20 “(10) has been convicted in any court of an of-
 21 fense that has as an element the use, attempted use,
 22 or threatened use of physical force against the per-
 23 son or property of another.”.

24 (b) POSSESSION BAN.—Section 922(g) of such title
 25 is amended—

1 (1) by striking “or” at the end of paragraph
2 (8);

3 (2) by striking the comma at the end of para-
4 graph (9) and inserting “; or”; and

5 (3) by inserting after paragraph (9) the fol-
6 lowing:

7 “(10) who has been convicted in any court of
8 an offense that has as an element the use, attempted
9 use, or threatened use of physical force against the
10 person or property of another,”.

11 (c) CONFORMING AMENDMENT.—Section
12 922(s)(3)(B)(i) of such title is amended by inserting “or
13 of an offense that has as an element the use, attempted
14 use, or threatened use of physical force against the person
15 or property of another” before the semicolon.

16 **SEC. 3. PROHIBITION ON IMPORTATION OR MANUFACTURE**
17 **OF HANDGUNS WITHOUT CERTAIN SAFETY**
18 **FEATURES.**

19 (a) IN GENERAL.—Section 922 of title 18, United
20 States Code, is amended by inserting after subsection (x)
21 the following:

22 “(y) It shall be unlawful for any person to import
23 or manufacture a handgun, unless—

24 “(1) the trigger of the weapon cannot be pulled
25 by an individual whose hand and finger strength

1 does not exceed the average hand and finger
2 strength of children who have attained 4 years of
3 age but have not attained 5 years of age;

4 “(2) the weapon cannot be fired without an am-
5 munition magazine or clip attached;

6 “(3) there is incorporated into the weapon a
7 locking feature that, when activated, prevents the
8 weapon from being fired, and that cannot be re-
9 moved from the weapon without rendering the weap-
10 on inoperable; or

11 “(4) the weapon includes a mechanism which
12 visibly and noticeably indicates whether ammunition
13 is present in the weapon.”.

14 (b) PENALTIES.—

15 (1) IN GENERAL.—Section 924(a) of such title
16 is amended by adding at the end the following:

17 “(7) Whoever knowingly violates section 922(y) shall
18 be fined not more than \$10,000, imprisoned not more
19 than 1 year, or both. Section 3571(e) shall not apply to
20 an offense under section 922(y).”.

21 (2) LOSS OF LICENSE.—Section 923(e) of such
22 title is amended by inserting after the 2nd sentence
23 the following: “The Secretary shall, after notice and
24 opportunity for hearing, revoke any license issued

1 under this section if the holder of the license has
 2 knowingly violated section 922(y).”.

3 **SEC. 4. PROHIBITION ON TRANSFER OF FIREARM TO, OR**
 4 **POSSESSION OF FIREARM BY, A PERSON WHO**
 5 **HAS BEEN CONVICTED OF 2 OR MORE DRUNK**
 6 **DRIVING OFFENSES.**

7 (a) TRANSFER BAN.—Section 922(d) of title 18,
 8 United States Code, as amended by section 2(a) of this
 9 Act, is amended—

10 (1) by striking “or” at the end of paragraph
 11 (9);

12 (2) by striking the period at the end of para-
 13 graph (10) and inserting “; or”; and

14 (3) by inserting after paragraph (10) the fol-
 15 lowing:

16 “(11) has been convicted on 2 or more occa-
 17 sions in any court of operating a motor vehicle while
 18 intoxicated or under the influence of alcohol.”.

19 (b) POSSESSION BAN.—Section 922(g) of such title,
 20 as amended by section 2(a) of this Act, is amended—

21 (1) by striking “or” at the end of paragraph
 22 (9);

23 (2) by striking the comma at the end of para-
 24 graph (10) and inserting “; or”; and

1 (3) by inserting after paragraph (10) the fol-
2 lowing:

3 “(10) who has been convicted on 2 or more oc-
4 casions in any court of operating a motor vehicle
5 while intoxicated or under the influence of alcohol,”.

6 (c) CONFORMING AMENDMENT.—Section
7 922(s)(3)(B)(i) of such title, as amended by section 2(a)
8 of this Act, is amended by inserting “or twice convicted
9 in any court of operating a motor vehicle while intoxicated
10 or under the influence of alcohol” before the semicolon.

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