

112TH CONGRESS  
2D SESSION

# S. 2213

To allow reciprocity for the carrying of certain concealed firearms.

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IN THE SENATE OF THE UNITED STATES

MARCH 20, 2012

Mr. THUNE (for himself, Mr. VITTER, Mr. BARRASSO, Mr. BOOZMAN, Mr. BURR, Mr. CHAMBLISS, Mr. COBURN, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. ENZI, Mr. GRASSLEY, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON of Wisconsin, Mr. MCCONNELL, Mr. PAUL, Mr. PORTMAN, Mr. RISCH, Mr. RUBIO, Mr. SESSIONS, Mr. TOOMEY, Mr. WICKER, Mr. COCHRAN, Mr. HATCH, Mr. LUGAR, Mr. GRAHAM, Ms. AYOTTE, and Mr. LEE) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To allow reciprocity for the carrying of certain 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 “Respecting States’  
5 Rights and Concealed Carry Reciprocity Act of 2012”.

1 **SEC. 2. RECIPROCITY FOR THE CARRYING OF CERTAIN**  
2 **CONCEALED FIREARMS.**

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

6 **“§ 926D. Reciprocity for the carrying of certain con-**  
7 **cealed firearms**

8 “(a) IN GENERAL.—Notwithstanding any provision  
9 of the law of any State or political subdivision thereof to  
10 the contrary—

11 “(1) an individual who is not prohibited by  
12 Federal law from possessing, transporting, shipping,  
13 or receiving a firearm, and who is carrying a govern-  
14 ment-issued photographic identification document  
15 and a valid license or permit which is issued pursu-  
16 ant to the law of a State and which permits the indi-  
17 vidual to carry a concealed firearm, may possess or  
18 carry a concealed handgun (other than a machine-  
19 gun or destructive device) that has been shipped or  
20 transported in interstate or foreign commerce in any  
21 State other than the State of residence of the indi-  
22 vidual that—

23 “(A) has a statute that allows residents of  
24 the State to obtain licenses or permits to carry  
25 concealed firearms; or

1           “(B) does not prohibit the carrying of con-  
2           cealed firearms by residents of the State for  
3           lawful purposes; and

4           “(2) an individual who is not prohibited by  
5           Federal law from possessing, transporting, shipping,  
6           or receiving a firearm, and who is carrying a govern-  
7           ment-issued photographic identification document  
8           and is entitled and not prohibited from carrying a  
9           concealed firearm in the State in which the indi-  
10          vidual resides otherwise than as described in para-  
11          graph (1), may possess or carry a concealed hand-  
12          gun (other than a machinegun or destructive device)  
13          that has been shipped or transported in interstate or  
14          foreign commerce in any State other than the State  
15          of residence of the individual that—

16           “(A) has a statute that allows residents of  
17          the State to obtain licenses or permits to carry  
18          concealed firearms; or

19           “(B) does not prohibit the carrying of con-  
20          cealed firearms by residents of the State for  
21          lawful purposes.

22          “(b) CONDITIONS AND LIMITATIONS.—The posses-  
23          sion or carrying of a concealed handgun in a State under  
24          this section shall be subject to the same conditions and  
25          limitations, except as to eligibility to possess or carry, im-

1 posed by or under Federal or State law or the law of a  
 2 political subdivision of a State, that apply to the posses-  
 3 sion or carrying of a concealed handgun by residents of  
 4 the State or political subdivision who are licensed by the  
 5 State or political subdivision to do so, or not prohibited  
 6 by the State from doing so.

7       “(c) UNRESTRICTED LICENSE OR PERMIT.—In a  
 8 State that allows the issuing authority for licenses or per-  
 9 mits to carry concealed firearms to impose restrictions on  
 10 the carrying of firearms by individual holders of such li-  
 11 censes or permits, an individual carrying a concealed  
 12 handgun under this section shall be permitted to carry a  
 13 concealed handgun according to the same terms author-  
 14 ized by an unrestricted license of or permit issued to a  
 15 resident of the State.

16       “(d) RULE OF CONSTRUCTION.—Nothing in this sec-  
 17 tion shall be construed to preempt any provision of State  
 18 law with respect to the issuance of licenses or permits to  
 19 carry concealed firearms.”.

20       (b) CLERICAL AMENDMENT.—The table of sections  
 21 for chapter 44 of title 18, United States Code, is amended  
 22 by inserting after the item relating to section 926C the  
 23 following:

“926D. Reciprocity for the carrying of certain concealed firearms.”.

24       (c) SEVERABILITY.—Notwithstanding any other pro-  
 25 vision of this Act, if any provision of this section, or any

1 amendment made by this section, or the application of  
2 such provision or amendment to any person or cir-  
3 cumstance is held to be unconstitutional, this section and  
4 amendments made by this section and the application of  
5 such provision or amendment to other persons or cir-  
6 cumstances shall not be affected thereby.

7 (d) EFFECTIVE DATE.—The amendments made by  
8 this section shall take effect 90 days after the date of en-  
9 actment of this Act.

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