

PENDING

AMENDMENT NO. _____

Calendar No. _____

Purpose: To amend chapter 44 of title 18, United States Code, to allow citizens who have concealed carry permits from the State in which they reside to carry concealed firearms in another State that grants concealed carry permits, if the individual complies with the laws of the State.

IN THE SENATE OF THE UNITED STATES—111th Cong., 1st Sess.

S. 1390

AMENDMENT N^o 1618

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AMENDMENT intended to be proposed by Mr. THUNE, Vitter, Enzi, Barrasso, Coburn

Viz:

- 1 At the end of subtitle H of title X, add the following:
- 2 **SEC. 1083. RECIPROCITY FOR THE CARRYING OF CERTAIN**
- 3 **CONCEALED FIREARMS.**
- 4 (a) FINDINGS.—Congress finds the following:
- 5 (1) The second amendment to the Constitution
- 6 of the United States protects the right of an indi-

1 “(A) has a statute that allows residents of
2 the State to obtain licenses or permits to carry
3 concealed firearms; or

4 “(B) does not prohibit the carrying of con-
5 cealed firearms by residents of the State for
6 lawful purposes;

7 “(2) a person who is not prohibited by Federal
8 law from possessing, transporting, shipping, or re-
9 ceiving a firearm, and who is carrying a government-
10 issued photographic identification document and is
11 entitled to carry a concealed firearm in the State in
12 which the person resides otherwise than as described
13 in paragraph (1), may carry a concealed firearm in
14 any State other than the State of residence of the
15 person that—

16 “(A) has a statute that allows residents of
17 the State to obtain licenses or permits to carry
18 concealed firearms; or

19 “(B) does not prohibit the carrying of con-
20 cealed firearms by residents of the State for
21 lawful purposes.

22 “(b) A person carrying a concealed firearm under this
23 section shall—

24 “(1) in a State that does not prohibit the car-
25 rying of a concealed firearms by residents of the

1 State for lawful purposes, be entitled to carry such
2 firearm subject to the same laws and conditions that
3 govern the specific places and manner in which a
4 firearm may be carried by a resident of the State;
5 or

6 “(2) in a State that allows residents of the
7 State to obtain licenses or permits to carry concealed
8 firearms, be entitled to carry such a firearm subject
9 to the same laws and conditions that govern specific
10 places and manner in which a firearm may be car-
11 ried by a person issued a permit by the State in
12 which the firearm is carried.

13 “(c) In a State that allows the issuing authority for
14 licenses or permits to carry concealed firearms to impose
15 restrictions on the carrying of firearms by individual hold-
16 ers of such licenses or permits, a firearm shall be carried
17 according to the same terms authorized by an unrestricted
18 license of or permit issued to a resident of the State.

19 “(d) Nothing in this section shall be construed to—

20 “(1) effect the permitting process for an indi-
21 vidual in the State of residence of the individual; or

22 “(2) preempt any provision of State law with
23 respect to the issuance of licenses or permits to
24 carry concealed firearms.”

1 (c) CLERICAL AMENDMENT.—The table of sections
2 for chapter 44 of title 18 is amended by inserting after
3 the item relating to section 926C the following:

“926D. Reciprocity for the carrying of certain concealed firearms.”.

4 (d) SEVERABILITY.—Notwithstanding any other pro-
5 vision of this Act, if any provision of this section, or any
6 amendment made by this section, or the application of
7 such provision or amendment to any person or cir-
8 cumstance is held to be unconstitutional, this section and
9 amendments made by this section and the application of
10 such provision or amendment to other persons or cir-
11 cumstances shall not be affected thereby.

12 (e) EFFECTIVE DATE.—The amendments made by
13 this section shall take effect 90 days after the date of en-
14 actment of this Act.