

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4005

To amend title 18, United States Code, to prevent minors from gaining unsupervised access to loaded firearms or to unloaded firearms and ammunition for such firearms.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 1994

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

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## A BILL

To amend title 18, United States Code, to prevent minors from gaining unsupervised access to loaded firearms or to unloaded firearms and ammunition for such 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. FINDINGS.**

4       The Congress finds that—

5               (1) every day in the United States, 14 children  
6       age 19 or under are killed in accidents, suicides, and  
7       homicides involving firearms;

8               (2) according to a study by the General Ac-  
9       counting Office, for every accidental death with a

1 firearm, there are 100 accidental injuries with a fire-  
2 arm;

3 (3) many of these deaths and accidental injuries  
4 would be avoided by requiring owners of firearms to  
5 store their firearms in a way not easily accessible to  
6 minors; and

7 (4) when a child is injured by a negligently  
8 stored firearm, the owner of the firearm should be  
9 held criminally liable.

10 **SEC. 2. ACCESS TO FIREARMS AND AMMUNITION BY JUVE-**  
11 **NILES.**

12 (a) PROHIBITION.—Section 922 of title 18, United  
13 States Code, is amended by adding at the end the follow-  
14 ing:

15 “(s)(1) It shall be unlawful for any person to leave  
16 a loaded firearm, or an unloaded firearm and ammunition  
17 for the firearm, in a way that the person knows, or reason-  
18 ably should know, is likely to be accessible to a juvenile,  
19 unless the person has given the juvenile permission to pos-  
20 sess the item, and the possession is under the supervision  
21 of an adult who is not prohibited by Federal, State, or  
22 local law from possessing a firearm.

23 “(2) As used in paragraph (1):

24 “(A) The term ‘juvenile’ means an individual  
25 who has not attained 18 years of age.

1           “(B) The term ‘adult’ means an individual who  
2           has attained 21 years of age.”.

3           (b) NOTICE REQUIREMENTS.—

4           (1) NOTICE TO BE POSTED BY LICENSED DEAL-  
5           ERS.—Section 923 of such title is amended by add-  
6           ing at the end the following:

7           “(l) Each licensed dealer shall post conspicuously at  
8           the place of business of the licensed dealer a copy of the  
9           provisions of section 922(s) in block letters that are not  
10          less than 1 inch in height.”.

11          (2) NOTICE TO BE INCLUDED ON THE FORM  
12          REQUIRED TO BE OBTAINED BY LICENSED DEALERS  
13          FROM PROSPECTIVE FIREARMS TRANSFEREES.—Sec-  
14          tion 926 of such title is amended by adding at the  
15          end the following:

16          “(d) The Secretary shall ensure that the provisions  
17          of section 922(s) appear on the form required to be ob-  
18          tained by a licensed dealer from a prospective transferee  
19          of a firearm.”.

20          (c) PENALTY.—Section 924(a) of such title is amend-  
21          ed—

22                 (1) in paragraph (1), by striking “paragraph  
23                 (2) or (3) of”; and

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

1       “(5) Whoever knowingly violates section 922(s) shall  
2 be imprisoned not more than 1 year.”.

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