

117TH CONGRESS
1ST SESSION

H. R. 3509

To amend the Consumer Product Safety Act to direct the Consumer Product Safety Commission to establish consumer product safety standards for firearm locks and firearm safes, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 25, 2021

Ms. JAYAPAL (for herself, Mr. CICILLINE, Mr. KHANNA, Mr. LYNCH, Mr. MORELLE, Ms. NORTON, Ms. SCANLON, Mrs. HAYES, Mr. AUCHINCLOSS, Mr. JONES, Mr. ESPAILLAT, and Ms. ROYBAL-ALLARD) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Consumer Product Safety Act to direct the Consumer Product Safety Commission to establish consumer product safety standards for firearm locks and firearm safes, and for other 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 “Safe Gun Storage Act
5 of 2021”.

1 **SEC. 2. CONSUMER PRODUCT SAFETY STANDARDS FOR**
2 **FIREARM LOCKS AND FIREARM SAFES.**

3 (a) IN GENERAL.—The Consumer Product Safety
4 Act (15 U.S.C. 2051 et seq.) is amended by adding at
5 the end the following:

6 **“SEC. 43. CONSUMER PRODUCT SAFETY STANDARDS FOR**
7 **FIREARM LOCKS AND FIREARM SAFES.**

8 “(a) ESTABLISHMENT OF STANDARDS.—

9 “(1) RULEMAKING REQUIRED.—

10 “(A) RULEMAKING PROCEEDING.—Not-
11 withstanding section 3(a)(5)(E), the Commis-
12 sion shall initiate a rulemaking proceeding
13 under section 553 of title 5, United States
14 Code, within 90 days after the date of the en-
15 actment of this section to establish—

16 “(i) a consumer product safety stand-
17 ard for firearm locks; and

18 “(ii) a consumer product safety stand-
19 ard for firearm safes.

20 “(B) FINAL RULE.—Notwithstanding any
21 other provision of law, including chapter 5 of
22 title 5, United States Code, the Commission
23 shall promulgate final consumer product safety
24 standards under this paragraph within 12
25 months after the date on which the Commission

1 initiates the rulemaking proceeding under sub-
2 paragraph (A).

3 “(C) EFFECTIVE DATE.—Each final con-
4 sumer product safety standard promulgated
5 under this paragraph shall take effect 6 months
6 after the date on which such standard is pro-
7 mulgated.

8 “(2) REQUIREMENTS FOR FIREARM LOCK
9 STANDARD.—The standard for firearm locks promul-
10 gated under paragraph (1) shall require firearm
11 locks that—

12 “(A) are sufficiently difficult for an unau-
13 thorized user to de-activate or remove; and

14 “(B) prevent the discharge of the firearm
15 unless the firearm lock has been de-activated or
16 removed.

17 “(3) REQUIREMENTS FOR FIREARM SAFE
18 STANDARD.—The standard for firearm safes promul-
19 gated under paragraph (1) shall require firearm
20 safes that reliably secure firearms from unauthor-
21 ized users, and include reliable security features,
22 quality, and construction to reliably prevent unau-
23 thorized users from gaining access to a firearm by
24 damaging or physically manipulating the safe.

25 “(b) CERTAIN PROVISIONS NOT TO APPLY.—

1 “(1) PROVISIONS OF THIS ACT.—Sections 7 and
2 9 of this Act do not apply to the rulemaking pro-
3 ceeding under paragraph (1) of subsection (a).

4 “(2) CHAPTER 5 OF TITLE 5.—Except for sec-
5 tion 553, chapter 5 of title 5, United States Code,
6 does not apply to this section.

7 “(3) CHAPTER 6 OF TITLE 5.—Chapter 6 of
8 title 5, United States Code, does not apply to this
9 section.

10 “(4) NATIONAL ENVIRONMENTAL POLICY
11 ACT.—The National Environmental Policy Act of
12 1969 (42 U.S.C. 4321 et seq.) does not apply to this
13 section.

14 “(c) NO EFFECT ON STATE LAW.—Notwithstanding
15 section 26 of this Act, this section does not annul, alter,
16 impair, affect, or exempt any person subject to a consumer
17 product safety standard promulgated under subsection
18 (a)(1) from complying with any provision of the law of
19 any State or any political subdivision thereof, except to
20 the extent that such provision is inconsistent with any
21 such standard, and then only to the extent of the incon-
22 sistency. A provision of the law of a State or a political
23 subdivision thereof is not inconsistent with a consumer
24 product safety standard promulgated under subsection
25 (a)(1) if such provision affords greater protection to indi-

1 viduals with respect to firearms than is afforded by such
2 standard.

3 “(d) ENFORCEMENT.—Notwithstanding subsection
4 (b)(1), the consumer product safety standards promul-
5 gated by the Commission under subsection (a)(1) shall be
6 enforced under this Act as if such standards were con-
7 sumer product safety standards described in section 7(a).

8 “(e) DEFINITIONS.—In this section:

9 “(1) FIREARM.—The term ‘firearm’ has the
10 meaning given the term in section 921(a) of title 18,
11 United States Code.

12 “(2) FIREARM LOCK.—The term ‘firearm lock’
13 means any disabling or locking device that is not
14 built into the firearm at the time of manufacture
15 and that is designed to prevent the firearm from
16 being discharged unless the device has been deacti-
17 vated or removed.

18 “(3) FIREARM SAFE.—The term ‘firearm safe’
19 means a container that is advertised to be used to
20 store a firearm and that is designed to be unlocked
21 only by means of a key, a combination, or other
22 similar means.”.

23 (b) CONFORMING AMENDMENT.—Section 1 of the
24 Consumer Product Safety Act is amended by adding at
25 the end of the table of contents the following:

“Sec. 43. Consumer product safety standards for firearm locks and firearm safes.”.

1 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated to the Con-
3 sumer Product Safety Commission \$2,000,000 to carry
4 out the provisions of section 43 of the Consumer Product
5 Safety Act, as added by section 2, such sums to remain
6 available until expended.

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