

## 116TH CONGRESS 1ST SESSION H.R. 4691

To amend the Consumer Product Safety Act to direct the Consumer Product Safety Commission to establish consumer product safety standards for firearm locks and firearm safes, and for other purposes.

## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 16, 2019

Mr. Engel (for himself and Ms. Jayapal) introduced the following bill; which was referred to the Committee on Energy and Commerce

## A BILL

- To amend the Consumer Product Safety Act to direct the Consumer Product Safety Commission to establish consumer product safety standards for firearm locks and firearm safes, 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 "Safe Gun Storage Act
  - 5 of 2019".

1	SEC. 2. CONSUMER PRODUCT SAFETY STANDARDS FOR
2	FIREARM LOCKS AND FIREARM SAFES.
3	(a) In General.—The Consumer Product Safety
4	Act (15 U.S.C. 2051 et seq.) is amended by adding at
5	the end the following:
6	"SEC. 43. CONSUMER PRODUCT SAFETY STANDARDS FOR
7	FIREARM LOCKS AND FIREARM SAFES.
8	"(a) Establishment of Standards.—
9	"(1) Rulemaking required.—
10	"(A) RULEMAKING PROCEEDING.—Not-
11	withstanding section 3(a)(5)(E), the Commis-
12	sion shall initiate a rulemaking proceeding
13	under section 553 of title 5, United States
14	Code, within 90 days after the date of the en-
15	actment of this section to establish—
16	"(i) a consumer product safety stand-
17	ard for firearm locks; and
18	"(ii) a consumer product safety stand-
19	ard for firearm safes.
20	"(B) Final Rule.—Notwithstanding any
21	other provision of law, including chapter 5 of
22	title 5, United States Code, the Commission
23	shall promulgate final consumer product safety
24	standards under this paragraph within 12
25	months after the date on which the Commission

1	initiates the rulemaking proceeding under sub-
2	paragraph (A).
3	"(C) Effective date.—Each final con-
4	sumer product safety standard promulgated
5	under this paragraph shall take effect 6 months
6	after the date on which such standard is pro-
7	mulgated.
8	"(2) Requirements for firearm lock
9	STANDARD.—The standard for firearm locks promul-
10	gated under paragraph (1) shall require firearm
11	locks that—
12	"(A) are sufficiently difficult for an unau-
13	thorized user to de-activate or remove; and
14	"(B) prevent the discharge of the firearm
15	unless the firearm lock has been de-activated or
16	removed.
17	"(3) Requirements for firearm safe
18	STANDARD.—The standard for firearm safes promul-
19	gated under paragraph (1) shall require firearm
20	safes that reliably secure firearms from unauthor-
21	ized users, and include reliable security features,
22	quality, and construction to reliably prevent unau-
23	thorized users from gaining access to a firearm by
24	damaging or physically manipulating the safe.
25	"(b) Certain Provisions Not To Apply.—

- 1 "(1) Provisions of this act.—Sections 7 and 2 9 of this act do not apply to the rulemaking pro-3 ceeding under paragraph (1) of subsection (a).
- 4 "(2) CHAPTER 5 OF TITLE 5.—Except for sec-5 tion 553, chapter 5 of title 5, United States Code, 6 does not apply to this section.
- 7 "(3) CHAPTER 6 OF TITLE 5.—Chapter 6 of 8 title 5, United States Code, does not apply to this 9 section.
- 10 "(4) NATIONAL ENVIRONMENTAL POLICY
  11 ACT.—The National Environmental Policy Act of
  12 1969 (42 U.S.C. 4321 et seq.) does not apply to this
  13 section.
- 14 "(c) NO EFFECT ON STATE LAW.—Notwithstanding 15 section 26 of this Act, this section does not annul, alter, impair, affect, or exempt any person subject to a consumer 16 product safety standard promulgated under subsection 17 18 (a)(1) from complying with any provision of the law of 19 any State or any political subdivision thereof, except to 20 the extent that such provision is inconsistent with any 21 such standard, and then only to the extent of the incon-22 sistency. A provision of the law of a State or a political subdivision thereof is not inconsistent with a consumer 23 product safety standard promulgated under subsection

(a)(1) if such provision affords greater protection to indi-

- 1 viduals with respect to firearms than is afforded by such
- 2 standard.
- 3 "(d) Enforcement.—Notwithstanding subsection
- 4 (b)(1), the consumer product safety standards promul-
- 5 gated by the Commission under subsection (a)(1) shall be
- 6 enforced under this Act as if such standards were con-
- 7 sumer product safety standards described in section 7(a).
- 8 "(e) Definitions.—In this section:
- 9 "(1) FIREARM.—The term 'firearm' has the
- meaning given the term in section 921(a) of title 18,
- 11 United States Code.
- 12 "(2) FIREARM LOCK.—The term 'firearm lock'
- means any disabling or locking device that is not
- built into the firearm at the time of manufacture
- and that is designed to prevent the firearm from
- being discharged unless the device has been deacti-
- vated or removed.
- 18 "(3) Firearm safe.—The term 'firearm safe'
- means a container that is advertised to be used to
- store a firearm and that is designed to be unlocked
- only by means of a key, a combination, or other
- 22 similar means.".
- 23 (b) Conforming Amendment.—Section 1 of the
- 24 Consumer Product Safety Act is amended by adding at
- 25 the end of the table of contents the following:

"Sec. 43. Consumer product safety standards for firearm locks and firearm safes.".

## 1 SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

- 2 There are authorized to be appropriated to the Con-
- 3 sumer Product Safety Commission \$2,000,000 to carry
- 4 out the provisions of section 43 of the Consumer Product
- 5 Safety Act, as added by section 1, such sums to remain
- 6 available until expended.

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