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(Original Signature of Member)

118TH CONGRESS
2D SESSION

H. R. _____

To provide grants to States to encourage the implementation and maintenance of firearms licensing requirements, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. PRESSLEY introduced the following bill; which was referred to the Committee on _____

A BILL

To provide grants to States to encourage the implementation and maintenance of firearms licensing requirements, 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 “Making America Safe
5 and Secure Act of 2024” or the “MASS Act”.

1 **SEC. 2. FIREARMS LICENSING.**

2 (a) IN GENERAL.—Title I of the Omnibus Crime
3 Control and Safe Streets Act of 1968 (34 U.S.C. 10101
4 et seq.) is amended by adding at the end the following:

5 **“PART PP—FIREARMS LICENSING**

6 **“SEC. 3061. DEFINITIONS.**

7 “(a) IN GENERAL.—In this part—

8 “(1) the term ‘covered license’ means a—

9 “(A) firearms license; or

10 “(B) firearms dealer license;

11 “(2) the term ‘domestic violence protection
12 order’ means a protection order, as defined in sec-
13 tion 2266 of title 18, United States Code;

14 “(3) the term ‘extreme risk protection order’—

15 “(A) means a written order, issued by a
16 State court or signed by a magistrate that, for
17 a period not to exceed a time frame established
18 by the State—

19 “(i) prohibits the individual named in
20 the order from having under the custody or
21 control of the individual, purchasing, pos-
22 sessing, or receiving a firearm or ammuni-
23 tion; and

24 “(ii) requires that any firearm or am-
25 munition under the custody or control of
26 the individual be removed; and

1 “(B) does not include a domestic violence
2 protection order;

3 “(4) the term ‘prohibited individual’ means an
4 individual who is categorically ineligible to receive a
5 covered license;

6 “(5) the term ‘suitable’ means that an indi-
7 vidual does not create a risk to public safety; and

8 “(6) the term ‘thorough background check’
9 means a Federal and State background check, which
10 may include a fingerprint-based background check.

11 “(b) PROHIBITED INDIVIDUALS.—For purposes of
12 this part, a State—

13 “(1) shall establish standards for categorizing
14 an individual as a prohibited individual for purposes
15 of receiving a covered license; and

16 “(2) in establishing standards with respect to a
17 covered license under paragraph (1), shall take into
18 consideration whether limitations may be warranted
19 based on—

20 “(A) criminal history;

21 “(B) whether an individual has been—

22 “(i) deemed a danger to himself or
23 herself or other individuals by a court or
24 authorized administrative body; or

1 “(ii) committed to a hospital or insti-
2 tution as a danger to himself or herself or
3 other individuals;

4 “(C) age;

5 “(D) legal residency;

6 “(E) military dishonorable discharges;

7 “(F) whether an individual—

8 “(i) is subject to a permanent or tem-
9 porary protection order; or

10 “(ii) has been convicted of a mis-
11 demeanor crime of domestic violence (as
12 defined in section 921 of title 18, United
13 States Code);

14 “(G) outstanding arrest warrants;

15 “(H) status as a fugitive;

16 “(I) renunciation of United States citizen-
17 ship; and

18 “(J) other factors relevant to the suit-
19 ability of a license holder.

20 **“SEC. 3062. GRANTS AND CONDITIONS.**

21 “(a) GRANTS AUTHORIZED.—The Assistant Attorney
22 General may make grants to States to implement or main-
23 tain firearms and firearms dealer licensing requirements.

24 “(b) DURATION OF GRANTS.—A grant under sub-
25 section (a) shall be for a period of 3 fiscal years.

1 “(c) USE OF FUNDS FOR FIREARMS AND FIREARMS
2 DEALER LICENSING.—

3 “(1) ACTIVITIES.—Amounts received under a
4 grant under subsection (a) shall be used for the im-
5 plementation or maintenance of firearms and fire-
6 arms dealer licensing requirements, which shall in-
7 corporate and implement the elements described in
8 paragraph (2) of this subsection.

9 “(2) ELEMENTS.—The elements described in
10 this paragraph are those providing that—

11 “(A) an individual shall have a firearms li-
12 cense—

13 “(i) at the time of the purchase, rent-
14 al, or lease of a firearm or purchase of am-
15 munition; and

16 “(ii) during the entire period of own-
17 ership or possession of a firearm or ammu-
18 nition;

19 “(B)(i) an individual who (including the
20 owner or operator of a business that) sells,
21 rents, or leases a minimum number of firearms,
22 or sells ammunition, during a calendar year
23 shall obtain a firearms dealer license; and

24 “(ii) the State shall establish the minimum
25 number of firearms for purposes of clause (i),

1 which may not be higher than 10 per calendar
2 year;

3 “(C) the chief of police or the board or of-
4 ficer having control of the police department of
5 a local government, or a designee within the
6 same department, shall function as the licensing
7 authority;

8 “(D) for an application for issuance or re-
9 newal of a firearms license, the licensing au-
10 thority shall—

11 “(i) conduct a thorough background
12 check, which may include—

13 “(I) conducting an interview with
14 the applicant;

15 “(II) requiring the submission of
16 letters of reference stating that the
17 applicant is of sound mind and char-
18 acter; and

19 “(III) any other requirements the
20 State determines relevant; and

21 “(ii) make a determination of suit-
22 ability;

23 “(E) a first-time firearms license applicant
24 shall complete safety training;

1 “(F) for an application for issuance or re-
2 renewal of a firearms dealer license, the licensing
3 authority shall conduct an investigation into the
4 criminal history of the applicant, which may in-
5 clude—

6 “(i) an interview with the applicant;

7 “(ii) a thorough background check;

8 and

9 “(iii) any other requirements the
10 State determines relevant;

11 “(G) the State shall establish appropriate
12 application processes for covered licenses con-
13 sistent with Federal, State, and local law;

14 “(H) the State shall establish standards
15 and processes by which licensing authorities can
16 revoke, suspend, or deny the issuance or re-
17 newal of a covered license;

18 “(I) the State shall ensure that a revoca-
19 tion, suspension, or denial cannot be based on
20 race, color, ethnicity, religion, sex, sexual ori-
21 entation, or gender identity;

22 “(J) the State shall establish judicial re-
23 view processes by which any applicant for or
24 holder of a covered license may, within a rea-
25 sonable time period, petition to obtain judicial

1 review of a revocation, suspension, or denial of
2 the issuance or renewal of a covered license;

3 “(K) the State shall establish—

4 “(i) standards and a process under
5 which a family member of an individual
6 who the family member fears is a danger
7 to himself, herself, or others may petition
8 for an extreme risk protection order; and

9 “(ii) standards for the termination or
10 extension of an order described in clause
11 (i);

12 “(L) the State shall establish processes
13 under which—

14 “(i) an individual whose covered li-
15 cense is revoked or suspended, or whose
16 application for issuance or renewal of a
17 covered license is denied, shall surrender or
18 transfer all firearms and ammunition that
19 are or would have been covered by the li-
20 cense; and

21 “(ii) an individual who is subject to
22 an extreme risk protection order or domes-
23 tic violence protection order shall surrender
24 or transfer all firearms and ammunition in
25 the possession of the individual;

1 “(M) the State shall establish requirements
2 with which a firearms dealer licensee must com-
3 ply, which—

4 “(i) shall include requirements relat-
5 ing to—

6 “(I) the location at which the li-
7 censee conducts firearm or ammuni-
8 tion transactions;

9 “(II) the manner in which the li-
10 censee records firearm or ammunition
11 transactions;

12 “(III) background checks for em-
13 ployees of the licensee; and

14 “(IV) any other matter that the
15 State determines appropriate; and

16 “(ii) may include requirements that a
17 licensee—

18 “(I) maintain a permanent place
19 of business—

20 “(aa) that is not a resi-
21 dence; and

22 “(bb) at which the licensee
23 conducts all firearms or ammuni-
24 tion transactions;

1 “(II) submit to mandatory record
2 and inventory inspections by a licens-
3 ing authority;

4 “(III) maintain a sales record
5 book at the permanent place of busi-
6 ness described in subclause (I) in ac-
7 cordance with standards established
8 by the State;

9 “(IV) conduct a pre-employment
10 background check on each potential
11 employee to determine the suitability
12 of any potential employee who may
13 have direct and unmonitored contact
14 with a firearm or ammunition; and

15 “(V) take any other action that
16 the State determines appropriate;

17 “(N) the State shall promulgate rules and
18 regulations to ensure the prompt collection, ex-
19 change, dissemination, and distribution of infor-
20 mation pertaining to the issuance, renewal, ex-
21 piration, suspension, or revocation of a covered
22 license;

23 “(O) the State shall establish standards
24 that are consistent with Federal and State
25 law—

1 “(i) governing the transfer of a fire-
2 arm or ammunition; and

3 “(ii) for identifying a prohibited indi-
4 vidual, in accordance with section 3061(b);

5 “(P) the State shall promulgate rules and
6 regulations that require a dealer or private sell-
7 er of firearms or ammunition to verify the va-
8 lidity of a firearms license before the sale, rent-
9 al, or lease of any firearm or the sale of any
10 ammunition;

11 “(Q) a dealer or private seller of firearms
12 or ammunition shall report all sales, rentals,
13 and leases of firearms, and sales of ammuni-
14 tion, to State authorities;

15 “(R) a dealer of firearms or ammunition
16 shall notify the licensing authority when pre-
17 sented with an invalid or expired firearms li-
18 cense;

19 “(S) any firearms licensee whose firearm
20 or ammunition is lost or stolen shall report the
21 loss or theft to the licensing authority and
22 State authorities within a reasonable time
23 frame and in a manner established by the
24 State;

1 “(T) an individual holding a firearms li-
2 cense or firearms dealer license shall renew the
3 license on a time frame established by the
4 State;

5 “(U) an individual may not use the fire-
6 arms license of the individual to purchase a
7 firearm or ammunition for—

8 “(i) the unlawful use of the firearm or
9 ammunition by another individual; or

10 “(ii) the resale or other transfer of
11 the firearm or ammunition to an unli-
12 censed individual; and

13 “(V)(i) it shall be unlawful to store or keep
14 a firearm in any place unless the firearm is se-
15 cured in a locked container or equipped with a
16 tamper-resistant mechanical lock or other safety
17 device, properly engaged so as to render the
18 firearm inoperable by any individual other than
19 the owner or other lawfully authorized user; and

20 “(ii) for purposes of clause (i), a firearm
21 shall not be considered to be stored or kept if
22 carried by or under the control of the owner or
23 other lawfully authorized user.

24 “(3) SEPARATE AMMUNITION DEALER LICENSE
25 PERMITTED.—A State that requires a license for dealing

1 ammunition that is separate from a license for dealing
2 firearms shall be deemed to have satisfied the require-
3 ments under paragraph (2) relating to a firearms dealer
4 license, as that license relates to the dealing of ammuni-
5 tion, if the State imposes the same requirements for an
6 ammunition dealer license as are mandated under para-
7 graph (2) for a firearms dealer license, as that license re-
8 lates to the dealing of ammunition.

9 “(d) APPLICATION.—To be eligible to receive a grant
10 under subsection (a), a State shall submit to the Assistant
11 Attorney General an application at such time, in such
12 manner, and containing such information as the Assistant
13 Attorney General may require, including a description of
14 how the State will use the grant to implement or maintain
15 firearms and firearms dealer licensing requirements that
16 include the elements described in subsection (c)(2).

17 “(e) ANNUAL REPORT.—Each State receiving a
18 grant under subsection (a) shall submit to the Assistant
19 Attorney General, for each fiscal year during which the
20 State expends amounts received under the grant, a report,
21 at such time and in such manner as the Assistant Attor-
22 ney General may reasonably require, that contains—

23 “(1) a summary of the activities carried out
24 using amounts made available under the grant;

1 “(2) an assessment of whether the activities are
2 achieving the elements described in subsection
3 (c)(2); and

4 “(3) such other information as the Assistant
5 Attorney General may require.

6 “(f) LIMITATIONS ON THE ALLOCATION OF
7 FUNDS.—Not more than 2 percent of the amount made
8 available to carry out this section in any fiscal year may
9 be used by the Assistant Attorney General for salaries and
10 administrative expenses.

11 “(g) REALLOCATION OF APPROPRIATIONS.—A recipi-
12 ent of a grant under subsection (a) shall return to the
13 Assistant Attorney General any amounts received under
14 the grant that are not expended for a purpose described
15 in this section.”.

16 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
17 1001(a) of title I of the Omnibus Crime Control and Safe
18 Streets Act of 1968 (34 U.S.C. 10261(a)) is amended by
19 adding at the end the following:

20 “(29) There are authorized to be appropriated such
21 sums as may be necessary to carry out part PP.”.