

104TH CONGRESS
1ST SESSION

H. R. 1805

To amend title 18, United States Code, to exempt qualified current or former law enforcement officers from State laws prohibiting the carrying of concealed firearms.

IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 1995

Mr. LIGHTFOOT introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to exempt qualified current or former law enforcement officers from State laws prohibiting the carrying of concealed 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. EXEMPTION OF QUALIFIED CURRENT OR**
4 **FORMER LAW ENFORCEMENT OFFICERS**
5 **FROM STATE LAWS PROHIBITING THE CAR-**
6 **RYING OF CONCEALED FIREARMS.**

7 (a) IN GENERAL.—Chapter 44 of title 18, United
8 States Code, is amended by inserting after section 926A
9 the following:

1 **“§ 926B. Carrying of concealed firearms by qualified**
2 **current or former law enforcement offi-**
3 **cers**

4 “(a) Notwithstanding any other provision of the law
5 of any State or any political subdivision thereof, an indi-
6 vidual who is a qualified law enforcement officer or a
7 qualified retired law enforcement officer and who is carry-
8 ing the identification required by subsection (d) may carry
9 a concealed firearm subject to subsection (b).

10 “(b) A State or political subdivision thereof may re-
11 quire an individual referred to in subsection (a) to provide
12 appropriate authorities with prior notice of the intent of
13 the individual to carry a concealed firearm in the State
14 or political subdivision, except that any such requirement
15 shall not apply to such an individual who is passing
16 through the State or political subdivision without undue
17 delay en route to another State or political subdivision.

18 “(c) As used in this section:

19 “(1) The term ‘qualified law enforcement offi-
20 cer’ means a full-time employee of a governmental
21 agency who—

22 “(A) is authorized by law to engage in or
23 supervise the prevention, detection, investiga-
24 tion, or prosecution of any violation of law;

25 “(B) is authorized by the agency to carry
26 a firearm at all times;

1 “(C) is not the subject of any disciplinary
2 action by the agency; and

3 “(D) meets standards established by the
4 agency which require the employee to regularly
5 qualify in the use of a firearm.

6 “(2) The term ‘qualified retired law enforce-
7 ment officer’ means an individual who—

8 “(A) is retired from service with a govern-
9 mental agency as a law enforcement officer,
10 other than for reasons of mental disability; and

11 “(B) immediately before such retirement,
12 was a qualified law enforcement officer;

13 “(C) has a nonforfeitable right to benefits
14 under the retirement plan of the agency;

15 “(D) meets such requirements as have
16 been established by the State in which the indi-
17 vidual resides with respect to training in the
18 use of firearms; and

19 “(E) is not prohibited by Federal law from
20 receiving a firearm.

21 “(d) The identification required by this subsection
22 is—

23 “(1) in the case of an individual who is a quali-
24 fied law enforcement officer, the official badge and
25 photographic identification issued by the govern-

1 mental agency for which the individual is employed
2 as a law enforcement officer; or

3 “(2) in the case of an individual who is a quali-
4 fied retired law enforcement officer, such photo-
5 graphic identification and other identification media
6 as the governmental agency from which the individ-
7 ual is retired may issue to retired law enforcement
8 officers.”.

9 (b) CLERICAL AMENDMENT.—The table of sections
10 for such chapter is amended by inserting after the item
11 relating to section 926A the following:

“926B. Carrying of concealed firearms by qualified current or former law en-
forcement officers.”.

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