

106TH CONGRESS
1ST SESSION

H. R. 1461

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

IN THE HOUSE OF REPRESENTATIVES

APRIL 15, 1999

Mr. ROGAN (for himself and Mr. ROTHMAN) 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 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. SHORT TITLE.**

4 This Act may be cited as the “National Assistance
5 for Police Officer Safety Act of 1999”.

1 **SEC. 2. EXEMPTION OF QUALIFIED LAW ENFORCEMENT OF-**
2 **FICERS FROM STATE LAWS PROHIBITING**
3 **THE CARRYING OF CONCEALED FIREARMS.**

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

7 **“§ 926B. Carrying of concealed firearms by qualified**
8 **law enforcement officers**

9 “(a) Notwithstanding any other provision of the law
10 of any State or any political subdivision thereof, an indi-
11 vidual may carry a concealed firearm if the individual is
12 a qualified law enforcement officer and is carrying re-
13 quired identification.

14 “(b) This section shall not be construed to exempt
15 from section 46505(b)(1) of title 49, United States Code,
16 a qualified law enforcement officer who does not meet the
17 requirements of section 46505(d) of such title.

18 “(c) This section shall not be construed to supersede
19 or limit any Federal law or regulation prohibiting or re-
20 stricting the possession of a firearm on any Federal prop-
21 erty, installation, building, base, or park.

22 “(d) This section shall not be construed to supersede
23 or limit the laws of any State or any political subdivision
24 thereof, that—

1 “(1) permit private persons or entities to pro-
2 hibit or restrict the possession of concealed firearms
3 on their property;

4 “(2) prohibit or restrict the possession of fire-
5 arms on any State or local government property, in-
6 stallation, building, base, or park; or

7 “(3) grant rights to carry a concealed firearm
8 that are broader than the rights granted by this sec-
9 tion.

10 “(e) In this section:

11 “(1) The term ‘law enforcement officer’ has the
12 meaning given in section 1204(5) of the Omnibus
13 Crime Control and Safe Streets Act of 1968.

14 “(2) The term ‘public agency’ has the meaning
15 given in section 1204(6) of the Omnibus Crime Con-
16 trol and Safe Streets Act of 1968.

17 “(3) The term ‘qualified law enforcement offi-
18 cer’ means an individual who—

19 “(A) is employed as a law enforcement of-
20 ficer by a public agency;

21 “(B) is authorized by the public agency to
22 carry a firearm at all times; and

23 “(C) meets all of the requirements of the
24 public agency concerning firearms.

1 “(4) The term ‘required identification’ means,
2 with respect to an individual, the official badge and
3 photographic identification issued by the public
4 agency for which the individual is employed as a law
5 enforcement officer.”.

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

“926B. Carrying of concealed firearms by qualified law enforcement officers.”.

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