

H.R.38 - Concealed Carry Reciprocity Act of 2017

115th Congress (2017-2018)

Sponsor: [Rep. Hudson, Richard \[R-NC-8\]](#) (Introduced 01/03/2017)

Committees: House - Judiciary | Senate - Judiciary

Committee Reports: [H. Rept. 115-433](#)

Latest Action: Senate - 12/07/2017 Received in the Senate and Read twice and referred to the Committee on the Judiciary. ([All Actions](#))

Roll Call Votes: There have been [2 roll call votes](#)

Passed House amended (12/06/2017) Concealed Carry Reciprocity Act of 2017

TITLE I--CONCEALED CARRY RECIPROCITY ACT OF 2017

(Sec. 101) This bill amends the federal criminal code to allow a qualified individual to carry a concealed handgun into or possess a concealed handgun in another state that allows individuals to carry concealed firearms.

A qualified individual must: (1) be eligible to possess, transport, or receive a firearm under federal law; (2) carry a valid photo identification document; and (3) carry a valid concealed carry permit issued by any state or be eligible to carry a concealed firearm in his or her state of residence.

Additionally, the bill specifies that a qualified individual who lawfully carries or possesses a concealed handgun in another state: (1) is not subject to the federal prohibition on possessing a firearm in a school zone, and (2) may carry or possess the concealed handgun in federally owned lands that are open to the public.

(Sec. 102) This bill does not prohibit a law enforcement officer with reasonable suspicion of a violation of any law from conducting a brief investigative stop in accordance with the U.S. Constitution.

(Sec. 103) It specifies that certain retired and off-duty law enforcement officers who are authorized to carry concealed firearms are not subject to the federal prohibitions on possessing or discharging a firearm in a school zone.

(Sec. 104) It permits a federal judge to carry a concealed firearm in any state if the judge is not prohibited from receiving a firearm under federal law.

TITLE II--FIX NICS ACT

Fix NICS Act of 2017

(Sec. 202) This bill amends the Brady Handgun Violence Prevention Act to require each federal agency and department, including a federal court, to:

- certify whether it has provided to the National Instant Criminal Background Check System (NICS) disqualifying records of persons prohibited from receiving or possessing a firearm, and
- establish and substantially comply with an implementation plan to maximize record submissions and verify their accuracy.

(Sec. 203) The bill amends the NICS Improvement Amendments Act of 2007 to modify the NICS Act Record Improvement Program (NARIP). Specifically, it:

- establishes a domestic abuse and violence prevention initiative as a priority area for NARIP grant funding, and
- creates a funding preference for states that establish an implementation plan and use grant funds to upload felony conviction and domestic violence records.

(Sec. 204) It amends the Crime Identification Technology Act of 1998 to modify the National Criminal History Improvement Program (NCHIP).

Specifically, it:

- specifies that facilitating full participation in the NICS, as an allowable use of NCHIP grant funds, includes increasing efforts to pre-validate felony conviction and domestic violence records to expedite eligibility determinations; and
- permits the federal share of a grant to exceed 90% of program costs if a state complies with its implementation plan.

(Sec. 205) This section amends the NICS Improvement Amendments Act of 2007 to:

- direct the Department of Justice (DOJ), in coordination with each state or tribal government, to establish an implementation plan, including benchmarks, to maximize the automation and submission of mental health and criminal history records to the NICS;
- require DOJ to conduct, and publish the results of, compliance determinations for state and tribal governments;
- give preference to certain discretionary grant applicants that substantially comply with an implementation plan; and
- require the NICS to notify law enforcement agencies when a firearm is transferred to a person who is subsequently determined to be prohibited from receiving or possessing a firearm.

(Sec. 206) DOJ's Bureau of Justice Assistance must report to Congress on the use of bump stocks in the commission of crimes, including the number of instances and the types of firearms.

(Sec. 207) The bill authorizes appropriations for FY2018-FY2022 to carry out activities under this title.