

119TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To reform Federal firearms laws, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mr. KAINE (for himself and Mr. WARNER) introduced the following bill; which  
was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To reform Federal firearms laws, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Virginia Plan to Reduce Gun Violence Act of 2026”.

6 (b) TABLE OF CONTENTS.—The table of contents for  
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—FIREARM SALES

- Sec. 101. Firearms transfers.
- Sec. 102. Handgun sales.
- Sec. 103. Ghost guns.
- Sec. 104. Assault weapons.

TITLE II—EXTREME RISK PROTECTION ORDERS

- Sec. 201. Definitions.
- Sec. 202. Extreme risk protection grant program.
- Sec. 203. National extreme risk protection order law.
- Sec. 204. Federal firearms prohibition.
- Sec. 205. Full faith and credit.

#### TITLE III—FIREARM SAFETY REQUIREMENTS

- Sec. 301. Reporting lost or stolen firearms.
- Sec. 302. Access to firearms by minors.
- Sec. 303. Prohibiting stalkers and individuals subject to court order from possessing a firearm.
- Sec. 304. Causing or enabling a child to gain possession of a firearm.

#### TITLE IV—DOMESTIC VIOLENCE RELINQUISHMENT

- Sec. 401. Definitions.
- Sec. 402. Domestic violence relinquishment grant program.
- Sec. 403. National domestic violence relinquishment.

#### TITLE V—OTHER FIREARMS MATTERS

- Sec. 501. Ban on firearms in institutions of higher education and areas surrounding mental health facilities.
- Sec. 502. Disqualification from possessing firearms for misdemeanor hate crimes.

## 1           **TITLE I—FIREARM SALES**

### 2   **SEC. 101. FIREARMS TRANSFERS.**

3           (a) OFFENSE.—Section 922 of title 18, United States  
4 Code, is amended by adding at the end the following:

5           “(aa)(1)(A) It shall be unlawful for any person who  
6 is not a licensed importer, licensed manufacturer, or li-  
7 censed dealer to transfer a firearm to any other person  
8 who is not so licensed, unless a licensed importer, licensed  
9 manufacturer, or licensed dealer has first taken possession  
10 of the firearm for the purpose of complying with sub-  
11 section (t).

12           “(B) Upon taking possession of a firearm under sub-  
13 paragraph (A), a licensee shall comply with all require-  
14 ments of this chapter as if the licensee were transferring

1 the firearm from the inventory of the licensee to the unli-  
2 censed transferee.

3 “(C) If a transfer of a firearm described in subpara-  
4 graph (A) will not be completed for any reason after a  
5 licensee takes possession of the firearm (including because  
6 the transfer of the firearm to, or receipt of the firearm  
7 by, the transferee would violate this chapter), the return  
8 of the firearm to the transferor by the licensee shall not  
9 constitute the transfer of a firearm for purposes of this  
10 chapter.

11 “(2) Paragraph (1) shall not apply to—

12 “(A) a law enforcement agency or any law en-  
13 forcement officer, armed private security profes-  
14 sional, or member of the armed forces, to the extent  
15 the officer, professional, or member is acting within  
16 the course and scope of employment and official du-  
17 ties;

18 “(B) a transfer that is a loan or bona fide gift  
19 between spouses, between domestic partners, be-  
20 tween parents and their children, including step-par-  
21 ents and their step-children, between siblings, be-  
22 tween aunts or uncles and their nieces or nephews,  
23 or between grandparents and their grandchildren;

24 “(C) a transfer to an executor, administrator,  
25 trustee, or personal representative of an estate or a

1 trust that occurs by operation of law upon the death  
2 of another person;

3 “(D) a temporary transfer that is necessary to  
4 prevent imminent death or great bodily harm, if the  
5 possession by the transferee lasts only as long as im-  
6 mediately necessary to prevent the imminent death  
7 or great bodily harm, including the harm of domestic  
8 violence, dating partner violence, sexual assault,  
9 stalking, and domestic abuse;

10 “(E) a transfer that is approved by the Attor-  
11 ney General under section 5812 of the Internal Rev-  
12 enue Code of 1986; or

13 “(F) a temporary transfer if the transferor has  
14 no reason to believe that the transferee will use or  
15 intends to use the firearm in a crime or is prohibited  
16 from possessing firearms under State or Federal  
17 law, and the transfer takes place and the trans-  
18 feree’s possession of the firearm is exclusively—

19 “(i) at a shooting range or in a shooting  
20 gallery or other area designated for the purpose  
21 of target shooting;

22 “(ii) while reasonably necessary for the  
23 purposes of hunting, trapping, or fishing, if the  
24 transferor—

1                   “(I) has no reason to believe that the  
2                   transferee intends to use the firearm in a  
3                   place where it is illegal; and

4                   “(II) has reason to believe that the  
5                   transferee will comply with all licensing  
6                   and permit requirements for such hunting,  
7                   trapping, or fishing; or

8                   “(iii) while in the presence of the trans-  
9                   feror.

10           “(3)(A) Notwithstanding any other provision of this  
11 chapter, the Attorney General may implement this sub-  
12 section with regulations.

13           “(B) Regulations promulgated under this paragraph  
14 may not include any provision requiring licensees to facili-  
15 tate transfers in accordance with paragraph (1).

16           “(C) Regulations promulgated under this paragraph  
17 may not include any provision requiring persons not li-  
18 censed under this chapter to keep records of background  
19 checks or firearms transfers.

20           “(D) Regulations promulgated under this paragraph  
21 may not include any provision placing a cap on the fee  
22 licensees may charge to facilitate transfers in accordance  
23 with paragraph (1).

24           “(4) It shall be unlawful for a licensed importer, li-  
25 censed manufacturer, or licensed dealer to transfer posses-

1 sion of, or title to, a firearm to another person who is  
2 not so licensed unless the importer, manufacturer, or deal-  
3 er has provided such other person with a notice of the  
4 prohibition under paragraph (1), and such other person  
5 has certified that such other person has been provided  
6 with this notice on a form prescribed by the Attorney Gen-  
7 eral.”.

8 (b) EFFECTIVE DATE.—The amendment made by  
9 subsection (a) shall take effect 180 days after the date  
10 of enactment of this Act.

11 **SEC. 102. HANDGUN SALES.**

12 (a) LIMITATION ON MULTIPLE HANDGUN PUR-  
13 CHASES.—Section 922 of title 18, United States Code, as  
14 amended by section 101, is amended by adding at the end  
15 the following:

16 “(bb)(1) Except as provided in paragraph (2), it shall  
17 be unlawful for any person who is not a licensed importer,  
18 licensed manufacturer, or licensed dealer to purchase more  
19 than 1 handgun in a 30-day period.

20 “(2) Paragraph (1) shall not apply to—

21 “(A) an individual with a certificate issued by  
22 a law enforcement agency of the State in which the  
23 individual resides certifying the individual has  
24 passed an enhanced background check;

1           “(B) a law enforcement agency or law enforce-  
2           ment officer or member of the armed forces, to the  
3           extent the officer, professional, or member is acting  
4           within the course and scope of employment and offi-  
5           cial duties;

6           “(C) a State or local correctional facility;

7           “(D) a private security company licensed by the  
8           State or unit of local government in which the com-  
9           pany operates; or

10          “(E) the purchase of a handgun that is—

11                 “(i) an antique firearm; or

12                 “(ii) listed as a curio or relic by the Attor-  
13                 ney General pursuant to section 921(a)(13) by  
14                 a licensed collector.”.

15          (b) **EFFECTIVE DATE.**—The amendment made by  
16          subsection (a) shall take effect 180 days after the date  
17          of enactment of this Act.

18          **SEC. 103. GHOST GUNS.**

19          (a) **IN GENERAL.**—Section 922(p) of title 18, United  
20          States Code, is amended—

21                 (1) by striking “(p)(1) It shall be unlawful”  
22                 and all that follows through the end of paragraph  
23                 (1) and inserting the following:

1           “(p)(1)(A) It shall be unlawful for any person to  
2 manufacture, import, sell, ship, deliver, possess, transfer,  
3 or receive any firearm that—

4           “(i) after removal of grips, stocks, and maga-  
5 zines, is not as detectable as the Security Exemplar,  
6 by walk-through metal detectors calibrated and oper-  
7 ated to detect the Security Exemplar; or

8           “(ii) after removal of all parts other than a  
9 major component, is not detectable as a firearm  
10 when subjected to inspection by the types of detec-  
11 tion devices, including X-ray machines, commonly  
12 used at airports, government buildings, schools, cor-  
13 rectional facilities, and other locations for security  
14 screening.

15           “(B) It shall be unlawful for any person to—

16           “(i) knowingly possess a firearm or any com-  
17 pleted or unfinished frame or receiver that is not im-  
18 printed with a valid serial number; or

19           “(ii) knowingly import, purchase, sell, offer for  
20 sale, or transfer ownership any completed or unfin-  
21 ished frame or receiver, unless the completed or un-  
22 finished frame or receiver—

23           “(I) is a firearm; and

24           “(II) is imprinted with a valid serial num-  
25 ber.

1           “(C) It shall be unlawful for any person to manufac-  
2     ture or assemble, cause to be manufactured or assembled,  
3     import, purchase, sell, offer for sale, or transfer ownership  
4     of any firearm that is not imprinted with a valid serial  
5     number.”; and

6           (2) in paragraph (2), by striking subparagraph  
7     (C) and inserting the following:

8           “(C) the term ‘Security Exemplar’ means an  
9     object, to be fabricated at the direction of the Attor-  
10    ney General, that is suitable for testing and cali-  
11    brating metal detectors.”.

12          (b) APPLICABILITY.—The amendments made by sub-  
13    section (a) shall take effect 1 year after the date of enact-  
14    ment of this Act.

15    **SEC. 104. ASSAULT WEAPONS.**

16          (a) DEFINITION.—Section 921(a) of title 18, United  
17    States Code, is amended by adding at the end the fol-  
18    lowing:

19               “(39)(A) The term ‘assault weapon’ means each  
20     of the following:

21                   “(i) A semi-automatic center-fire rifle or  
22                   pistol with a fixed magazine capacity in excess  
23                   of 15 rounds.

24                   “(ii) A semi-automatic center-fire rifle that  
25                   meets the following criteria:

1           “(I) Has the ability to accept a de-  
2           tachable magazine, not including an at-  
3           tached tubular device designed to accept  
4           and capable of operating only with .22 cal-  
5           iber rimfire ammunition.

6           “(II) Has 1 or more of the following  
7           characteristics:

8                   “(aa) A folding, telescoping, or  
9                   collapsible stock.

10                   “(bb) A thumbhole stock or pistol  
11                   grip that protrudes conspicuously be-  
12                   neath the action of the rifle.

13                   “(cc) A second handgrip or a  
14                   protruding grip that can be held by  
15                   the non-trigger hand.

16                   “(dd) A grenade launcher.

17                   “(ee) A threaded barrel capable  
18                   of accepting—

19                           “(AA) a muzzle brake;

20                           “(BB) a muzzle compen-  
21                           sator;

22                           “(CC) a sound suppressor;

23                           or

24                           “(DD) a flash suppressor.

1           “(iii) A semi-automatic center-fire pistol  
2           that has 2 or more of the following characteris-  
3           tics:

4                   “(I) A second handgrip or a pro-  
5                   truding grip that can be held by the non-  
6                   trigger hand.

7                   “(II) The capacity to accept a maga-  
8                   zine that attaches to the pistol outside of  
9                   the pistol grip.

10                  “(III) A shroud that is attached to, or  
11                  partially or completely encircles, the barrel  
12                  and that permits the shooter to hold the  
13                  pistol with the non-trigger hand without  
14                  being burned.

15                  “(IV) A threaded barrel capable of ac-  
16                  cepting—

17                           “(aa) a sound suppressor;

18                           “(bb) a flash suppressor;

19                           “(cc) a barrel extender; or

20                           “(dd) a forward handgrip.

21                  “(V) A buffer tube, arm brace, or  
22                  other part that protrudes horizontally be-  
23                  hind the pistol grip and is designed or re-  
24                  designed to allow or facilitate the firing of  
25                  a firearm from the shoulder.

1                   “(iv) A semi-automatic shotgun that meets  
2                   the following criteria:

3                   “(I) Expels single or multiple projec-  
4                   tiles by action of an explosion of a combus-  
5                   tible material.

6                   “(II) Has 1 or more of the following  
7                   characteristics:

8                   “(aa) A folding, telescoping, or  
9                   collapsible stock.

10                  “(bb) The ability to accept a de-  
11                  tachable magazine.

12                  “(cc) A fixed magazine capacity  
13                  in excess of 15 rounds.

14                  “(dd) Any characteristic of like  
15                  kind, as enumerated in items (aa),  
16                  (bb), and (cc).

17                  “(v) A shotgun with a revolving cylinder.

18                  “(vi) A firearm that has the capacity to ac-  
19                  cept a belt ammunition feeding device.

20                  “(vii) A firearm that has been modified to  
21                  be operable as a firearm as described in clauses  
22                  (i) through (vi).

23                  “(B) The term ‘assault weapon’ does not in-  
24                  clude a firearm that—

25                  “(i) is an antique firearm;

1                   “(ii) has been rendered permanently inop-  
2                   erable; or

3                   “(iii) is manually operated by bolt, pump,  
4                   lever, or slide action.”.

5                   (b) PROHIBITION ON ASSAULT WEAPONS.—

6                   (1) IN GENERAL.—Section 922 of title 18,  
7                   United States Code, is amended—

8                   (A) in subsection (a)(4), by inserting “as-  
9                   sault weapon,” before “machinegun”; and

10                  (B) in subsection (b)(4), by inserting “as-  
11                  sault weapon,” before “machinegun”.

12                  (2) ENHANCED PENALTIES FOR CRIMES OF VI-  
13                  OLENCE AND DRUG TRAFFICKING CRIMES.—Section  
14                  924 of title 18, United States Code, is amended—

15                  (A) in subsection (c)(1), by striking “a  
16                  machinegun or” each place it appears and in-  
17                  serting “an assault weapon, a machinegun, or”;  
18                  and

19                  (B) in subsection (o), by striking “a ma-  
20                  chinegun or” and inserting “an assault weapon,  
21                  machinegun, or”.

22                  (3) CARRYING OF CONCEALED FIREARMS BY  
23                  RETIRED LAW ENFORCEMENT OFFICERS.—Section  
24                  926C(e)(C) of title 18, United States Code, is  
25                  amended—

1 (A) in clause (ii), by striking “and” at the  
2 end;

3 (B) in clause (ii), by striking “and” at the  
4 end; and

5 (C) by adding at the end the following:

6 “(iv) any assault weapon; and”.

7 (c) PROHIBITION ON POSSESSION OF ASSAULT  
8 WEAPONS BY INDIVIDUALS UNDER 18.—

9 (1) IN GENERAL.—Section 922 of title 18,  
10 United States Code, as amended by section 102 of  
11 this Act, is amended by adding at the end the fol-  
12 lowing:

13 “(cc) PROHIBITION ON POSSESSION OF ASSAULT  
14 WEAPONS BY INDIVIDUALS UNDER 18.—

15 “(1) IN GENERAL.—Subject to paragraph (2),  
16 it shall be unlawful for any individual who is less  
17 than 18 years of age to possess an assault weapon.

18 “(2) EXCEPTIONS.—Paragraph (1) shall not  
19 apply to—

20 “(A) any person while present in his or her  
21 home or on the property of his or her parent,  
22 grandparent, or legal guardian and possessing  
23 the assault weapon with the consent of his or  
24 her parent, grandparent, or legal guardian who  
25 owns the assault weapon;

1           “(B) any person who, while accompanied  
2           by an adult, is present at a lawful shooting  
3           range or firearms educational class, provided  
4           that the weapons are unloaded while being  
5           transported;

6           “(C) any person who, while accompanied  
7           by an adult, is actually engaged in lawful hunt-  
8           ing;

9           “(D) any person while engaged in official  
10          training or carrying out his or her duties as a  
11          law enforcement officer or as a member of the  
12          Armed Forces (including as a member of a re-  
13          serve component);

14          “(E) any cadet who is participating in  
15          training, competitive, or ceremonial activities as  
16          a member of the Corps of Cadets or the Re-  
17          serve Officers’ Training Corps at a public insti-  
18          tution of higher education; or

19          “(F) any active duty law enforcement offi-  
20          cer in the course of his or her duties, including  
21          as part of training as a recruit at a law enforce-  
22          ment academy.”.

23          (2) PENALTY.—Section 924 of title 18, United  
24          States Code, is amended—

1 (A) in subsection (a)(1), by striking “or  
2 (p)” and inserting “(p), or (q)”; and

3 (B) by adding at the end the following:

4 “(q) A person who violates section 922(cc) shall be  
5 fined not more than \$2,500, imprisoned for not more than  
6 1 year, or both.”.

7 (d) APPLICABILITY.—The amendments made by this  
8 section shall take effect 1 year after the date of enactment  
9 of this Act.

10 **TITLE II—EXTREME RISK**  
11 **PROTECTION ORDERS**

12 **SEC. 201. DEFINITIONS.**

13 In this title:

14 (1) ELIGIBLE ENTITY.—The term “eligible enti-  
15 ty” means—

16 (A) a State or Indian Tribe—

17 (i) that enacts legislation described in  
18 section 203;

19 (ii) with respect to which the Attorney  
20 General determines that the legislation de-  
21 scribed in clause (i) complies with the re-  
22 quirements of section 203; and

23 (iii) that certifies to the Attorney  
24 General that the State or Indian Tribe  
25 shall—

1 (I) use a grant under section 202  
2 for the purposes described in section  
3 202(b); and

4 (II) allocate not less than 25 per-  
5 cent of the amount received under the  
6 grant for training for law enforcement  
7 officers; or

8 (B) a unit of local government or other  
9 public or private entity that—

10 (i) is located in a State or in the terri-  
11 tory under the jurisdiction of an Indian  
12 Tribe that meets the requirements de-  
13 scribed in clauses (i) and (ii) of subpara-  
14 graph (A); and

15 (ii) certifies to the Attorney General  
16 that the unit of local government or entity  
17 shall—

18 (I) use a grant under section 202  
19 for the purposes described in section  
20 202(b); and

21 (II) allocate not less than 25 per-  
22 cent of the amount received under the  
23 grant for training for law enforcement  
24 officers.

1           (2) EXTREME RISK PROTECTION ORDER.—The  
2 term “extreme risk protection order” means a writ-  
3 ten order or warrant, issued by a State or Tribal  
4 court or signed by a magistrate (or other com-  
5 parable judicial officer), the primary purpose of  
6 which is to reduce the risk of firearm-related death  
7 or injury by doing 1 or more of the following:

8           (A) Prohibiting a named individual from  
9 having under the custody or control of the indi-  
10 vidual, owning, purchasing, possessing, or re-  
11 ceiving a firearm.

12           (B) Having a firearm removed or requiring  
13 the surrender of firearms from a named indi-  
14 vidual.

15           (3) FIREARM.—The term “firearm” has the  
16 meaning given the term in section 921 of title 18,  
17 United States Code.

18           (4) INDIAN TRIBE.—The term “Indian Tribe”  
19 has the meaning given the term “Indian tribe” in  
20 section 1709 of the Omnibus Crime Control and  
21 Safe Streets Act of 1968 (34 U.S.C. 10389).

22           (5) LAW ENFORCEMENT OFFICER.—The term  
23 “law enforcement officer” means a public servant  
24 authorized by State, local, or Tribal law or by a  
25 State, local, or Tribal government agency to—

1 (A) engage in or supervise the prevention,  
2 detection, investigation, or prosecution of an of-  
3 fense; or

4 (B) supervise sentenced criminal offenders.

5 (6) PETITIONER.—The term “petitioner”  
6 means an individual authorized under State or Trib-  
7 al law to petition for an extreme risk protection  
8 order.

9 (7) STATE.—The term “State” means—

10 (A) a State;

11 (B) the District of Columbia;

12 (C) the Commonwealth of Puerto Rico;

13 and

14 (D) any other territory or possession of the  
15 United States.

16 (8) UNIT OF LOCAL GOVERNMENT.—The term  
17 “unit of local government” has the meaning given  
18 the term in section 901 of title I of the Omnibus  
19 Crime Control and Safe Streets Act of 1968 (34  
20 U.S.C. 10251).

21 **SEC. 202. EXTREME RISK PROTECTION GRANT PROGRAM.**

22 (a) IN GENERAL.—The Director of the Office of  
23 Community Oriented Policing Services of the Department  
24 of Justice shall establish a program under which, from  
25 amounts made available to carry out this section, the Di-

1 rector may make grants to eligible entities to assist in car-  
2 rying out the provisions of the legislation described in sec-  
3 tion 203.

4 (b) USE OF FUNDS.—Funds awarded under this sec-  
5 tion may be used by an applicant to—

6 (1) enhance the capacity of law enforcement  
7 agencies and the courts of a State, unit of local gov-  
8 ernment, or Indian Tribe by providing personnel,  
9 training, technical assistance, data collection, and  
10 other resources to carry out legislation described in  
11 section 203;

12 (2) train judges, court personnel, and law en-  
13 forcement officers to more accurately identify indi-  
14 viduals whose access to firearms poses a danger of  
15 causing harm to themselves or others by increasing  
16 the risk of firearms suicide or interpersonal violence;

17 (3) develop and implement law enforcement and  
18 court protocols, forms, and orders so that law en-  
19 forcement agencies and the courts may carry out the  
20 provisions of the legislation described in section 203  
21 in a safe and effective manner, including through  
22 the removal and storage of firearms pursuant to ex-  
23 treme risk protection orders under the legislation;  
24 and



1       ment officer, may submit an application to a State  
2       or Tribal court, on a form designed by the court or  
3       a State or Tribal agency, that—

4               (A) describes the facts and circumstances  
5       justifying that an extreme risk protection order  
6       be issued against the named individual; and

7               (B) is signed by the applicant, under oath.

8       (2) NOTICE.—The individual named in an ap-  
9       plication for an extreme risk protection order as de-  
10      scribed in paragraph (1) shall be given—

11              (A) written notice of the application;

12              (B) an opportunity to be heard on the  
13      matter in accordance with this section; and

14              (C) an opportunity to voluntarily surrender  
15      any firearm in the possession of the individual.

16      (3) ISSUANCE OF EXTREME RISK PROTECTION  
17      ORDERS.—

18              (A) HEARING.—

19                      (i) IN GENERAL.—Upon receipt of an  
20      application described in paragraph (1), or  
21      request of an individual named in such ap-  
22      plication, the court shall order a hearing to  
23      be held not later than 30 days after the  
24      date of such application or request.

1                   (ii) DETERMINATION.—After a hear-  
2                   ing described in clause (i), if the court  
3                   finds by a preponderance of the evidence  
4                   that the respondent poses a danger of  
5                   causing harm to himself or herself or to  
6                   another individual by having access to a  
7                   firearm, the court may issue an extreme  
8                   risk protection order.

9                   (B) LENGTH OF EXTREME RISK PROTEC-  
10                  TION ORDER.—An extreme risk protection order  
11                  shall be in effect until—

12                   (i) an order is entered terminating or  
13                   superseding the extreme risk protection  
14                   order; or

15                   (ii) the date, if any, specified in the  
16                   extreme risk protection order.

17                  (C) RETURN OF FIREARMS.—After a hear-  
18                  ing conducted under this paragraph, if the  
19                  Court finds that the respondent does not pose  
20                  a substantial risk of personal injury to himself  
21                  or herself or to another individual by having ac-  
22                  cess to a firearm, the court shall order that  
23                  each firearm surrendered, transferred, or re-  
24                  moved under paragraph (5) shall be returned to  
25                  the respondent.

1           (4) EX PARTE EXTREME RISK PROTECTION OR-  
2           DERS.—

3           (A) IN GENERAL.—Upon receipt of an ap-  
4           plication described in paragraph (1), the court  
5           may issue an ex parte extreme risk protection  
6           order before conducting the hearing required  
7           under paragraph (3), if—

8                   (i) the application for an extreme risk  
9                   protection order alleges that the respond-  
10                  ent poses a danger of causing harm to  
11                  himself, herself, or others in the near fu-  
12                  ture by having access to a firearm; and

13                  (ii) the court finds there is reasonable  
14                  cause to believe that the respondent poses  
15                  a danger of causing harm to himself, her-  
16                  self, or others in the near future by having  
17                  access to a firearm.

18           (B) LENGTH OF EX PARTE EXTREME RISK  
19           PROTECTION ORDER.—An ex parte extreme risk  
20           protection order shall be in effect for a period  
21           not to exceed 30 days, unless continued for  
22           good cause.

23           (5) SURRENDER AND REMOVAL OF FIRE-  
24           ARMS.—

1           (A) IN GENERAL.—Upon receipt of notice  
2           under paragraph (1), the individual who is the  
3           subject of an extreme risk protection order ap-  
4           plication shall surrender to a law enforcement  
5           agency, or transfer to a third party, all firearms  
6           in the possession of the individual.

7           (B) REMOVAL.—If an individual described  
8           in subparagraph (A) does not surrender or  
9           transfer all firearms in the possession of the in-  
10          dividual, the firearms shall be removed by a law  
11          enforcement officer with appropriate jurisdic-  
12          tion.

13          (6) STORAGE OF REMOVED FIREARMS.—All  
14          firearms removed by, or surrendered to, a law en-  
15          forcement officer under paragraph (5) shall be re-  
16          tained by the law enforcement officer or appropriate  
17          law enforcement agency until the named individual  
18          regains his or her eligibility to possess firearms, ex-  
19          cept that the legislation may authorize a law en-  
20          forcement agency to—

21                 (A) contract with a manufacturer, dealer,  
22                 or importer licensed under chapter 44 of title  
23                 18, United States Code, for the secure storage  
24                 of firearms; and

1           (B) transfer the firearm upon proof that  
2           the named individual will no longer have access  
3           to the firearm.

4           (7) NOTIFICATION.—

5           (A) IN GENERAL.—A State or tribal court  
6           that issues an extreme risk protection order  
7           shall notify the Department of Justice or the  
8           comparable State or Tribal agency, as applica-  
9           ble, of the order as soon as practicable. Such  
10          notice shall be submitted in an electronic for-  
11          mat, in a manner prescribed by the Department  
12          of Justice or the comparable State or Tribal  
13          agency.

14          (B) UPDATE OF DATABASES.—As soon as  
15          practicable after receiving a notification under  
16          subparagraph (A), the Department of Justice  
17          or the comparable State or Tribal agency shall  
18          ensure the extreme risk protection order is re-  
19          flected in the National Instant Criminal Back-  
20          ground Check System.

21          (8) CONFIDENTIALITY PROTECTIONS.—All per-  
22          sonally identifiable information provided to the  
23          court, the Department of Justice, and comparable  
24          State or Tribal agencies shall be kept confidential,

1 as required by the laws of the jurisdiction, except as  
2 necessary to carry out the legislation.

3 (9) MINORS.—If an extreme risk protection  
4 order is issued with respect to an individual who is  
5 less than 18 years of age, a copy of the extreme risk  
6 protection order shall be served on the parent or  
7 guardian of such individual at any address where  
8 such individual resides, or the local board of social  
9 services in the case where such individual is the sub-  
10 ject of a dependency or court-approved out-of-home  
11 placement.

12 (b) ADDITIONAL AUTHORITIES.—Legislation de-  
13 scribed in this section may—

14 (1) provide procedures for the termination of an  
15 extreme risk protection order;

16 (2) provide procedures for the renewal of an ex-  
17 treme risk protection order;

18 (3) establish burdens of proof for issuance of  
19 orders described in paragraphs (3) and (4) of sub-  
20 section (a) that are higher than the burdens of proof  
21 required under those paragraphs;

22 (4) limit the individuals who may submit an ap-  
23 plication described in subsection (a)(1), provided  
24 that, at a minimum, law enforcement officers are  
25 authorized to do so; and

1           (5) include other authorizations or requirements  
2           that the State or Indian Tribe determines appro-  
3           priate.

4 **SEC. 204. FEDERAL FIREARMS PROHIBITION.**

5           (a) IN GENERAL.—Section 922 of title 18, United  
6 States Code, is amended—

7           (1) in subsection (d)—

8                   (A) in paragraph (10), by striking “or” at  
9                   the end;

10                   (B) by redesignating paragraph (11) as  
11                   paragraph (12);

12                   (C) by inserting after paragraph (10) the  
13                   following:

14                   “(11) is subject to a court order that prohibits  
15                   such person from having under his or her custody or  
16                   control, owning, purchasing, possessing, or receiving  
17                   any firearms, or requires the surrender or removal  
18                   of firearms from the person, provided that the  
19                   order—

20                           “(A) is issued in a manner consistent with  
21                           the due process rights of the person; and

22                           “(B) is based on a finding that the person  
23                           poses a danger of causing harm to himself, her-  
24                           self, or others by having access to a firearm;  
25                           or”; and

1 (D) in paragraph (12), as so redesignated,  
2 by striking “through (10)” and inserting  
3 “through (11)”; and  
4 (2) in subsection (g)—

5 (A) in paragraph (8)(C)(ii), by striking  
6 “or” at the end;

7 (B) in paragraph (9), by striking the  
8 comma at the end and inserting “; or”; and

9 (C) by inserting after paragraph (9) the  
10 following:

11 “(10) is subject to a court order that prohibits  
12 such person from having under his or her custody or  
13 control, owning, purchasing, possessing, or receiving  
14 any firearms, or requires the surrender or removal  
15 of firearms from the person, provided that the  
16 order—

17 “(A) is issued in a manner consistent with  
18 the due process rights of the person; and

19 “(B) is based on a finding that the person  
20 poses a danger of causing harm to himself, her-  
21 self, or others by having access to a firearm.”.

22 (b) CONFORMING AMENDMENT.—Section 3(1) of the  
23 NICS Improvement Amendments Act of 2007 (34 U.S.C.  
24 40903(1)) is amended by striking “section 922(g)(8)” and  
25 inserting “paragraph (8) or (12) of section 922(g)”.

1 **SEC. 205. FULL FAITH AND CREDIT.**

2 Any extreme risk protection order issued under a  
3 State or Tribal law enacted in accordance with this title  
4 shall be accorded the same full faith and credit by the  
5 court of another State or Indian Tribe (in this section re-  
6 ferred to as the “enforcing State or Indian Tribe”) and  
7 enforced by the court and law enforcement personnel of  
8 the other State or Tribal government as if it were the  
9 order of the enforcing State or Tribe.

10 **TITLE III—FIREARM SAFETY**  
11 **REQUIREMENTS**

12 **SEC. 301. REPORTING LOST OR STOLEN FIREARMS.**

13 (a) OFFENSE.—

14 (1) IN GENERAL.—Section 922 of title 18,  
15 United States Code, as amended by section 104 of  
16 this Act, is amended by adding at the end the fol-  
17 lowing:

18 “(dd)(1) It shall be unlawful for a person to fail to  
19 provide notice to an appropriate State or local law enforce-  
20 ment agency of a firearm of the individual which has been  
21 shipped or transported in interstate or foreign commerce,  
22 other than an antique firearm, that was lost or stolen  
23 within 48 hours after the person discovers the loss or theft  
24 or is informed by another person with knowledge of the  
25 loss or theft.

1       “(2) Except as provided in paragraph (3), a person  
2 who, in good faith, reports the loss or theft of a firearm  
3 under this subsection shall not be liable for any acts or  
4 omissions that result from the theft or loss of the firearm.

5       “(3) Paragraph (2) shall not apply to any person  
6 who—

7           “(A) knowingly reports a false loss or theft  
8 under this subsection; or

9           “(B) stored the firearm in a reckless or neg-  
10 ligent manner under this subsection.”.

11       (2) PENALTY.—Section 924 of title 18, United  
12 States Code, as amended by section 104 of this Act,  
13 is amended—

14           (A) in subsection (a)(1), by striking “or  
15 (q)” and inserting “(q), or (r)”; and

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

17       “(r) A person who violates section 922(dd) shall be  
18 subject to a civil penalty of not more than \$250.”.

19       (b) EFFECTIVE DATE.—The amendments made by  
20 subsection (a) shall take effect 180 days after the date  
21 of enactment of this Act.

22       (c) REPORTING.—

23           (1) IN GENERAL.—Each State and local law en-  
24 forcement agency shall report to the National Crime  
25 Information Center any lost or stolen firearm that is

1 reported to the agency under section 922(dd) of title  
2 18, United States Code, as amended by subsection  
3 (a).

4 (2) USE OF FUNDS REQUIREMENTS.—Section  
5 502(a) of title I of the Omnibus Crime Control and  
6 Safe Streets Act of 1968 (34 U.S.C. 10153(a)) is  
7 amended by adding at the end the following:

8 “(7) An assurance that, for each fiscal year  
9 covered by an application, the applicant will use not  
10 less than 5 percent of the total amount of the grant  
11 award for the fiscal year to study and implement ef-  
12 fective management and collection of data relating to  
13 lost or stolen firearms reported to the a law enforce-  
14 ment agency of the applicant under section 922(dd)  
15 of title 18, United States Code, unless the applicant  
16 has ensured, and the Attorney General has certified,  
17 that the applicant and each local law enforcement  
18 agency of the applicant is in substantial compliance  
19 with the reporting requirement in section 301(e)(1)  
20 of the Virginia Plan to Reduce Gun Violence Act of  
21 2026.”.

22 **SEC. 302. ACCESS TO FIREARMS BY MINORS.**

23 (a) OFFENSE.—Section 922(z) of title 18, United  
24 States Code, is amended by adding at the end the fol-  
25 lowing:

1 “(4) MINORS.—

2 “(A) IN GENERAL.—It shall be unlawful  
3 for a person to recklessly leave a loaded and un-  
4 secured firearm, which has moved in, or that  
5 has otherwise affected, interstate or foreign  
6 commerce, in such a manner as to endanger the  
7 life or limb of any other person who is under  
8 18 years of age.

9 “(B) EXCEPTIONS.—Subparagraph (A)  
10 shall not apply to a person if the person—

11 “(i) keeps the firearm—

12 “(I) secure using a secure gun  
13 storage or safety device; or

14 “(II) in a location which a rea-  
15 sonable person would believe to be se-  
16 cure; or

17 “(ii) carries the firearm on his or her  
18 person or within such close proximity  
19 thereto that the person can readily retrieve  
20 and use the firearm as if the person car-  
21 ried the firearm on his or her person.”.

22 (b) PENALTY.—Section 924 of title 18, United States  
23 Code, as amended by section 301, is amended—

24 (1) in subsection (a)(1), by striking “or (r)”  
25 and inserting “(r), or (s)”; and

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

2 “(s) A person who violates section 922(z)(4) shall be  
3 imprisoned for not more than 1 year, fined not more than  
4 \$2,500, or both.”

5 (c) EFFECTIVE DATE.—The amendment made by  
6 subsection (a) shall take effect 180 days after the date  
7 of enactment of this Act.

8 **SEC. 303. PROHIBITING STALKERS AND INDIVIDUALS SUB-**  
9 **JECT TO COURT ORDER FROM POSSESSING A**  
10 **FIREARM.**

11 (a) IN GENERAL.—Section 922 of title 18, United  
12 States Code, as amended by section 204 of this Act, is  
13 amended—

14 (1) in subsection (d)—

15 (A) in paragraph (8), by striking “that re-  
16 strains such person” and all that follows, and  
17 inserting “described in subsection (g)(8);”;

18 (B) in paragraph (11)(B), by striking “or”  
19 at the end;

20 (C) by redesignating paragraph (12) as  
21 paragraph (13);

22 (D) by inserting after paragraph (11) the  
23 following:

24 “(12) has been convicted in any court of a mis-  
25 demeanor crime of stalking; or”; and

1 (E) in paragraph (13), as so redesignated,  
2 by striking “through (11)” and inserting  
3 “through (12)”; and  
4 (2) in subsection (g)—

5 (A) by amending paragraph (8) to read as  
6 follows:

7 “(8) who is subject to a court order—

8 “(A) that was issued—

9 “(i) after a hearing of which such per-  
10 son received actual notice, and at which  
11 such person had an opportunity to partici-  
12 pate; or

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

16 “(I) within the time required by  
17 State, tribal, or territorial law; and

18 “(II) in any event within a rea-  
19 sonable time after the order is issued,  
20 sufficient to protect the due process  
21 rights of the person;

22 “(B) that restrains such person from—

23 “(i) harassing, stalking, or threat-  
24 ening an intimate partner of such person  
25 or child of such intimate partner or person,

1 or engaging in other conduct that would  
2 place an intimate partner in reasonable  
3 fear of bodily injury to the partner or  
4 child; or

5 “(ii) intimidating or dissuading a wit-  
6 ness from testifying in court; and

7 “(C) that—

8 “(i) includes a finding that such per-  
9 son represents a credible threat to the  
10 physical safety of such individual described  
11 in subparagraph (B); or

12 “(ii) by its terms explicitly prohibits  
13 the use, attempted use, or threatened use  
14 of physical force against such individual  
15 described in subparagraph (B) that would  
16 reasonably be expected to cause bodily in-  
17 jury;”;

18 (B) in paragraph (9), by striking “or” at  
19 the end;

20 (C) in paragraph (10), by striking the  
21 comma at the end and inserting “; or”; and

22 (D) by inserting after paragraph (10) the  
23 following:

24 “(11) who has been convicted in any court of  
25 a misdemeanor crime of stalking,”.

1 (b) DEFINITION.—Section 921(a) of title 18, United  
2 States Code, is amended—

3 (1) by redesignating paragraphs (34) and (35)  
4 as paragraphs (35) and (36) respectively; and

5 (2) by inserting after paragraph (33) the fol-  
6 lowing:

7 “(34)(A) The term ‘misdemeanor crime of  
8 stalking’ means an offense that—

9 “(i) is a misdemeanor crime of stalking  
10 under Federal, State, Tribal, or municipal law;  
11 and

12 “(ii) is a course of harassment, intimidat-  
13 ion, or surveillance of another person that—

14 “(I) places that person in reasonable  
15 fear of material harm to the health or safe-  
16 ty of—

17 “(aa) that person;

18 “(bb) an immediate family mem-  
19 ber (as defined in section 115) of that  
20 person;

21 “(cc) a household member of that  
22 person; or

23 “(dd) a spouse or intimate part-  
24 ner of that person; or

1                   “(II) causes, attempts to cause, or  
2                   would reasonably be expected to cause  
3                   emotional distress to a person described in  
4                   item (aa), (bb), (cc), or (dd) of subclause  
5                   (I).

6                   “(B) A person shall not be considered to have  
7                   been convicted of such an offense for purposes of  
8                   this chapter, unless—

9                   “(i) the person was represented by counsel  
10                  in the case, or knowingly and intelligently  
11                  waived the right to counsel in the case; and

12                  “(ii) in the case of a prosecution for an of-  
13                  fense described in this paragraph for which a  
14                  person was entitled to a jury trial in the juris-  
15                  diction in which the case was tried, either—

16                  “(I) the case was tried by a jury; or

17                  “(II) the person knowingly and intel-  
18                  ligently waived the right to have the case  
19                  tried by a jury, by guilty plea or otherwise.

20                  “(C) A person shall not be considered to  
21                  have been convicted of such an offense for pur-  
22                  poses of this chapter if the conviction has been  
23                  expunged or set aside, or is an offense for  
24                  which the person has been pardoned or has had  
25                  civil rights restored (if the law of the applicable

1 jurisdiction provides for the loss of civil rights  
2 under such an offense) unless the pardon,  
3 expungement, or restoration of civil rights ex-  
4 pressly provides that the person may not ship,  
5 transport, possess, or receive firearms.”.

6 **SEC. 304. CAUSING OR ENABLING A CHILD TO GAIN POS-**  
7 **SESSION OF A FIREARM.**

8 (a) IN GENERAL.—Section 922 of title 18, United  
9 States Code, as amended by section 301 of this Act, is  
10 amended by adding at the end the following:

11 “(ee)(1) In this subsection—

12 “(A) the term ‘covered caregiver’ means a par-  
13 ent, a guardian, or another person who is not less  
14 than 18 years of age who is responsible for the care  
15 of a child under 18 years of age; and

16 “(B) the term ‘violent felony’ has the meaning  
17 given that term in section 924(e)(2).

18 “(2) It shall be unlawful for a covered caregiver to,  
19 through a willful act or a willful failure to act, cause or  
20 enable a child in the care of the covered caregiver who  
21 is under 18 years of age to gain possession of a firearm—

22 “(A) after having received notice from a child  
23 welfare (or other comparable) agency, from a mental  
24 health provider for the child, or from an educational  
25 institution attended by the child that the child poses

1 a risk of violence or physical harm to himself or her-  
2 self or to others; or

3 “(B) after the covered caregiver knows or rea-  
4 sonably should know that—

5 “(i) the child has charges pending for or  
6 has been convicted or adjudicated delinquent of  
7 a violent felony; or

8 “(ii) the child has been determined by a  
9 State, local, Tribal, or Federal court to pose a  
10 risk of physical harm to himself or herself or to  
11 others.

12 “(3)(A) A covered caregiver shall not be in violation  
13 of paragraph (2)(A) if, at the time of the applicable act  
14 or failure to act, the covered caregiver has received notice  
15 from a provider or entity listed in such paragraph that  
16 the child no longer poses a risk of violence or physical  
17 harm to himself or herself or to others.

18 “(B) A covered caregiver shall not be in violation of  
19 paragraph (2)(B) if, at the time of the applicable act or  
20 failure to act, the covered caregiver has received notice  
21 that any pending charge for a violent felony has been dis-  
22 missed or a nolle prosequi has been entered.

23 “(4) It is an affirmative defense to prosecution for  
24 a violation of paragraph (2) that the covered caregiver en-  
25 abled a child to gain possession of a firearm while in a

1 dwelling because of a reasonable belief that the covered  
2 caregiver or the child was in imminent danger of bodily  
3 injury.”.

4 (b) PENALTY.—Section 924 of title 18, United States  
5 Code, as amended by section 302, is amended—

6 (1) in subsection (a)(1), by striking “or (s)”  
7 and inserting “(s), or (t)”; and

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

9 “(t) A person who violates section 922(ee) shall be  
10 fined under this title, imprisoned for not more than 10  
11 years, or both.”.

## 12 **TITLE IV—DOMESTIC VIOLENCE** 13 **RELINQUISHMENT**

### 14 **SEC. 401. DEFINITIONS.**

15 In this title:

16 (1) ELIGIBLE ENTITY.—The term “eligible enti-  
17 ty” means—

18 (A) a State or Indian Tribe—

19 (i) that enacts legislation described in  
20 section 403;

21 (ii) with respect to which the Attorney  
22 General determines that the legislation de-  
23 scribed in clause (i) complies with the re-  
24 quirements of section 403; and

1 (iii) that certifies to the Attorney  
2 General that the State or Indian Tribe  
3 shall—

4 (I) use a grant under section 402  
5 for the purposes described in section  
6 402(b); and

7 (II) allocate not less than 25 per-  
8 cent of the amount received under the  
9 grant for training for law enforcement  
10 officers; or

11 (B) a unit of local government or other  
12 public or private entity that—

13 (i) is located in a State or in the terri-  
14 tory under the jurisdiction of an Indian  
15 Tribe that meets the requirements de-  
16 scribed in clauses (i) and (ii) of subpara-  
17 graph (A); and

18 (ii) certifies to the Attorney General  
19 that the unit of local government or entity  
20 shall—

21 (I) use a grant under section 402  
22 for the purposes described in section  
23 402(b); and

24 (II) allocate not less than 25 per-  
25 cent of the amount received under the

1 grant for training for law enforcement  
2 officers.

3 (2) FIREARM.—The term “firearm” has the  
4 meaning given the term in section 921 of title 18,  
5 United States Code.

6 (3) INDIAN TRIBE.—The term “Indian Tribe”  
7 has the meaning given the term “Indian tribe” in  
8 section 1709 of the Omnibus Crime Control and  
9 Safe Streets Act of 1968 (34 U.S.C. 10389).

10 (4) LAW ENFORCEMENT OFFICER.—The term  
11 “law enforcement officer” means a public servant  
12 authorized by State, local, or Tribal law or by a  
13 State, local, or Tribal government agency to—

14 (A) engage in or supervise the prevention,  
15 detection, investigation, or prosecution of an of-  
16 fense; or

17 (B) supervise sentenced criminal offenders.

18 (5) NONPROHIBITED PERSON.—The term “non-  
19 prohibited person” means a person who—

20 (A) is not otherwise prohibited by law from  
21 possessing a firearm;

22 (B) is not less than 21 years of age; and

23 (C) does not reside with the applicable pro-  
24 hibited person.

1           (6) PROHIBITED PERSON.—The term “prohib-  
2           ited person” means any person prohibited from pos-  
3           sessing a firearm under paragraph (8) or (9) of sec-  
4           tion 922(g) of title 18, United States Code.

5           (7) QUALIFYING ORDER.—The term “qualifying  
6           order” means an order which triggers the prohibi-  
7           tion on possession of a firearm possession under  
8           paragraph (8) or (9) of section 922(g) of title 18,  
9           United States Code.

10          (8) STATE.—The term “State” means—

11                   (A) a State;

12                   (B) the District of Columbia;

13                   (C) the Commonwealth of Puerto Rico;

14                   and

15                   (D) any other territory or possession of the  
16           United States.

17          (9) UNIT OF LOCAL GOVERNMENT.—The term  
18           “unit of local government” has the meaning given  
19           the term in section 901 of title I of the Omnibus  
20           Crime Control and Safe Streets Act of 1968 (34  
21           U.S.C. 10251).

22   **SEC. 402. DOMESTIC VIOLENCE RELINQUISHMENT GRANT**  
23                   **PROGRAM.**

24          (a) IN GENERAL.—The Director of the Office of  
25           Community Oriented Policing Services of the Department

1 of Justice shall establish a program under which, from  
2 amounts made available to carry out this section, the Di-  
3 rector may make grants to eligible entities to assist in car-  
4 rying out the provisions of the legislation described in sec-  
5 tion 403.

6 (b) USE OF FUNDS.—Funds awarded under this sec-  
7 tion may be used by an applicant to—

8 (1) enhance the capacity of law enforcement  
9 agencies and courts of a State, unit of local govern-  
10 ment, or Indian Tribe by providing personnel, train-  
11 ing, technical assistance, data collection, and other  
12 resources to carry out legislation described in section  
13 403; and

14 (2) develop and implement law enforcement and  
15 court protocols, forms, and orders so that law en-  
16 forcement agencies and courts may carry out the  
17 provisions of the legislation described in section 403  
18 in a safe and effective manner, including through  
19 the removal and storage of firearms pursuant to re-  
20 linquishment under that legislation.

21 (c) APPLICATION.—An eligible entity desiring a grant  
22 under this section shall submit to the Attorney General  
23 an application at such time, in such manner, and con-  
24 taining or accompanied by such information as the Attor-  
25 ney General may reasonably require.

1 (d) INCENTIVES.—For each of fiscal years 2026  
2 through 2030, the Attorney General shall give affirmative  
3 preference in awarding any discretionary grant awarded  
4 by the Bureau of Justice Assistance to a State or Indian  
5 Tribe that has enacted legislation described in section 403.

6 (e) AUTHORIZATION OF APPROPRIATIONS.—There  
7 are authorized to be appropriated such sums as are nec-  
8 essary to carry out this section.

9 **SEC. 403. NATIONAL DOMESTIC VIOLENCE RELINQUISH-**  
10 **MENT.**

11 (a) REQUIREMENTS.—Legislation described in this  
12 section is legislation that establishes requirements that are  
13 substantially similar to the following:

14 (1) INDIVIDUALS COVERED.—An individual is  
15 covered by the legislation if the individual—

16 (A) is a prohibited person; and

17 (B) is in possession of a firearm at the  
18 time the applicable qualifying order is issued.

19 (2) SURRENDER AND REMOVAL OF FIRE-  
20 ARMS.—

21 (A) IN GENERAL.—Upon issuance of a  
22 qualifying order, the prohibited person shall  
23 surrender to a law enforcement agency, or  
24 transfer to a nonprohibited person, all firearms  
25 in the possession of the individual.

1           (B) REMOVAL.—If an individual described  
2           in subparagraph (A) does not surrender or  
3           transfer all firearms in the possession of the in-  
4           dividual, the firearms shall be removed by a law  
5           enforcement officer with appropriate jurisdic-  
6           tion.

7           (C) CONFIRMATION.—The entity issuing  
8           the qualifying order and applicable law enforce-  
9           ment agencies shall establish a process to con-  
10          firm that all firearms in the possession of an in-  
11          dividual described in subparagraph (A) are sur-  
12          rendered or transferred in accordance with sub-  
13          paragraph (A) or removed in accordance with  
14          subparagraph (B).

15          (3) STORAGE OF REMOVED FIREARMS.—All  
16          firearms surrendered to or removed by a law en-  
17          forcement officer under paragraph (2) shall be re-  
18          tained by the law enforcement officer or appropriate  
19          law enforcement agency until the applicable prohib-  
20          ited person regains his or her eligibility to possess  
21          firearms, except that the legislation may authorize a  
22          law enforcement agency to—

23                  (A) contract with a manufacturer, dealer,  
24                  or importer licensed under chapter 44 of title

1 18, United States Code, for the secure storage  
2 of firearms; and

3 (B) transfer the firearm to a nonprohibited  
4 person upon proof that the applicable prohibited  
5 person will no longer have access to the firearm.

6 (4) CONFIDENTIALITY PROTECTIONS.—All per-  
7 sonally identifiable information provided to the  
8 court, the Department of Justice, and comparable  
9 State or Tribal agencies to carry out the legislation  
10 shall be kept confidential, as required by the laws of  
11 the jurisdiction, except as necessary to carry out the  
12 legislation.

13 (b) ADDITIONAL AUTHORITIES.—Legislation de-  
14 scribed in this section may include other authorizations  
15 or requirements that the applicable State or Indian Tribe  
16 determines appropriate.

17 **TITLE V—OTHER FIREARMS**  
18 **MATTERS**

19 **SEC. 501. BAN ON FIREARMS IN INSTITUTIONS OF HIGHER**  
20 **EDUCATION AND AREAS SURROUNDING MEN-**  
21 **TAL HEALTH FACILITIES.**

22 (a) DEFINITIONS.—Section 921(a) of title 18, United  
23 States Code, as amended by section 104 of this Act, is  
24 amended by adding at the end the following:

1           “(40) The term ‘institution of higher education’  
2           has the meaning given that term in section 101 of  
3           the Higher Education Act of 1965 (20 U.S.C.  
4           1001).

5           “(41) The term ‘mental healthcare facility’  
6           means a hospital that provides mental health serv-  
7           ices or s mental health facility, including any hos-  
8           pital that provides mental health services or develop-  
9           mental services, including an emergency department  
10          or other facility rendering emergency medical care.

11          “(42) The term ‘mental healthcare facility zone’  
12          means—

13                 “(A) in, or on the grounds of, a mental  
14                 healthcare facility;

15                 “(B) within a distance of 1,000 feet of a  
16                 mental healthcare facility.”.

17          (b) PROHIBITION.—Section 924 of title 18, United  
18          States Code, as amended by section 304 of this Act, is  
19          amended by adding at the end the following

20                 “(ff)(1) It shall be unlawful for any individual know-  
21                 ingly to possess a firearm that has moved in or that other-  
22                 wise affects interstate or foreign commerce at a place that  
23                 the individual knows, or has reasonable cause to believe,  
24                 is—

1       “(A) in, or on the grounds of, an institution of higher  
2 education; or

3       “(B) in a mental healthcare facility zone.

4       “(2) Paragraph (1) does not apply to the possession  
5 of a firearm—

6           “(A) on private property not part of an institu-  
7 tion of higher education or mental healthcare facil-  
8 ity, or the grounds of the institution or facility;

9           “(B) if the individual possessing the firearm is  
10 licensed to do so by the State in which the institu-  
11 tion of higher education or mental healthcare facility  
12 zone is located or a political subdivision of the State,  
13 and the law of the State or political subdivision re-  
14 quires that, before an individual obtains such a li-  
15 cense, the law enforcement authorities of the State  
16 or political subdivision verify that the individual is  
17 qualified under law to receive the license;

18           “(C) that is—

19               “(i) not loaded; and

20               “(ii) in a locked container, or a locked fire-  
21 arms rack that is on a motor vehicle;

22           “(D) by an individual for use in a program ap-  
23 proved by the applicable institution of higher edu-  
24 cation or mental healthcare facility;

1           “(E) by an individual in accordance with a con-  
2           tract entered into between the applicable institution  
3           of higher education or mental healthcare facility and  
4           the individual or an employer of the individual;

5           “(F) by a law enforcement officer acting in his  
6           or her official capacity; or

7           “(G) that is unloaded and is possessed by an  
8           individual while traversing the premises of the appli-  
9           cable institution of higher education or mental  
10          healthcare facility for the purpose of gaining access  
11          to public or private lands open to hunting, if the  
12          entry on such premises is authorized by the applica-  
13          ble institution of higher education or mental  
14          healthcare facility.”.

15          (c) PENALTIES.—Section 924(a) of title 18, United  
16          States Code, is amended—

17                 (1) in paragraph (1)(B), by striking “or (q)”  
18                 and inserting “(q), or (ff)”; and

19                 (2) in paragraph (4), by striking “section  
20                 922(q)” each place it appears and inserting “sub-  
21                 section (q) or (ff) of section 922”.

1 **SEC. 502. DISQUALIFICATION FROM POSSESSING FIRE-**  
2 **ARMS FOR MISDEMEANOR HATE CRIMES.**

3 (a) DEFINITION.—Section 921(a) of title 18, United  
4 States Code, as amended by section 501 of this Act, is  
5 amended by adding at the end the following:

6 “(43)(A) Except as provided in subparagraph  
7 (B), term ‘misdemeanor hate crime’ means an of-  
8 fense that—

9 “(i) is a misdemeanor under Federal,  
10 State, Tribal, or local law;

11 “(ii) involves the use or attempted use of  
12 physical force, the threatened use of a deadly  
13 weapon, or another credible threat to the phys-  
14 ical safety of any person; and

15 “(iii) has, as an element of the offense that  
16 the conduct of the offender was because of the  
17 actual or perceived race, color, religion, or na-  
18 tional origin of any person.

19 “(B) A person shall not be considered to have  
20 been convicted of such an offense for purposes of  
21 this chapter unless the order is issued in a manner  
22 consistent with the due process rights of the per-  
23 son.”.

24 (b) DISQUALIFICATION.—Section 922 of title 18,  
25 United States Code, as amended by section 303 of this  
26 Act, is amended—

1 (1) in subsection (d)—

2 (A) in paragraph (12), by striking “or” at  
3 the end;

4 (B) by redesignating paragraph (13) as  
5 paragraph (14);

6 (C) by inserting after paragraph (12) the  
7 following:

8 “(13) has been convicted in any court of a mis-  
9 demeanor hate crime; or”; and

10 (D) in paragraph (14), as so redesignated,  
11 by striking “through (12)” and inserting  
12 “through (13)”; and

13 (2) in subsection (g)—

14 (A) in paragraph (10), by striking “or” at  
15 the end;

16 (B) in paragraph (11), by striking the  
17 comma at the end and inserting “; or”; and

18 (C) by inserting after paragraph (11) the  
19 following:

20 “(12) who has been convicted in any court of  
21 a misdemeanor hate crime,”.