

114TH CONGRESS
2D SESSION

H. R. 4914

To amend title 18, United States Code, to place limitations on the possession, sale, and other disposition of a firearm by persons convicted of misdemeanor sex offenses against children.

IN THE HOUSE OF REPRESENTATIVES

APRIL 12, 2016

Mr. NADLER introduced the following bill; which was referred to the
Committee on the Judiciary

A BILL

To amend title 18, United States Code, to place limitations on the possession, sale, and other disposition of a firearm by persons convicted of misdemeanor sex offenses against children.

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 “Keep Kids Safe Act
5 of 2016”.

1 **SEC. 2. LIMITS ON POSSESSION, SALE, AND DISPOSITION**
2 **OF FIREARMS BY PERSONS CONVICTED OF**
3 **MISDEMEANOR SEX OFFENSES AGAINST MI-**
4 **NORS.**

5 (a) DISPOSITION OF FIREARM.—Section 922(d) of
6 title 18, United States Code, is amended—

7 (1) by striking “or” at the end of paragraph
8 (8);

9 (2) by striking the period at the end of para-
10 graph (9) and inserting “; or”; and

11 (3) by inserting after paragraph (9) the fol-
12 lowing:

13 “(10) has been convicted in any court of a mis-
14 demeanor sex offense against a minor.”.

15 (b) POSSESSION OF FIREARM.—Section 922(g) of
16 title 18, United States Code, is amended—

17 (1) by striking “or” at the end of paragraph
18 (8);

19 (2) by striking the comma at the end of para-
20 graph (9) and inserting “; or”; and

21 (3) by inserting after paragraph (9) the fol-
22 lowing:

23 “(10) who has been convicted in any court of
24 a misdemeanor sex offense against a minor,”.

1 (c) MISDEMEANOR SEX OFFENSE AGAINST A MINOR
2 DEFINED.—Section 921(a) of such title is amended by
3 adding at the end the following:

4 “(36)(A) The term ‘misdemeanor sex offense against
5 a minor’ means a sex offense against a minor punishable
6 by imprisonment for not more than one year.

7 “(B) The term ‘sex offense’ means a criminal offense
8 that has, as an element, a sexual act or sexual contact
9 with another, or an attempt or conspiracy to commit such
10 an offense.

11 “(C) The term ‘minor’ means an individual who has
12 not attained 18 years of age.

13 “(D) A person shall not be considered to have been
14 convicted of a misdemeanor sex offense against a minor
15 for purposes of this chapter—

16 “(i) unless—

17 “(I) the person was represented by counsel
18 in the case, or knowingly and intelligently
19 waived the right to counsel in the case; and

20 “(II) in the case of a prosecution for the
21 offense for which a person was entitled to a
22 jury trial in the jurisdiction in which the case
23 was tried—

24 “(aa) the case was tried by a jury; or

1 “(bb) the person knowingly and intel-
2 ligently waived the right to have the case
3 tried by a jury, by guilty plea or otherwise;
4 or

5 “(ii) if the conviction has been expunged or set
6 aside, or is an offense for which the person has been
7 pardoned or has had civil rights restored (if the law
8 of the applicable jurisdiction provides for the loss of
9 civil rights under such an offense), unless the par-
10 don, expungement, or restoration of civil rights ex-
11 pressly provides that the person may not ship, trans-
12 port, possess, or receive firearms.”.

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