

115TH CONGRESS
2D SESSION

H. R. 5941

To prevent child injuries and deaths by firearms.

IN THE HOUSE OF REPRESENTATIVES

MAY 23, 2018

Mr. LANGEVIN (for himself, Mr. GRIJALVA, Mr. QUIGLEY, and Ms. NORTON) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Energy and 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 prevent child injuries and deaths by 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 “Child Gun Access Pre-
5 vention Act”.

6 **SEC. 2. CHILD ACCESS PREVENTION GRANTS TO STATES.**

7 (a) AUTHORIZATION.—The Attorney General shall,
8 subject to the availability of appropriations, make grants
9 to States that have in place a child access prevention law
10 that, at a minimum, has substantially similar require-

1 ments to those under subsection (c), for the purpose of
2 implementing or carrying out such a law, including edu-
3 cating the public about such law.

4 (b) APPLICATION.—The chief executive of a State
5 seeking a grant under this section shall submit an applica-
6 tion to the Attorney General at such time, in such manner,
7 and containing such information as the Attorney General
8 may reasonably require.

9 (c) REQUIREMENTS FOR CHILD ACCESS PREVEN-
10 TION LAWS.—The requirements for a child access preven-
11 tion law described in this subsection are as follows:

12 (1) Except as otherwise provided in this sub-
13 section, the law provides that it is unlawful for an
14 adult to leave a unsecured firearm owned or con-
15 trolled by the adult in a manner that the adult
16 knows or reasonably should know is accessible to a
17 child.

18 (2) For purposes of paragraph (1), an adult
19 shall be considered to have left a firearm unsecured
20 with respect to a child if—

21 (A) the firearm is not secured, unless the
22 adult is carrying the firearm or the firearm is
23 readily accessible to the adult; or

1 (B) the firearm is secured, and the adult
2 knows or reasonably should know that the child
3 can unsecure the firearm.

4 (3) In this subsection:

5 (A) The term “adult” means a person who
6 has attained 18 years of age.

7 (B) The term “child” means a person who
8 has not attained 18 years of age.

9 (C) The term “secured” means in a locked
10 container (such as a safe), or rendered inoper-
11 able by means of a tamper-resistant lock or
12 other secure gun storage or safety device.

13 (D) The term “firearm” has the meaning
14 given that term in section 921 of title 18,
15 United States Code.

16 (4) Paragraph (1) shall not apply to an adult
17 with respect to a child and a firearm if—

18 (A)(i) the adult is directly supervising the
19 child while the child is in possession of the fire-
20 arm; and

21 (ii) a parent or guardian of the child has
22 consented to the supervision; or

23 (B) the child accesses the firearm through
24 an unforeseeable trespass.

1 (5) A law shall be considered to comply with
2 the requirements of this subsection if the law pro-
3 vides that the prohibition under paragraph (1) ap-
4 plies—

5 (A) only in the case that a child accesses
6 the firearm, or a child accesses the firearm and
7 a crime or further harm occurs as a result; or

8 (B) regardless of whether a child accesses
9 the firearm.

10 (6) A law shall be considered to comply with
11 the requirements of this subsection if the law pro-
12 vides that the prohibition under paragraph (1) ap-
13 plies—

14 (A) only in the case that the unsecured
15 firearm is loaded; or

16 (B) regardless of whether the unsecured
17 firearm is loaded.

18 (d) REPORT.—A State receiving a grant under this
19 section shall submit an annual report to the Attorney Gen-
20 eral containing, for the previous year—

21 (1) a description of the use of the grant funds;

22 (2) the number of children who were injured
23 and the number of children who were killed by fire-
24 arms in that State;

1 (3) the number of adults who were prosecuted
2 under the law described in subsection (a), and the
3 number of such adults who were convicted; and

4 (4) such additional information as the Attorney
5 General may reasonably require.

6 (e) MAINTENANCE OF EFFORT.—Any Federal funds
7 received by a State under this section shall be used to sup-
8 plement, not supplant, non-Federal funds that would oth-
9 erwise be available for the purposes described in sub-
10 section (a).

11 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
12 authorized to be appropriated such sums as may be nec-
13 essary to carry out this section.

14 **SEC. 3. CENTERS FOR DISEASE CONTROL AND PREVEN-**
15 **TION.**

16 (a) IN GENERAL.—Not later than one year after the
17 date of the enactment of this Act, the Secretary of Health
18 and Human Services, through the Director of the Centers
19 for Disease Control and Prevention, shall conduct a study,
20 and submit to Congress a report, on child injuries and
21 deaths resulting from firearms and on practices for the
22 safe storage of firearms.

23 (b) AUTHORIZATION OF APPROPRIATIONS.—For pur-
24 poses of carrying out subsection (a), there is authorized
25 to be appropriated \$10,000,000.

1 **SEC. 4. REQUIREMENTS APPLICABLE TO FIREARMS DEAL-**
2 **ERS.**

3 Section 923 of title 18, United States Code, is
4 amended by adding at the end the following:

5 “(m) Each licensed dealer shall provide to each per-
6 son to whom the licensee sells a firearm a document that
7 contains gun safety information, including safe storage
8 practices, as the Attorney General shall prescribe, which
9 shall be set forth in easy-to-understand language.”.

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