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S. 5201

To amend title 18, United States Code, to protect more victims of domestic violence by preventing their abusers from possessing or receiving firearms, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 30, 2026

Mr. BLUMENTHAL (for himself, Mr. WYDEN, Ms. ALSOBROOKS, Mr. BOOKER, Mr. COONS, Mr. DURBIN, Mr. FETTERMAN, Ms. HIRONO, Mr. KAINE, Ms. KLOBUCHAR, Mr. MURPHY, Mrs. MURRAY, Mr. PADILLA, Mrs. SHAHEEN, Mr. WHITEHOUSE, and Mr. VAN HOLLEN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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A BILL

To amend title 18, United States Code, to protect more victims of domestic violence by preventing their abusers from possessing or receiving firearms, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Lori Jackson-Nicolette Elias Domestic Violence Survivor Protection Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Congress has the responsibility to keep the populace of the United States safe, and domestic gun violence is a significant threat to the well-being of the United States.

(2) Each year in the United States, more than 900 women are shot and killed by an intimate partner. More women are killed in the United States by domestic partners than by any other type of assailant, and most of these homicides are committed with firearms.

(3) Nearly 6,000,000 women alive in the United States today report having a gun used on them by a domestic partner.

(4) Seven in 10 intimate partner homicides in the United States are committed with a firearm. If a woman has an abusive male partner who has access to a firearm, the woman is 5 times more likely to be killed than she would be if the abusive male partner did not have access to a firearm.

(5) Perpetrators of intimate partner violence are far more likely to commit additional acts of gun violence. Nearly half of all mass shootings involve the perpetrator shooting a current or former intimate partner or family member.

(6) Victims of intimate partner violence often pursue restraining orders as a means of protection in the immediate aftermath of, or in conjunction with, leaving dangerous partners and situations. This time period is especially dangerous for victims.

(7) Although individuals against whom there is a domestic violence restraining order are barred from purchasing a firearm under section 922(g)(8) of title 18, United States Code, various loopholes in that section allow perpetrators to purchase and maintain possession of firearms. For example, Federal law only protects domestic violence victims against spouses, former spouses, cohabitants, former cohabitants, and individuals with whom those victims have a child. Furthermore, under Federal law, protective orders issued against domestic violence abusers on an emergency or ex parte basis do not prohibit those abusers from possessing or purchasing firearms.

(8) Some States and local governments have passed laws that go beyond the Federal baseline by expanding the range of abusive partners included in firearm restrictions to encompass abusive dating partners. Numerous studies have shown that States

that pass these laws experience a significant reduction in intimate partner homicides.

(9) States that restrict access to guns to individuals subject to active domestic violence restraining orders have experienced a 13-percent reduction in intimate partner homicides involving firearms. Similarly, State laws imposing a firearm possession prohibition on individuals subject to ex parte or temporary domestic violence restraining orders are associated with a 16-percent reduction in intimate partner homicides involving firearms.

(10) Congress has the power to set a national standard to protect domestic violence victims who seek restraining orders against abusive partners by preventing those abusive partners from possessing or purchasing firearms and ammunition while the restraining order is in effect.

SEC. 3. DEFINITIONS OF "INTIMATE PARTNER" AND "MISDEMEANOR CRIME OF DOMESTIC VIOLENCE" EXPANDED.

Section 921(a) of title 18, United States Code, is amended—

(1) by inserting before paragraph (32) the following:

''(31) The term 'covered domestic violence court order' means a court order—

''(A) that was issued—

''(i) after a hearing of which the person subject to the court order received actual notice, and at which such person had an opportunity to participate; or

''(ii) in the case of an ex parte order, relative to which notice and opportunity to be heard are provided—

''(I) within the time required by State, Tribal, or territorial law; and

''(II) in any event within a reasonable time after the order is issued, sufficient to protect the due process rights of the person;

''(B) that restrains such person from—

''(i) harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; or

''(ii) intimidating or dissuading a witness from testifying in court; and

''(C) that—

''(i) includes a finding that such person represents a credible threat to the physical safety of an individual described in subparagraph (B); or

''(ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against an individual described in subparagraph (B) that would reasonably be expected to cause bodily injury.'';

(2) in paragraph (32), by striking all that follows after ''The term 'intimate partner' '' and inserting the following:

''(A) means, with respect to a person, the spouse of the person, a former spouse of the person, an individual who is a parent of a child of the person, and an individual who cohabitates or has cohabited with the person; and

''(B) includes—

''(i) a dating partner (as defined in section 2266) or former dating partner; and

''(ii) any other person similarly situated to a spouse, a parent of a child, or dating partner who is protected by the domestic or family violence laws of the State, local, or Tribal jurisdiction in the covered domestic violence court order was issued or where the protected party resides.''; and

(3) in paragraph (33)—

(A) in subparagraph (A)(ii)—

(i) by striking ''or the threatened'' and inserting ''the threatened'';

(ii) by inserting ''or stalking'' after ''deadly weapon,''; and

(iii) by striking '', or by a person who has a current or recent former dating relationship with the victim'' and inserting ''by a person to whom the victim is or was a dating partner (as defined in section 2266), or by a person to whom the victim is the child of a dating partner''; and

(B) in subparagraph (C), by striking ''firearms: *Provided*,'' and all that follows through the end and inserting ''firearms.''.

SEC. 4. UNLAWFUL SALE OF FIREARMS TO A PERSON SUBJECT TO COURT ORDER.

Section 922(d)(8) of title 18, United States Code, is amended to read as follows:

''(8) is subject to a covered domestic violence court order; or''.

SEC. 5. LIST OF PERSONS SUBJECT TO A RESTRAINING OR SIMILAR ORDER PROHIBITED FROM POSSESSING OR RECEIVING A FIREARM EXPANDED.

Section 922(g)(8) of title 18, United States Code, is amended to read as follows:

''(8) who is subject to a covered domestic violence court order; or''.

SEC. 6. GRANT PROGRAM REGARDING THE REMOVAL OF FIREARMS FROM ADJUDICATED DOMESTIC VIOLENCE PARTIES.

(a) AMENDMENT.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10101 et seq.) is amended by adding at the end the following:

''PART PP—GRANT PROGRAM REGARDING REMOVAL OF FIREARMS FROM ADJUDICATED DOMESTIC VIOLENCE PARTIES

''SEC. 3061. DEFINITIONS.

''In this part:

''(1) AMMUNITION; FIREARM.—The terms 'ammunition' and 'firearm' have the meanings given those terms in section 921 of title 18, United States Code.

''(2) COVERED ENTITY.—The term 'covered entity' means—

''(A) a State;

''(B) an Indian tribe; or

''(C) a unit of local government.

''(3) DOMESTIC VIOLENCE PROTECTION ORDER.—The term 'domestic violence protection order' has the meaning given the term 'covered domestic violence court order' in section 921 of title 18, United States Code.

''SEC. 3062. GRANT PROGRAM.

''(a) AUTHORITY TO MAKE GRANTS.—The Attorney General, acting through the Director of the Office on Violence Against Women, may make grants to covered entities to assist the covered entities in carrying out the policies, procedures, protocols, laws, court rules, or regulations described in section 3063.

''(b) ELIGIBLE COVERED ENTITY.—

''(1) IN GENERAL.—A covered entity shall be eligible to receive a grant under this section on and after the date on which the Attorney General deter-

mines that the covered entity has in effect policies, procedures, protocols, laws, court rules, or regulations that are substantially similar to the policies, procedures, laws, court rules, or regulations described in section 3063.

''(2) DETERMINATION.—In making a determination under paragraph (1), the Attorney General may consider policies, procedures, protocols, laws, court rules, or regulations of a covered entity to be substantially similar to the policies, procedures, laws, courts rules, or regulations described in section 3063 even if the policies, procedures, protocols, laws, court rules, or regulations of the covered entity—

''(A) vary in scope;

''(B) prescribe different types of protective orders or firearm surrender orders; or

''(C) provide different timing requirements.

''(c) USE OF FUNDS.—Grant funds awarded under this section may be used by a covered entity—

''(1) to assist law enforcement agencies or courts of the covered entity in carrying out the policies, procedures, protocols, laws, court rules, or regulations described in section 3063, including the storage of firearms and ammunition; and

''(2) in order to ensure the safety of domestic violence victims after a domestic violence protection order is issued in accordance with the policies, procedures, protocols, laws, court rules, or regulations described in section 3063, to partner with and provide support to not less than 1 domestic violence victim service provider, which may include an organization that is a culturally specific organization.

''(d) APPLICATION.—

''(1) IN GENERAL.—A covered entity desiring a grant under this section shall submit to the Attorney General an application at such time, in such manner, and containing or accompanied by such information as the Attorney General may reasonably require.

''(2) CONTENTS.—An application submitted under this subsection shall include a description of an action plan of the covered entity to establish a partnership described in subsection (c)(2).

''SEC. 3063. STATE AND TRIBAL POLICIES AND PROCEDURES.

''(a) IN GENERAL.—The policies, procedures, protocols, laws, court rules, or regulations described in this section are policies, procedures, protocols, laws, court rules,

or regulations relating to the possession of a firearm or ammunition that—

''(1) direct a court, upon the issuance of a domestic violence protection order, to include relief or issue an additional order (referred to in this section as a 'firearm surrender order') that—

''(A) is in effect for the duration of the domestic violence protection order;

''(B) automatically terminates upon the expiration of the domestic violence protection order;

''(C) requires—

''(i) the individual subject to the domestic violence protection order or firearm surrender order to, not later than 24 hours after the domestic violence protection order or firearm surrender order is served, surrender physical possession of all firearms and ammunition in the possession, care, custody, or control of the individual, including any firearm that the individual has entrusted or lent to a third party, by either—

''(I) surrendering the firearms and ammunition to the chief law en-

forcement officer of the district in which the individual resides or a law enforcement agency designated by the State or Indian tribe to receive and store firearms and ammunition; or

''(II) selling the firearms and ammunition to a licensed dealer (as defined in section 921 of title 18, United States Code); or

''(ii) the chief law enforcement officer of the district in which the individual resides or a law enforcement agency designated by the State or Indian tribe to receive and store firearms and ammunition to, not later than 24 hours after the domestic violence protection order or firearm surrender order is served, request the surrender of and remove and store any firearm or ammunition in the possession, care, custody, or control of the individual, including firearms and ammunition that the individual has entrusted or lent to a third party;

''(D) prohibits the individual from purchasing, possessing, or receiving, or attempting

to purchase or receive, a firearm or ammunition for the period of time during which the domestic violence protection order or firearm surrender order is in effect;

''(E) revokes any permit or license of the individual to purchase, possess, or carry a firearm or ammunition for the period of time during which the domestic violence protection order or firearm surrender order is in effect; and

''(F) requires the individual subject to the domestic violence protection order or firearm surrender order to, not later than 48 hours after the domestic violence protection order or firearm surrender order is served, file with the court—

''(i) a declaration under penalty of perjury that—

''(I) the individual has made the surrender described in subparagraph (C)(i);

''(II) the chief law enforcement officer of the district in which the individual resides has conducted the removal described in subparagraph (C)(ii); or

''(III) the individual did not possess any firearm or ammunition at the time of the issuance and service of the domestic violence protection order or firearm surrender order and continues to not possess any firearms or ammunition; and

''(ii) an itemized receipt of any firearms or ammunition surrendered by the individual subject to the domestic violence protection order or firearm surrender order under subparagraph (C)(i), or removed by a chief law enforcement officer from that individual under subparagraph (C)(ii), that is signed by the individual who took possession of those firearms or ammunition;

''(2) in the case of an individual who does not comply with paragraph (1)(C)(i), and where there are reasonable grounds to believe that the individual possesses or has purchased a firearm, require the chief law enforcement officer or designated law enforcement agency described in paragraph (1)(C)(ii) to remove any firearm or ammunition from the individual;

''(3) requires a chief law enforcement officer or designated law enforcement agency that conducts a removal under paragraph (1)(C)(ii) or (2) or receives a firearm or ammunition surrendered by an individual under paragraph (1)(C)(i)(I) to, not later than 48 hours after conducting the removal or receiving the surrendered firearm or ammunition, notify the court of the removal or surrender;

''(4) with respect to a firearm or ammunition that is surrendered under paragraph (1)(C)(i) or any firearm or ammunition removed under paragraph (1)(C)(ii) or (2), require the law enforcement agency to which the firearm or ammunition is surrendered or that removes any firearm or ammunition to—

''(A) safely store the firearm or ammunition, including with federally licensed firearms dealers; and

''(B) at the request of the individual subject to the domestic violence protection order or firearm surrender order, not later than 7 days after the request, if the domestic violence protection order described in paragraph (1) has expired or been removed—

''(i) perform a background check on the individual previously subject to the domestic violence protection order or firearm surrender order to determine whether the individual is prohibited from possessing or receiving a firearm under Federal, State, tribal, or local law; and

''(ii) return the firearm or ammunition to the individual previously subject to the domestic violence protection order or firearm surrender order if the individual is not prohibited from possessing or receiving a firearm under Federal, State, tribal, or local law; and

''(5) require the courts and relevant law enforcement agencies to partner with and provide support for local domestic violence programs in order to ensure the safety of victims of domestic violence after the issuance of a domestic violence protection order or firearm surrender order.

''(b) APPLICABILITY.—Except as otherwise provided in this section, the definitions and grant conditions set forth in section 40002 of the Violence Against Women Act of 1994 (34 U.S.C. 12291) shall apply to this section.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10261) is amended by adding at the end the following:

''(29) There are authorized to be appropriated such sums as are necessary to carry out part PP.''.

SEC. 7. TECHNICAL AND CONFORMING AMENDMENTS.

The NICS Improvement Amendments Act of 2007 (34 U.S.C. 40902 et seq.) is amended—

(1) in section 3(1) (34 U.S.C. 40903(1)), by striking ''court order (as described in section 922(g)(8)'' and inserting ''covered domestic violence court order (as defined in section 921(a)''; and

(2) in section 102(b)(1)(C)(v) (34 U.S.C. 40912(b)(1)(C)(v)), by striking ''court order described in section 922(g)(8)'' and inserting ''covered domestic violence court order, as defined in section 921(a)''.

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