

109TH CONGRESS
1ST SESSION

S. 683

To ban the manufacture, sale, delivery, and transfer of handguns that cannot be personalized, and to provide for a report to Congress on the commercial feasibility of personalizing firearms.

IN THE SENATE OF THE UNITED STATES

MARCH 17, 2005

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

A BILL

To ban the manufacture, sale, delivery, and transfer of handguns that cannot be personalized, and to provide for a report to Congress on the commercial feasibility of personalizing firearms.

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 “Childproof Handgun
5 Act of 2005”.

1 **SEC. 2. BAN ON MANUFACTURE, SALE, DELIVERY, AND**
 2 **TRANSFER OF HANDGUNS THAT CANNOT BE**
 3 **PERSONALIZED.**

4 (a) IN GENERAL.—Section 922 of title 18, United
 5 States Code, is amended by adding after subsection (y)
 6 the following:

7 “(z)(1) It shall be unlawful for a person who is not
 8 a licensed collector to manufacture, sell, deliver, or trans-
 9 fer a handgun that cannot be personalized.

10 “(2) Paragraph (1) shall not apply to any manufac-
 11 ture for, or sale, delivery, or transfer to, an individual act-
 12 ing under the authority of the United States or any de-
 13 partment or agency of the United States, or of any State
 14 or any department, agency, or political subdivision of a
 15 State.”.

16 (b) PERSONALIZED DEFINED.—Section 921(a) of
 17 such title is amended by adding at the end the following:

18 “(36) The term ‘personalized’ means, with re-
 19 spect to a handgun, that integral to the handgun is
 20 a device or feature that—

21 “(A) allows the handgun to be fired only
 22 by a particular individual;

23 “(B) is not capable of being readily deacti-
 24 vated; and

25 “(C) may allow the handgun to be person-
 26 alized to 1 or more additional individuals.”.

1 (c) PENALTY.—Section 924(a) of such title is amend-
 2 ed by adding at the end the following:

3 “(8) Whoever knowingly violates section 922(z) shall
 4 be fined not more than \$500,000, imprisoned not more
 5 than 18 months, or both. The fine otherwise applicable
 6 under section 3571 shall not apply to an offense under
 7 section 922(z).”.

8 (d) EFFECTIVE DATE.—The amendments made by
 9 this section shall apply to conduct engaged in after the
 10 5-year period that begins with the date of enactment of
 11 this Act, if the report required by section 3 states that
 12 the technology to personalize firearms (within the meaning
 13 of section 921(a)(36) of title 18, United States Code, as
 14 added by subsection (b)) will be commercially feasible by
 15 the end of such 5-year period.

16 **SEC. 3. REPORT TO CONGRESS ON TECHNOLOGY TO PER-**
 17 **SONALIZE FIREARMS.**

18 (a) STUDY.—The Comptroller General of the United
 19 States shall conduct a study of the state of the technology
 20 involved in personalizing firearms (within the meaning of
 21 section 921(a)(36) of title 18, United States Code, as
 22 added by section 2(b)) and determine whether such tech-
 23 nology will be commercially feasible within 5 years after
 24 the date of enactment of this Act.

1 (b) REPORT TO CONGRESS.—Not later than 2 years
2 after the date of enactment of this Act, the Comptroller
3 General shall submit to the Committee on the Judiciary
4 of the Senate and the Committee on the Judiciary of the
5 House of Representatives a written report on the results
6 of the study required by subsection (a).

7 (c) COMMERCIAL FEASIBILITY.—In determining
8 whether the technology involved in personalizing firearms
9 is commercially feasible, the Comptroller General shall
10 consider the following factors:

11 (1) RELIABILITY.—The reliability of the tech-
12 nology utilized in personalized firearms.

13 (2) PRICE.—The difference between the manu-
14 facturer’s suggested retail price for personalized fire-
15 arms and the manufacturer’s suggested retail price
16 for equivalent firearms that are not personalized.

17 (3) OTHER CRITERIA.—Such other criteria as
18 the Comptroller General deems appropriate.

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