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COMMITTEE ON THE JUDICIARY
COMMITTEE ON RULES AND ADMINISTRATION
United States Senate

WASHINGTON, DC 20510-0504

**FEINSTEIN GUN LICENSING AND RECORD OF SALE
BILL OUTLINE****WHAT FIREARMS WILL BE COVERED BY THIS BILL?**

All handguns, AND all semi-automatic firearms that can accept detachable magazines.

WHAT WILL THIS LEGISLATION DO?

For all qualifying firearms, this legislation will set up a system of **licensing** for every firearms owner, and a **record of transfer** system for all future firearm sales and transfers. The bill sets up a federal system, but **allows states to opt out if they adopt a system at least as effective as the federal program**. If a state wishes to opt out of the federal system, the Governor must submit a letter requesting that the Department of Treasury recognize and certify the system of that state.

HOW DOES THE LICENSING PROPOSAL WORK?

Under this bill, anyone wishing to **obtain a firearm license** will need to go to a federally licensed firearms dealer – there are currently more than 100,000 such dealers --or a State-designated entity (if the state has a certified program of its own) and:

- Provide information as to **date and place of birth and name and address**;
- Submit a **thumb print**;
- Submit a current **photograph**;
- Sign, under **penalty of perjury**, that all of the submitted information is true and that the applicant is qualified under federal law to possess a firearm;
- Pass a written **firearms safety test**, requiring knowledge of the safe storage and handling of firearms, the legal responsibilities of firearm ownership, and other factors as determined by the state or federal authority;
- Sign a pledge to keep any firearm safely stored and out of the hands of juveniles (this pledge will be backed up by criminal penalties for anyone failing to do so);
- Undergo **state and federal background checks**.

Licenses will be **renewable every five years**, and **can be revoked at any time if the licensee becomes disqualified** under federal law from owning or possessing a gun.

Senator Feinstein

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HOW DOES THE RECORD OF SALE PROVISION WORK?

Once the bill takes effect, all **future sales and transfers of firearms** falling within the scope of the bill will have to be recorded, and all firearms involved in those transactions will thus effectively be registered. This process can **take place through any federally licensed firearms dealer**. It is the dealer who bears the responsibility of recording the sale and transmitting the information to the Treasury Department.

UNIVERSAL BACKGROUND CHECKS

All sales and transfers of any firearm, whether or not covered by the other requirements of this bill, will have to take place **through federally licensed firearms dealers, with an accompanying NICS background check**. California has had such a law in place for years, and this will close the gun show and private sale loopholes for good.

WHAT WILL IT COST THE FIREARM OWNER?

Owners of firearms covered by this legislation will pay a one-time fee of \$25 for a license.

WHAT ARE THE PENALTIES?

Penalties for a firearm owner who **fails to get a license**, or any person who **fails to comply with the background check requirement** will range from \$500 for a first offense to \$5,000 for subsequent offenses.

The bill creates **new offenses for failure to report a change of address** or failure to report the **loss or theft of a firearm**, each of which will be punishable by a fine of \$500.

The bill creates the new offense for dealers who **fail to maintain adequate records** of transfer, which will be punishable by fines and/or a prison term up to 2 years.

The bill **subjects parents who recklessly or knowingly allow a child access to a loaded firearm to up to three years in jail** if the child uses the firearm to seriously injure or kill the child or others.