

115TH CONGRESS
2D SESSION

H. R. 5134

To amend title 18, United States Code, to combat straw purchases of firearms.

IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 2018

Mr. BACON (for himself and Mr. CARBAJAL) introduced the following bill;
which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to combat straw purchases of 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 “STOP Straw Pur-
5 chases Act”.

6 **SEC. 2. INCREASE IN PENALTIES FOR STRAW PURCHASERS**
7 **OF FIREARMS.**

8 Section 924(a)(2) of title 18, United States Code, is
9 amended by inserting “, except that in the case of a viola-
10 tion of section 922(a)(6) involving deception as to the

1 identity of the actual transferee of a firearm, the violator
2 shall be fined not more than \$750,000, imprisoned not
3 more than 25 years, or both” before the period.

4 **SEC. 3. PROHIBITION ON CONTINUING CRIMINAL ENTER-**
5 **PRISE INVOLVING STRAW PURCHASES OF**
6 **FIREARMS; PROHIBITION ON OBTAINING**
7 **FIREARM BY INDUCING STRAW PURCHASE.**

8 (a) PROHIBITIONS.—Section 922 of title 18, United
9 States Code, is amended by adding at the end the fol-
10 lowing:

11 “(aa) It shall be unlawful for any person, in or affect-
12 ing interstate or foreign commerce, to—

13 “(1) induce, or act in concert with, another per-
14 son to engage in a continuing series of violations of
15 subsection (a)(6) involving deception as to the iden-
16 tity of the actual transferee of a firearm, from which
17 such person obtains substantial income or resources;
18 and

19 “(2) with respect to such other person, occupy
20 a position of organizer, a supervisory position, or
21 any other position of management.

22 “(bb) It shall be unlawful for any person, in or affect-
23 ing interstate or foreign commerce, to obtain a firearm
24 by inducing another person to violate subsection (a)(6) by

1 falsely claiming to be the actual transferee of the fire-
2 arm.”.

3 (b) PENALTIES.—Section 924(a) of such title is
4 amended by adding at the end the following:

5 “(8) Whoever knowingly violates section 922(aa)
6 shall be fined not more than \$1,000,000, imprisoned not
7 more than 30 years, or both.

8 “(9) Whoever knowingly violates section 922(bb)
9 shall be fined not more than \$750,000, imprisoned not
10 more than 25 years, or both.”.

11 **SEC. 4. INCLUSION IN FIREARMS TRANSACTION RECORD**
12 **FORM OF OUTLINE OF PENALTIES FOR THE**
13 **STRAW PURCHASE OF A FIREARM.**

14 The Director of the Bureau of Alcohol, Tobacco,
15 Firearms, and Explosives shall ensure that the Firearms
16 Transaction Record form used by the Bureau includes a
17 statement outlining the penalties for acting as the straw
18 purchaser of a firearm. For purposes of this section, a
19 person acts as the straw purchaser of a firearm if the per-
20 son violates section 922(a)(6) of title 18, United States
21 Code, through deception as to the identity of the actual
22 transferee of the firearm.

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