

106TH CONGRESS
1ST SESSION

S. 967

To provide a uniform national standard to ensure that concealed firearms are available only to authorized persons for lawful purposes.

IN THE SENATE OF THE UNITED STATES

MAY 5, 1999

Mr. LAUTENBERG introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To provide a uniform national standard to ensure that concealed firearms are available only to authorized persons for lawful 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.**

4 This Act may be cited as the “Concealed Firearms
5 Prohibition Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) crimes committed with firearms threaten
9 the peace and domestic tranquility of the United

1 States and reduce the security and general welfare
2 of the people of the United States;

3 (2) crimes committed with firearms impose a
4 substantial burden on interstate commerce and lead
5 to a reduction in productivity and profitability for
6 businesses around the country whose workers, sup-
7 pliers, and customers are adversely affected by gun
8 violence;

9 (3) the public carrying of firearms increases the
10 level of gun violence by enabling the rapid escalation
11 of otherwise minor conflicts into deadly shootings;

12 (4) the public carrying of firearms increases the
13 likelihood that incompetent or careless firearm users
14 will accidentally injure or kill innocent bystanders;

15 (5) the public carrying of firearms poses a dan-
16 ger to citizens of the United States who travel
17 across State lines for business or other purposes;
18 and

19 (6) all Americans have a right to be protected
20 from the dangers posed by the carrying of concealed
21 firearms, regardless of their State of residence.

22 **SEC. 3. UNLAWFUL ACT.**

23 Section 922 of title 18, United States Code, is
24 amended by inserting after subsection (y) the following:

25 “(z) FIREARMS.—

1 “(1) IN GENERAL.—Except as provided in para-
2 graph (2), it shall be unlawful for a person to carry
3 a firearm, any part of which has been transported
4 in interstate or foreign commerce, on his or her per-
5 son in public.

6 “(2) EXCEPTIONS.—Paragraph (1) does not
7 apply to—

8 “(A) a person authorized to carry a fire-
9 arm under State law who is—

10 “(i) a law enforcement official;

11 “(ii) a retired law enforcement offi-
12 cial;

13 “(iii) a duly authorized private secu-
14 rity officer;

15 “(iv) a person whose employment in-
16 volves the transport of substantial amounts
17 of cash or other valuable items; or

18 “(v) any other person that the Attor-
19 ney General determines should be allowed
20 to carry a firearm because of compelling
21 circumstances, under regulations that the
22 Attorney General may promulgate;

23 “(B) a person authorized to carry a fire-
24 arm under a State law that permits a person to
25 carry a firearm based on an individualized de-

1 termination, based on a review of credible evi-
2 dence, that the person should be allowed to
3 carry a firearm because of compelling cir-
4 cumstances (not including a claim of concern
5 about generalized or unspecified risks); or

6 “(C) a person authorized to carry a fire-
7 arm on his or her person under Federal law.

8 “(3) EFFECT ON OTHER LAWS.—

9 “(A) FEDERAL LAWS.—Nothing in this
10 subsection supersedes or limits any other Fed-
11 eral law (including a regulation) that prohibits
12 or restricts the possession or transportation of
13 a firearm.

14 “(B) STATE AND LOCAL LAWS.—Nothing
15 in this subsection supersedes or limits any law
16 (including a regulation) of a State or political
17 subdivision of a State that—

18 “(i) grants a right to carry a con-
19 cealed firearm that is more restrictive than
20 a right granted under this subsection;

21 “(ii) permits a private person or enti-
22 ty to prohibit or restrict the possession of
23 a concealed firearm on property belonging
24 to the person;

1 “(iii) prohibits or restricts the posses-
2 sion of a firearm on any property, installa-
3 tion, building, facility, or park belonging to
4 a State or political subdivision of a State;
5 or

6 “(iv) permits a person to—
7 “(I) transport a lawfully-owned
8 and lawfully-secured firearm in a vehi-
9 cle for hunting or sporting purposes;
10 or

11 “(II) use a lawfully-owned fire-
12 arm for hunting or sporting pur-
13 poses.”.

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