

112TH CONGRESS
1ST SESSION

H. R. 496

To amend title 18, United States Code, to prohibit the carrying of a firearm near a place where a senior Federal official is holding an official public event or carrying out an official or representational duty, or where any person is campaigning for Federal elective office.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 26, 2011

Mr. KING of New York (for himself, Mr. BISHOP of New York, Mr. ENGEL, Mr. RANGEL, and Ms. CHU) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to prohibit the carrying of a firearm near a place where a senior Federal official is holding an official public event or carrying out an official or representational duty, or where any person is campaigning for Federal elective office.

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 “Securing Citizens’ Pro-
5 tection at Federal Events Act”.

1 **SEC. 2. PROHIBITION ON CARRYING FIREARM NEAR A**
2 **PLACE WHERE A SENIOR FEDERAL OFFICIAL**
3 **IS HOLDING AN OFFICIAL PUBLIC EVENT OR**
4 **CARRYING OUT AN OFFICIAL OR REPRESENTATIONAL DUTY, OR WHERE ANY PERSON IS**
5 **CAMPAIGNING FOR FEDERAL ELECTIVE OFFICE.**
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7

8 (a) PROHIBITION.—Section 922 of title 18, United
9 States Code, is amended by adding at the end the following:
10

11 “(aa)(1) Except as provided in paragraph (2), it shall
12 be unlawful for any person, in or affecting interstate or
13 foreign commerce, to knowingly carry a firearm at a place
14 which the person knows is a restricted firearms zone.

15 “(2) In a prosecution for an alleged violation of paragraph (1), it shall be an affirmative defense, which may
16 be established by a preponderance of the evidence, that,
17 at the time of the alleged violation—

18
19 “(A) the person was a law enforcement officer
20 (whether on- or off-duty) authorized to carry a firearm in the line of duty; or
21

22 “(B) the person was carrying the firearm pursuant to the permission of a law enforcement officer;
23

24 “(C) the person was a designated Federal
25 protectee;

1 “(D) the person had the permission of a des-
2 ignated Federal protectee in the restricted firearms
3 zone to carry a firearm in the zone while the place
4 that constitutes the zone is treated as such for pur-
5 poses of this subsection;

6 “(E) the person was carrying the firearm only
7 on the premises of a business in which the person
8 is employed and authorized by the employer to carry
9 the firearm;

10 “(F) the person was carrying the firearm only
11 on real property owned or rented by the person;

12 “(G) the person was a qualified retired law en-
13 forcement officer (as defined in section 926C(e))
14 carrying the identification required by section
15 926C(d)); or

16 “(H)(i) the firearm possessed by the person was
17 unloaded, and was in a locked container or otherwise
18 not readily accessible for use; and

19 “(ii) any ammunition possessed by the person
20 for the firearm was in a locked container separate
21 from the firearm.

22 “(3) Violations of this subsection shall be investigated
23 by the Federal Bureau of Investigation. Assistance may
24 be requested from any Federal, State, or local agency, any
25 statute, rule, or regulation to the contrary (other than sec-

1 tion 374 or 375 of title 10, or section 1385 of this title)
2 notwithstanding.”.

3 (b) DEFINITIONS.—Section 921(a) of such title is
4 amended by adding at the end the following:

5 “(36)(A) The term ‘restricted firearms zone’ means
6 within 1,000 feet of the exterior of any building or struc-
7 ture in which, or at any other fixed place where—

8 “(i) a senior Federal official is, within 30 min-
9 utes will be, or within the past 30 minutes was—

10 “(I) holding an official event that is open
11 to the public; or

12 “(II) carrying out an official or representa-
13 tional duty; or

14 “(ii) a designated Federal protectee is, within
15 30 minutes will be, or within the past 30 minutes
16 was engaging in campaign activity as a candidate for
17 election for Federal office for purposes of the Fed-
18 eral Election Campaign Act of 1971.

19 “(B) In subparagraph (A), the term ‘designated Fed-
20 eral protectee’ means a senior Federal official, or an indi-
21 vidual who is a candidate for election for Federal office
22 for purposes of the Federal Election Campaign Act of
23 1971.

24 “(C) In this paragraph, the term ‘senior Federal offi-
25 cial’ means an individual who is the President of the

1 United States, the President-elect, the Vice President, or,
2 if there is no Vice President, the officer next in the order
3 of succession to the Office of the President of the United
4 States, the Vice President-elect, any person who is acting
5 as President under the Constitution and laws of the
6 United States, a Member of Congress, a Member-of-Con-
7 gress-elect, a member of the executive branch of the Gov-
8 ernment who is the head of a department listed in section
9 101 of title 5, the Director of Central Intelligence, a judge
10 or justice of the Supreme Court or of any court created
11 by Act of Congress (other than a magistrate judge ap-
12 pointed under section 631 of title 28, United States Code),
13 an individual nominated for any of the foregoing positions,
14 during the pendency of the nomination.

15 “(D) In subparagraph (C), the terms ‘President-elect’
16 and ‘Vice-President-elect’ mean such persons as are the
17 apparent successful candidates for the offices of President
18 and Vice President, respectively, as ascertained from the
19 results of the general elections held to determine the elec-
20 tors of President and Vice President in accordance with
21 sections 1 and 2 of title 3.”

22 (c) PENALTIES.—Section 924(a) of such title is
23 amended by adding at the end the following:

1 “(8) Whoever knowingly violates section 922(aa)
2 shall be fined under this title, imprisoned not more than
3 10 years, or both.”.

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