

118TH CONGRESS
1ST SESSION

S. 867

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for grants for State firearms dealer licensing programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 16, 2023

Mr. SCHATZ (for himself, Mr. DURBIN, Mr. WHITEHOUSE, Ms. HIRONO, Mr. PADILLA, Mr. CASEY, Mr. REED, Ms. DUCKWORTH, and Mr. FETTERMAN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for grants for State firearms dealer licensing programs, 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 “State Firearms Dealer
5 Licensing Enhancement Act”.

1 **SEC. 2. STATE FIREARMS DEALER LICENSING GRANT PRO-**
 2 **GRAM.**

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

7 **“PART PP—STATE FIREARMS DEALER LICENSING**
 8 **GRANT PROGRAM**

9 **“SEC. 3061. GRANT PROGRAM.**

10 “(a) PROGRAM AUTHORIZED.—From the amounts
 11 appropriated to carry out this part, and not later than
 12 180 days after such amounts are appropriated, the Attor-
 13 ney General may award annual grants, on a competitive
 14 basis, to eligible applicants for the development, imple-
 15 mentation, improvement, or evaluation of firearms dealer
 16 licensing programs.

17 “(b) APPLICATION.—An eligible applicant desiring a
 18 grant under this part shall submit to the Attorney General
 19 an application at such time, in such manner, and con-
 20 taining such information as the Attorney General may re-
 21 quire, including—

22 “(1) a description of the law that the applicant
 23 has enacted to require a license for any firearms
 24 dealer, including a description of any exemptions to
 25 such law;

1 “(2) a description of how the applicant will use
2 the grant to develop, implement, improve, or evalu-
3 ate the firearms dealer licensing program of the ap-
4 plicant; and

5 “(3) a description of the inspection bodies and
6 procedures of the applicant used to inspect firearms
7 dealers.

8 “(c) SUBAWARDS.—A State that receives a grant
9 under this part may make a subaward to a unit of local
10 government authorized to oversee and enforce the develop-
11 ment, implementation, improvement, or evaluation of the
12 firearms dealer licensing program for which the grant
13 under this part will be used.

14 “(d) REPORTING REQUIREMENT.—

15 “(1) ANNUAL REPORTS BY RECIPIENTS.—An
16 eligible applicant that receives a grant under this
17 part shall provide an annual report to the Attorney
18 General with the following information:

19 “(A) The number of inspections conducted
20 in the jurisdiction of the eligible applicant of
21 persons licensed as a firearms dealer by the eli-
22 gible applicant during the previous year.

23 “(B) The number of violations by persons
24 licensed as a firearms dealer by the eligible ap-

1 plicant that were cited during the previous year,
2 disaggregated by violation type.

3 “(C) The total number of persons licensed
4 as a firearms dealer by the eligible applicant as
5 of the end of the previous year.

6 “(D) The number of licenses to engage in
7 business as a firearms dealer in the jurisdiction
8 of the eligible applicant that, during the pre-
9 vious year, were—

10 “(i) issued;

11 “(ii) renewed;

12 “(iii) suspended; or

13 “(iv) revoked.

14 “(2) TO CONGRESS.—Not later than 13 months
15 after the first grants are awarded under this part,
16 and every year thereafter, the Attorney General shall
17 submit to Congress and make available publicly
18 through print and electronic means a report, which
19 shall include the following information:

20 “(A) A list of eligible applicants who re-
21 ceived funds under a grant under this part dur-
22 ing the previous fiscal year, including the funds
23 awarded, cumulatively and disaggregated by
24 grantee.

1 “(B) The information gathered pursuant
2 to paragraph (1), disaggregated by grantee.

3 “(C) A list of eligible applicants who were
4 denied grants under this part, and the basis for
5 such denials.

6 “(e) LIMITATION ON GRANT AMOUNT.—A grant
7 under this part may not be in an amount that is more
8 than \$2,500,000 per fiscal year.

9 **“SEC. 3062. DEFINITIONS.**

10 “In this part:

11 “(1) ELIGIBLE APPLICANT.—The term ‘eligible
12 applicant’ means a State or Indian tribal govern-
13 ment that has in effect a law that, at a minimum,
14 requires the following:

15 “(A) To engage in business as a firearms
16 dealer in the area subject to the jurisdiction of
17 the State or Indian tribal government, a person
18 shall be a licensed dealer and be licensed as a
19 firearms dealer under such law.

20 “(B) A person shall only be licensed as a
21 firearms dealer under such law upon successful
22 completion of the application process set by
23 such law.

1 “(C) A license to engage in business as a
2 firearms dealer shall be valid for not more than
3 3 years.

4 “(D) A person licensed as a firearms deal-
5 er shall submit to inspections under the law of
6 the State or Indian tribal government.

7 “(E) Noncompliance of a person licensed
8 as a firearms dealer with a requirement for fire-
9 arms dealers under the law of the State or In-
10 dian tribal government may result in—

11 “(i) the suspension or revocation of
12 the license; and

13 “(ii) the imposition of civil penalties
14 or criminal charges.

15 “(2) LICENSED DEALER.—The term ‘licensed
16 dealer’ has the meaning given that term in section
17 921(a) of title 18, United States Code.”.

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

22 “(29) There are authorized to be appropriated
23 such sums as may be necessary for each fiscal year
24 to carry out part PP.”.

○