

118TH CONGRESS  
1ST SESSION

# H. R. 2418

To require lost or stolen firearms to be reported to law enforcement authorities within 48 hours, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 30, 2023

Mr. CASTEN (for himself, Ms. KELLY of Illinois, Ms. TITUS, Ms. BROWN, Mr. AUCHINCLOSS, Ms. DEAN of Pennsylvania, Ms. NORTON, Ms. LEE of California, Ms. TOKUDA, and Mrs. WATSON COLEMAN) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To require lost or stolen firearms to be reported to law enforcement authorities within 48 hours, 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 “Gun Trafficker Detec-  
5 tion Act”.

6 **SEC. 2. REPORTING OF LOST OR STOLEN FIREARMS TO**  
7 **LAW ENFORCEMENT AUTHORITIES.**

8 (a) REPORTING REQUIREMENT.—

1           (1) IN GENERAL.—Section 922 of title 18,  
2           United States Code, is amended by adding at the  
3           end the following:

4           “(aa)(1) Within 48 hours after a person not licensed  
5           under this chapter who owns a firearm that has been  
6           shipped or transported in, or has been possessed in or af-  
7           fecting, interstate or foreign commerce, discovers or rea-  
8           sonably should have discovered the theft or loss of the fire-  
9           arm, the person shall report the theft or loss to the Attor-  
10          ney General. If the report to the Attorney General is not  
11          submitted through a web portal created by the Attorney  
12          General for such purpose, the person shall report the theft  
13          or loss to local law enforcement authorities.

14          “(2) Within 72 hours after the Attorney General re-  
15          ceives a report through the web portal pursuant to para-  
16          graph (1), the Attorney General shall notify the chief law  
17          enforcement officer of the jurisdiction in which the theft  
18          or loss occurred of the name and address of the reporting  
19          person.”.

20                 (2) REPORTING.—

21                         (A) CREATION OF WEB-BASED PORTAL.—

22                         Within 180 days after the date of the enact-  
23                         ment of this Act, the Attorney General shall  
24                         create a web-based electronic portal, which  
25                         members of the public may use to report the

1 theft or loss of a firearm to the Attorney Gen-  
2 eral pursuant to section 922(aa) of title 18,  
3 United States Code, that includes a notice to  
4 users of the penalties under section 924(a)(1)  
5 of such title for knowingly making a false state-  
6 ment or representation in such a report.

7 (B) USE OF FUNDS REQUIREMENTS.—Sec-  
8 tion 502(a) of title I of the Omnibus Crime  
9 Control and Safe Streets Act of 1968 (34  
10 U.S.C. 10153(a)) is amended by adding at the  
11 end the following:

12 “(7) An assurance that, for each fiscal year  
13 covered by an application, the applicant will use not  
14 less than 5 percent of the total amount of the grant  
15 award for the fiscal year to study and implement ef-  
16 fective management and collection of data relating to  
17 lost or stolen firearms reported to a law enforcement  
18 agency of the applicant under section 922(aa) of  
19 title 18, United States Code, unless the applicant  
20 has ensured, and the Attorney General has certified,  
21 that the applicant has in effect such laws and proce-  
22 dures as are necessary to ensure that each such re-  
23 port is forwarded to the National Crime Information  
24 Center.”.

1           (3) PENALTIES.—Section 924 of title 18,  
2           United States Code, is amended by adding at the  
3           end the following:

4           “(q) With respect to a violation of section 922(aa),  
5           the Attorney General shall, after notice and opportunity  
6           for a hearing—

7                   “(1)(A) in the case of a first violation, subject  
8                   the person to a civil money penalty of not more than  
9                   \$1,000; or

10                   “(B) in the case of a second or subsequent vio-  
11                   lation, subject the person to a civil money penalty of  
12                   not more than \$5,000; and

13                   “(2) in the case of any violation, notify the per-  
14                   son of the prohibitions set forth in section  
15                   922(bb).”.

16           (b) PROHIBITION ON FIREARM RECEIPT AFTER  
17           MULTIPLE CONVICTIONS.—

18                   (1) IN GENERAL.—Section 922 of title 18,  
19                   United States Code, as amended by subsection  
20                   (a)(1) of this section, is amended by adding at the  
21                   end the following:

22                   “(bb)(1) It shall be unlawful for a person who has  
23                   been twice assessed a civil money penalty under section  
24                   924(q) to receive a firearm during the 1-year period that  
25                   begins with the date of the most recent such assessment.

1       “(2) It shall be unlawful for a person who has been  
2 thrice assessed a civil money penalty under section 924(q)  
3 to receive a firearm during the 5-year period that begins  
4 with the date of the most recent such assessment.”.

5           (2) PENALTIES.—Section 924(a)(5) of title 18,  
6 United States Code, is amended by striking “or (t)”  
7 and inserting “(t), or (bb)”.

8           (c) PROHIBITION ON FALSE REPORTING.—Section  
9 924(a)(1)(A) of title 18, United States Code, is amended  
10 by striking “chapter or” and inserting “chapter, in report-  
11 ing a lost or stolen firearm pursuant to section 922(aa),  
12 or”.

13           (d) UPDATING OF NATIONAL INSTANT CRIMINAL  
14 BACKGROUND CHECK SYSTEM.—

15           (1) IN GENERAL.—Within 6 months after the  
16 date of the enactment of this Act, the Attorney Gen-  
17 eral shall promulgate such rules as are necessary to  
18 ensure that—

19           (A) the national instant criminal back-  
20 ground check system takes account of section  
21 922(bb) of title 18, United States Code, in per-  
22 forming the functions of the system; and

23           (B) all persons licensed under chapter 44  
24 of such title provide notice of the penalties for  
25 violations of section 922(aa) of such title to any

1 person not so licensed who acquires a firearm  
2 from the licensee.

3 (2) CONFORMING AMENDMENTS.—

4 (A) The following provisions of section 103  
5 of the Brady Handgun Violence Prevention Act  
6 (34 U.S.C. 40901) are each amended by strik-  
7 ing “(g) or (n)” and inserting “(g), (n), or  
8 (bb)”:

9 (i) Subparagraphs (A), (C),  
10 (F)(iii)(I), and (G)(i) of subsection (e)(1).

11 (ii) Subsection (g).

12 (iii) Subsection (i)(2).

13 (iv) Subsection (l)(3)(B).

14 (B) The following provisions of title 18,  
15 United States Code, are each amended by strik-  
16 ing “(g) or (n)” and inserting “(g), (n), or  
17 (bb)”:

18 (i) Subparagraphs (B)(ii) and  
19 (C)(iii)(II) of section 922(t)(1).

20 (ii) Section 923(g)(3)(B).

21 (iii) Section 925A(2).

22 (C) Paragraphs (2), (4), and (5) of section  
23 922(t) of title 18, United States Code, are each  
24 amended by striking “(g), or (n)” and inserting  
25 “(g), (n), or (bb)”.

1 **SEC. 3. EFFECTIVE DATE.**

2       This Act and the amendments made by this Act shall  
3 take effect 90 days after the date of the enactment of this  
4 Act.

