

116TH CONGRESS
1ST SESSION

H. R. 4116

To amend title 18, United States Code, to combat straw purchases of firearms and deter firearms trafficking.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2019

Ms. KELLY of Illinois (for herself, Mr. MOULTON, and Mrs. MCBATH) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to combat straw purchases of firearms and deter firearms trafficking.

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 “Prevent Gun Traf-
5 ficking Act”.

6 **SEC. 2. PROHIBITION ON STRAW PURCHASES OF FIRE-**
7 **ARMS; PROHIBITION ON GUN TRAFFICKING.**

8 (a) IN GENERAL.—Chapter 44 of title 18, United
9 States Code, is amended—

1 (1) in section 921(a), by adding at the end the
2 following:

3 “(36) The term ‘family members’ means spouses, do-
4 mestic partners, parents and their children, including
5 step-parents and their step-children, siblings, aunts or un-
6 cles and their nieces or nephews, or grandparents and
7 their grandchildren.”; and

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

9 **“§ 932. Gun trafficking**

10 “(a) It shall be unlawful for any person (other than
11 a licensee under this chapter), in or otherwise affecting
12 interstate or foreign commerce, to knowingly purchase or
13 acquire, or attempt to purchase or acquire, a firearm from
14 or through such a licensee for the possession of a third
15 party.

16 “(b) It shall be unlawful for any person (other than
17 a licensee under this chapter), in or otherwise affecting
18 interstate or foreign commerce, to solicit, hire, demand,
19 or order another person to purchase, or attempt to pur-
20 chase, any firearm for the purpose of obtaining the fire-
21 arm for the person or selling or transferring the firearm
22 to a third party.

23 “(c) The Attorney General shall ensure that the fire-
24 arm transaction record form required to be completed in
25 connection with a firearm transaction includes a statement

1 outlining the penalties that may be imposed for violating
2 subsection (a).

3 “(d) This section shall not apply to any firearm—

4 “(1) that is purchased or acquired by any per-
5 son, or that any person attempts to purchase or ac-
6 quire, as a bona fide gift between family members;
7 or

8 “(2) that is purchased or acquired by an agent
9 of a lawful business, or that an agent of a lawful
10 business attempts to purchase or acquire, for the
11 purpose of transferring to another agent of the busi-
12 ness, for lawful use in the business,

13 if the purchaser or person acquiring the firearm has no
14 reason to believe that the recipient of the firearm will use
15 or intends to use the firearm in a crime or is prohibited
16 from purchasing or possessing firearms under State or
17 Federal law.”.

18 (b) FORFEITURE.—Section 982(a)(5) of such title is
19 amended—

20 (1) in subparagraph (D), by striking “or” at
21 the end; and

22 (2) by inserting after subparagraph (E) the fol-
23 lowing:

24 “(F) section 922(a)(1)(A) (related to unlicensed
25 firearms sales);

1 “(G) section 922(d) (relating to illegal gun
2 transfers); or

3 “(H) section 932 (relating to gun trafficking).”.

4 (c) MONEY LAUNDERING AMENDMENT.—Section
5 1956(c)(7)(D) of such title is amended by striking “sec-
6 tion 924(n)” and inserting “section 922(a)(1)(A), 922(d),
7 924(n), or 932”.

8 (d) CLERICAL AMENDMENT.—The table of sections
9 for such chapter is amended by adding at the end the fol-
10 lowing:

“932. Gun trafficking.”.

11 **SEC. 3. PROHIBITION ON DISPOSITION OF FIREARM TO**
12 **PERSON INTENDING UNLAWFUL FURTHER**
13 **DISPOSITION.**

14 Section 922(d) of title 18, United States Code, is
15 amended in the first sentence—

16 (1) in paragraph (8), by striking “or” at the
17 end;

18 (2) in paragraph (9), by striking the period at
19 the end and inserting a semicolon; and

20 (3) by inserting after and below paragraph (9)
21 the following:

22 “(10) intends to sell or otherwise dispose of the
23 firearm or ammunition in violation of a Federal law,
24 or to sell or otherwise dispose of the firearm or am-

1 munition to a person in another State in violation of
2 a law of that State.”.

3 **SEC. 4. PENALTIES.**

4 Section 924(a) of title 18, United States Code, is
5 amended by adding at the end the following:

6 “(8) Whoever knowingly violates section 922(a)(1)(A)
7 or 932 shall be fined under this title, imprisoned not more
8 than 10 years, or both.”.

9 **SEC. 5. FIREARMS SUBJECT TO FORFEITURE.**

10 Section 924(d) of title 18, United States Code, is
11 amended—

12 (1) in paragraph (1), by inserting “or 932”
13 after “section 924”; and

14 (2) in paragraph (3)—

15 (A) in subparagraph (E), by striking
16 “and” at the end;

17 (B) in subparagraph (F), by striking the
18 period at the end and inserting “; and”; and

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

20 “(G) any offense under section 932.”.

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