

105TH CONGRESS
2D SESSION

S. 2527

To better regulate the transfer of firearms at gun shows.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 1998

Mr. LAUTENBERG (for himself, Mr. DODD, Mr. BUMPERS, and Ms. MOSELEY-BRAUN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To better regulate the transfer of firearms at gun shows.

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. REGULATION OF GUN SHOWS.**

4 (a) IN GENERAL.—Section 923 of title 18, United
5 States Code, is amended by adding at the end the follow-
6 ing:

7 “(m)(1) No person shall hold a gun show, unless—

8 “(A) the person is licensed to hold a gun show
9 under this subsection; and

10 “(B) not less than 30 days have elapsed since
11 the person, using a form which shall be prescribed

1 by the Secretary, has notified the Secretary and the
2 chief law enforcement officer of the appropriate ju-
3 risdiction of the postal address and the dates and
4 times at which the gun show is to be held.

5 “(2) In order to be licensed to hold a gun show under
6 this subsection, a person shall submit to the Secretary an
7 application that—

8 “(A) contains a certification by the applicant
9 that—

10 “(i) the applicant meets the requirements
11 of subparagraphs (A) through (D) of subsection
12 (d)(1); and

13 “(ii) any gun show to be conducted under
14 the license is not prohibited under State or local
15 law, and will be conducted in accordance with
16 all applicable State and local laws;

17 “(B) contains a photograph and fingerprints of
18 the applicant; and

19 “(C) is in such form as the Secretary shall pre-
20 scribe by regulation.

21 “(3)(A) Not later than 60 days after the date on
22 which the Secretary receives an application under para-
23 graph (2), the Secretary shall approve or deny the applica-
24 tion. The Secretary shall approve an application submitted

1 pursuant to paragraph (2) if the application meets the re-
 2 quirements of that paragraph.

3 “(B) If the Secretary fails to approve or deny an ap-
 4 plication submitted under paragraph (2) before the expira-
 5 tion of the 60-day period described in subparagraph (A),
 6 the applicant may bring an action under section 1361 of
 7 title 28 to compel the Secretary to either approve or deny
 8 the application in accordance with this subsection.

9 “(C) Upon approval of an application submitted
 10 under paragraph (2) by the Secretary and payment by the
 11 applicant of such fee as the Secretary shall establish to
 12 ensure that the fees collected under this subsection are
 13 sufficient to cover the costs of issuing licenses under this
 14 subsection, the Secretary shall issue to the applicant a li-
 15 cense that, subject to this chapter and other applicable
 16 provisions of law, entitles the licensee to hold gun shows
 17 in interstate or foreign commerce during the 3-year period
 18 beginning on the date on which the license is issued.

19 “(4)(A) Before any person who is not licensed under
 20 this subsection may transfer any firearm at a gun show—

21 “(i) the person shall provide to the holder of the
 22 gun show written notice of—

23 “(I) the name, age, and address of the per-
 24 son and of the prospective transferee (or, in the
 25 case of a party who is a corporation or other

1 business entity, the identity and principal and
2 local places of business of such party);

3 “(II) the serial number, make, and model
4 of the firearm; and

5 “(III) the date and location of the trans-
6 fer; and

7 “(ii) the holder of a gun show shall comply with
8 the requirements imposed on licensed dealers by sec-
9 tion 922(t) and subsections (g)(1)(A) and (g)(3)(A)
10 of this section with respect to the transfer.

11 “(B) Not later than 30 days after the end of a gun
12 show for which a license is issued under this subsection,
13 the licensee shall deliver to the Secretary all records or
14 documents collected by the licensee pursuant to subpara-
15 graph (A) with respect to that gun show.

16 “(5) In this subsection, the term ‘gun show’ means
17 an event or function that is—

18 “(A) sponsored by—

19 “(i) a national, State, or local organization
20 devoted to the collection, competitive use, or
21 other sporting use of firearms; or

22 “(ii) an organization or association that
23 sponsors functions devoted to the collection,
24 competitive use, or other sporting use of fire-
25 arms in the community; and

1 “(B) held at a location—

2 “(i) that is not specified in any license
3 issued under subsection (b) or (c);

4 “(ii) at which a firearm is offered for
5 sale or transfer; and

6 “(iii) at which not less than 50 fire-
7 arms are present, not less than 1 of which
8 has been shipped or transported in inter-
9 state or foreign commerce.”.

10 (b) PENALTIES.—Section 924(a) of title 18, United
11 States Code, is amended by adding at the end the follow-
12 ing:

13 “(7)(A) Whoever knowingly violates section
14 923(m)(1) shall be fined under this title, imprisoned not
15 more than 5 years, or both.

16 “(B) Whoever knowingly violates subparagraph (A)(i)
17 or (B) of section 923(m)(4) shall be fined under this title,
18 imprisoned not more than 1 year, or both.

19 “(C) Whoever violates section 923(m)(4)(A)(ii) by
20 knowingly failing to comply with a provision of law speci-
21 fied in that section shall be punished as otherwise provided
22 under this section for knowingly violating that provision
23 of law.”.

24 (c) EFFECTIVE DATE.—The amendments made by
25 this section shall apply to any conduct engaged in after

- 1 the expiration of the 1-year period beginning on the date
- 2 of enactment of this Act.

