

116TH CONGRESS
1ST SESSION

H. R. 2765

To allow qualified current or former law enforcement officers to purchase their service weapons, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 15, 2019

Mr. MOOLENAAR (for himself and Mr. CUELLAR) introduced the following bill;
which was referred to the Committee on the Judiciary

A BILL

To allow qualified current or former law enforcement officers to purchase their service weapons, and for other purposes.

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 “Law Enforcement Offi-
5 cer Safety and Security Act of 2019”.

6 **SEC. 2. PURCHASE OF SERVICE WEAPONS BY QUALIFIED**
7 **CURRENT OR FORMER LAW ENFORCEMENT**
8 **OFFICERS.**

9 (a) IN GENERAL.—Except as provided in subsection
10 (b), an agency shall offer for sale at fair market value

1 a single, functional firearm, which would otherwise be de-
2 stroyed, to an individual—

3 (1) who is—

4 (A) a law enforcement officer employed by
5 and in good standing with such agency; or

6 (B) a former law enforcement officer sepa-
7 rated from the employ of such agency for rea-
8 sons other than misconduct, neglect of duty, or
9 malfeasance; and

10 (2) to whom such agency most recently issued
11 such firearm.

12 (b) BACKGROUND CHECK REQUIRED.—

13 (1) IN GENERAL.—An agency may not sell a
14 firearm to an individual under subsection (a) of this
15 section until the national instant criminal back-
16 ground check system established under section 103
17 of the Brady Handgun Violence Prevention Act (34
18 U.S.C. 40901) has notified the agency that receipt
19 of a firearm by the individual would not violate sub-
20 section (g) or (n) of section 922 of title 18, United
21 States Code, or State law, unless paragraph (1) of
22 section 922(t) of title 18, United States Code, would
23 not apply to the transfer by reason of paragraph (3)
24 of such section 922(t) if the agency were a licensee.

1 (2) COMMUNICATION BETWEEN A FEDERAL
2 AGENCY AND NICS.—For the purpose of the sale of
3 a firearm under subsection (a) of this section, an
4 agency may contact the national instant criminal
5 background check system in the same manner as a
6 licensee is authorized to contact the system under
7 section 103 of the Brady Handgun Violence Preven-
8 tion Act (34 U.S.C. 40901), for information on
9 whether receipt of a firearm by a prospective buyer
10 would violate section 922 of title 18, United States
11 Code, or State law, and the system may respond to
12 such contact as if the agency were a licensee.

13 (c) DEFINITIONS.—In this Act:

14 (1) AGENCY.—The term “agency” has the
15 meaning given such term in section 551 of title 5,
16 United States Code.

17 (2) FIREARM.—The term “firearm” means a
18 pistol or revolver.

19 (3) GOOD STANDING.—The term “good stand-
20 ing” means, with respect to an individual who is a
21 law enforcement officer, that the individual—

22 (A) is not currently the subject of any dis-
23 ciplinary action by the employing agency of
24 such individual, which could result in perma-

1 nent loss of police powers and removal from
2 such agency; and

3 (B) is not prohibited by Federal law from
4 receiving a firearm.

5 (4) LAW ENFORCEMENT OFFICER.—The term
6 “law enforcement officer” has the meaning given
7 such term under section 8401 of title 5, United
8 States Code.

9 (5) LICENSEE.—The term “licensee” has the
10 meaning given such term in section 103(j)(1) of the
11 Brady Handgun Violence Prevention Act (34 U.S.C.
12 40901(j)(1)).

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