

112TH CONGRESS  
2D SESSION

# H. R. 4190

To enhance criminal penalties for straw purchasers of firearms.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 2012

Mr. SCHIFF introduced the following bill; which was referred to the Committee  
on the Judiciary

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## A BILL

To enhance criminal penalties for straw purchasers of  
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 “Straw Purchaser Pen-  
5       alty Enhancement Act”.

6       **SEC. 2. SENTENCING ENHANCEMENT FOR CERTAIN STRAW**  
7       **PURCHASERS.**

8       Section 924 of title 18, United States Code, is  
9       amended by adding at the end the following:

10       “(q)(1) Whoever violates section 922(a)(6) or sub-  
11       section (a)(1)(A) of this section—

1           “(A) knowing or having reason to believe that  
2           the violation will further the transfer of 2 or more  
3           firearms to a person prohibited by law from ship-  
4           ping, transporting, possessing or receiving a firearm;  
5           and

6           “(B) with the intent to conceal from the trans-  
7           feror of the firearm the identity of the person re-  
8           ferred to in subparagraph (A),  
9           shall, in addition to the punishment otherwise provided for  
10          the violation, be sentenced to a term of imprisonment of  
11          2 years.

12          “(2) Notwithstanding any other provision of law:

13               “(A) The court shall not place on probation any  
14               person convicted of a violation described in para-  
15               graph (1).

16               “(B) The court shall not reduce a term of im-  
17               prisonment to be imposed for such a violation so as  
18               to compensate for, or otherwise take into account, a  
19               term of imprisonment imposed or to be imposed for  
20               a separate such violation.

21               “(C)(i) Except as provided in clause (ii), a term  
22               of imprisonment imposed on a person under this  
23               subsection shall not run concurrently with a term of  
24               imprisonment imposed on the person under any  
25               other provision of law.

1           “(ii) A term of imprisonment imposed on a per-  
2           son for such a violation may, in the discretion of the  
3           court, run concurrently, in whole or in part, with an-  
4           other term of imprisonment imposed on the person  
5           by the court at the same time for a separate such  
6           violation, subject to applicable guidelines and policy  
7           statements issued by the Sentencing Commission  
8           pursuant to section 994 of title 28.

9           “(3) The Attorney General shall issue regulations re-  
10          quiring any form required to be completed by the pur-  
11          chaser of a firearm from a person licensed under section  
12          923 to include a notice of the provisions of this sub-  
13          section.”.

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