

105TH CONGRESS  
1ST SESSION

# H. R. 1074

To promote the fitting of firearms with child safety locks.

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IN THE HOUSE OF REPRESENTATIVES

MARCH 13, 1997

Ms. MILLENDER-McDONALD introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To promote the fitting of firearms with child safety locks.

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 “Firearm Child Safety  
5 Lock Act of 1997”.

6 **SEC. 2. PROHIBITIONS AGAINST TRANSFER OF A FIREARM**  
7 **OR MANUFACTURE OF A HANDGUN WITHOUT**  
8 **CHILD SAFETY LOCKS.**

9        (a) PROHIBITION AGAINST TRANSFER OF FIREARM  
10 WITHOUT CHILD SAFETY LOCK ATTACHED.—

11            (1) PROHIBITION.—It shall be unlawful for any  
12 person, in or affecting commerce, to transfer a fire-

1 arm in the United States, unless a child safety lock  
2 which meets the requirement of subsection (c) is at-  
3 tached to, or is an integral part of, the firearm.

4 (2) PENALTIES.—

5 (A) PRIVATE TRANSFERS.—The Secretary  
6 shall impose a civil fine of \$1,000 on any per-  
7 son, other than a licensed dealer or licensed  
8 manufacturer, who violates paragraph (1).

9 (B) TRANSFERS BY FEDERALLY LICENSED  
10 FIREARMS DEALERS.—The Secretary shall im-  
11 pose a civil fine of \$5,000 on any licensed deal-  
12 er who violates paragraph (1), and shall revoke  
13 any license issued under chapter 44 of title 18,  
14 United States Code, to such a licensed dealer.

15 (C) TRANSFERS BY FEDERALLY LICENSED  
16 FIREARMS MANUFACTURERS.—The Secretary  
17 shall impose a civil fine of \$5,000 on any li-  
18 censed manufacturer who violates paragraph  
19 (1).

20 (b) PROHIBITION AGAINST MANUFACTURE OF  
21 HANDGUN WITHOUT CHILD SAFETY LOCK ATTACHED.—

22 (1) PROHIBITION.—It shall be unlawful for any  
23 person, in or affecting commerce, to manufacture a  
24 handgun in the United States, unless a child safety

1 lock which meets the requirement of subsection (c)  
2 is attached to, or is an integral part of, the firearm.

3 (2) PENALTIES.—The Secretary shall impose a  
4 civil fine of \$5,000 on any person who violates para-  
5 graph (1).

6 (c) CHILD SAFETY LOCK REQUIREMENTS.—A lock  
7 meets the requirements of this subsection if the lock, while  
8 activated or attached to the firearm, prevents the firearm  
9 from being discharged.

10 (d) JUDICIAL REVIEW.—Not later than 60 days after  
11 an individual receives notice from the Secretary of a deci-  
12 sion to impose a fine on, or revoke a license of, the individ-  
13 ual under this section, the individual may bring an action  
14 against the Secretary in any United States district court  
15 for de novo review of the decision.

16 (e) INAPPLICABILITY TO GOVERNMENTAL ENTI-  
17 TIES.—Subsections (a) and (b) of this section shall not  
18 apply to conduct of, or authorized by, the United States  
19 or any department or agency thereof, or any State or any  
20 department, agency, or political subdivision thereof.

21 (f) DEFINITIONS.—As used in this section, the terms  
22 “State”, “firearm”, “handgun”, “dealer”, “licensed deal-  
23 er”, “manufacturer”, “licensed manufacturer”, and “Sec-

1 retary” shall have the meanings given such terms in sec-  
2 tion 921(a) of title 18, United States Code.

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