

116TH CONGRESS
1ST SESSION

H. R. 1112

To amend chapter 44 of title 18, United States Code, to strengthen the background check procedures to be followed before a Federal firearms licensee may transfer a firearm to a person who is not such a licensee.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 2019

Mr. CLYBURN (for himself, Mr. KING of New York, and Mr. CUNNINGHAM) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend chapter 44 of title 18, United States Code, to strengthen the background check procedures to be followed before a Federal firearms licensee may transfer a firearm to a person who is not such a licensee.

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 “Enhanced Background
5 Checks Act of 2019”.

1 **SEC. 2. STRENGTHENING OF BACKGROUND CHECK PROCE-**
2 **DURES TO BE FOLLOWED BEFORE A FED-**
3 **ERAL FIREARMS LICENSEE MAY TRANSFER A**
4 **FIREARM TO A PERSON WHO IS NOT SUCH A**
5 **LICENSEE.**

6 Section 922(t)(1)(B)(ii) of title 18, United States
7 Code is amended—

8 (1) in paragraph (1)(B), by striking clause (ii)
9 and inserting the following:

10 “(ii) in the event the system has not notified
11 the licensee that the receipt of a firearm by such
12 other person would violate subsection (g) or (n) of
13 this section—

14 “(I) not fewer than 10 business days
15 (meaning a day on which State offices are
16 open) has elapsed since the licensee contacted
17 the system, and the system has not notified the
18 licensee that the receipt of a firearm by such
19 other person would violate subsection (g) or (n)
20 of this section, and the other person has sub-
21 mitted, electronically through a website estab-
22 lished by the Attorney General or by first-class
23 mail, a petition for review which—

24 “(aa) certifies that such other person
25 has no reason to believe that such other
26 person is prohibited by Federal, State, or

1 local law from purchasing or possessing a
2 firearm; and

3 “(bb) requests that the system re-
4 spond to the contact referred to in sub-
5 paragraph (A) within 10 business days
6 after the date the petition was submitted
7 (or, if the petition is submitted by first-
8 class mail, the date the letter containing
9 the petition is postmarked); and

10 “(II) 10 business days have elapsed since
11 the other person so submitted the petition, and
12 the system has not notified the licensee that the
13 receipt of a firearm by such other person would
14 violate subsection (g) or (n) of this section;
15 and”;

16 (2) by adding at the end the following:

17 “(7) The Attorney General shall—

18 “(A) prescribe the form on which a peti-
19 tion shall be submitted pursuant to paragraph
20 (1)(B)(ii);

21 “(B) make the form available electroni-
22 cally, and provide a copy of the form to all li-
23 censees referred to in paragraph (1);

1 “(C) provide the petitioner and the licensee
2 involved written notice of receipt of the petition,
3 either electronically or by first-class mail; and

4 “(D) respond on an expedited basis to any
5 such petition received by the Attorney Gen-
6 eral.”.

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