

124th CONGRESS

1st Session

HR ?

To Make America Safer

IN THE HOUSE

December 22, 2020

Mr. brihimia of Dixie introduced the following bill.

A BILL

To Strengthen Gun Laws

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Gun Reform Act.”

SECTION 2. DEFINITIONS.

- (a) The term “Automatic Weapon” shall be defined as “your definition would be "Any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot without manual reloading"”
- (b) The term “Background Check” shall be defined as “a policy that looks into the mental and criminal history of a gun buyer.”
- (c) The term “Red Flag Law” shall be defined as “a law that allows an individual to ask a court to temporarily restrict another individual’s right to carry a gun.

SECTION 3: ENACTMENT AND SEVERABILITY

- (a) This piece of legislation shall come into effect one year after its enactment.
- (b) This piece of legislation shall operate notwithstanding any other provision of law to the contrary.
- (c) If any one or more section, subsection, sentence, clause, phrase, word, provision or application of this piece of legislation shall for any person or circumstance be held to be illegal, invalid, unenforceable, and/or unconstitutional, such decision shall not affect the validity of any other section, subsection, sentence, clause, phrase, word, provision or application of this piece of legislation which is operable without the offending section, subsection, sentence, clause, phrase, word, provision or application shall remain effective notwithstanding such illegal, invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, phrase, word, provision or application, and every section, subsection, sentence, clause, phrase, word, provision or application of this piece of legislation are declared severable. The legislature hereby declares that it would have passed each part, and each provision, section, subsection, sentence, clause, phrase or word thereof, irrespective of the fact that any one or more section, subsection, sentence, clause, phrase, word, provision or application be declared illegal, invalid, unenforceable, and/or unconstitutional.

TITLE I-Background Checks

101. Findings

- (1) The Congress finds the following:
 - (A) There are limited to no requirements on who can own a gun.
 - (B) Gun violence has been a stain on America for too long.
 - (C) Universal background checks can be an effective way to keep guns out of the hands of criminals and those who should not be able to have guns.

102. Background Checks

- (1) All purchasers of guns shall be required to pass a background check done by the ATF.
- (2) The background check shall be required to take at least 90 days and should contain a full investigation into their criminal record.

103. Ineligible Buyers.

- (1) If any purchaser is found to have one of the following, then they shall be ineligible.
 - (2) A violent criminal offense.
 - (3) A diagnosed mental illness
 - (4) A history of gun abuse.

104. Extensive Background Check

- (1) The following should be included in the background check.
 - (A) A full look into the criminal history of the buyer.
 - (B) A look into the buyer's past history with law enforcement.
 - (C) A look into the psychological records of the buyer.

TITLE II- Red Flag Laws

201. Findings

- (1) Red Flag Laws allow law enforcement officials to restrict guns from those who are mentally unfit to carry one at that time.
- (2) Keeping guns out of the hands of those who should not be carrying them is a first step in reducing gun violence.
- (3) Red Flag Laws have been proven to work effectively in stopping those who should not have guns from getting them.

202. Court Order

- (1) An individual shall have the right to go to a state court and obtain a order temporarily preventing another individual from carrying a gun.
- (2) State police shall also have the right to go to court to obtain an order temporarily preventing another individual to carry a gun.

203. Temporary Removal of Guns

- (1) If a red flag law is issued against an individual, then the following shall happen:
 - (A) All guns shall be collected by the court and held until the court determines that the individual is mentally fit to hold a gun.
 - (B) The court shall hold the right to get approval from another court to hold the gun for a longer period of time.

TITLE III- Automatic Weapon Ban

301. Findings

- (1) The Congress finds:
 - (A) Automatic weapons are weapons of war.
 - (B) Military style weapons have no business being used in cases other than their intended purposes.
 - (C) The Public Safety and Recreational Firearms Use Protection Act — commonly called the assault weapons ban is no longer in effect.

302. Banned Weapons

- (1) The following weapons shall be banned for sellers to sell:
 - (A) All Automatic Weapons