

114TH CONGRESS  
1ST SESSION

# H. R. 2871

To provide an incentive for firearm owners to sell their firearms safely  
and responsibly.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 2015

Mr. BEYER (for himself, Mr. VAN HOLLEN, Mr. CONNOLLY, Mr. MEEKS, Mr. DESAULNIER, Miss RICE of New York, Ms. NORTON, and Mr. BLUMENAUER) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To provide an incentive for firearm owners to sell their  
firearms safely and responsibly.

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 “Keeping Guns From  
5 Criminals Act”.

1 **SEC. 2. PROHIBITION ON SALE OR OTHER DISPOSITION OF**  
2 **A FIREARM TO A PROHIBITED PERSON MADE**  
3 **INTO A STRICT LIABILITY CRIME WITH AF-**  
4 **FIRMATIVE DEFENSES.**

5 (a) IN GENERAL.—Section 922(d) of title 18, United  
6 States Code, is amended—

7 (1) in the 1st sentence—

8 (A) in the matter preceding paragraph (1),  
9 by striking “any person knowing or having rea-  
10 sonable cause to believe that such person” and  
11 inserting “another person who”;

12 (B) in each of paragraphs (5) and (7), by  
13 striking “who,”; and

14 (C) in paragraph (6), by striking “who”;  
15 and

16 (2) by adding at the end the following: “It shall  
17 be an affirmative defense to a prosecution under this  
18 subsection that the defendant can prove by a pre-  
19 ponderance of the evidence that, at the time of the  
20 sale or other disposition of the firearm, the National  
21 Instant Criminal Background Check System estab-  
22 lished under section 103 of the Brady Handgun Vio-  
23 lence Prevention Act had indicated to any person  
24 that a sale or other disposition of a firearm to the  
25 recipient would not be unlawful, or the recipient pos-  
26 sessed a valid permit, issued to the recipient by the

1 State in which the sale or other disposition occurred,  
2 which authorizes the carrying of a concealed weapon,  
3 unless the defendant knew or had reasonable cause  
4 to believe that this subsection prohibited the sale or  
5 disposition of a firearm or ammunition to the recipi-  
6 ent or that subsection (g) prohibited the recipient  
7 from receiving a firearm or ammunition which has  
8 been shipped or transported in interstate or foreign  
9 commerce.”.

10 (b) CONFORMING AMENDMENTS.—Section 924(a)(2)  
11 of such title is amended—

12 (1) by striking “(d),”; and

13 (2) by inserting “, or violates subsection (d),”  
14 before “of section 922”.

15 **SEC. 3. EFFECTIVE DATE.**

16 The amendments made by this Act shall apply to con-  
17 duct engaged in after the 90-day period that begins with  
18 the date of the enactment of this Act.

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