

119TH CONGRESS
1ST SESSION

H. R. 1564

To amend chapter 44 of title 18, United States Code, to require the safe storage of firearms, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 25, 2025

Ms. DELAURO (for herself, Mr. LARSON of Connecticut, Mr. COURTNEY, Mr. HIMES, Mrs. HAYES, Ms. NORTON, Mr. CLEAVER, Mrs. CHERFILUS-McCORMICK, Ms. PINGREE, Mr. JOHNSON of Georgia, Ms. CASTOR of Florida, Mr. LYNCH, Ms. MOORE of Wisconsin, Mr. CASTEN, Ms. TLAIB, Ms. SCHAKOWSKY, Mr. MCGARVEY, Mrs. TRAHAN, Mr. JACKSON of Illinois, Mr. CONNOLLY, Mrs. McIVER, Mr. AUCHINCLOSS, Mr. POCAN, Mr. NEAL, Mr. FROST, Ms. GARCIA of Texas, Mr. GOLDMAN of New York, Mr. CASTRO of Texas, Mr. MULLIN, Ms. BROWNLEY, Mr. SUBRAMANYAM, Mr. BEYER, Mr. GOMEZ, Mr. COSTA, Ms. TOKUDA, Mr. MAGAZINER, Mr. RUIZ, Mrs. TORRES of California, Ms. SEWELL, Mr. FIELDS, Mrs. RAMIREZ, Ms. BONAMICI, Ms. CLARKE of New York, Ms. MCBRIDE, Ms. SHERRILL, Ms. MCCOLLUM, Ms. VELÁZQUEZ, Mr. MOSKOWITZ, Mr. CROW, Mr. LANDSMAN, Mr. MIN, Ms. TITUS, Ms. DEXTER, Mr. OLSZEWSKI, Ms. MATSUI, Mrs. MCBATH, Mr. PETERS, Mr. DELUZIO, Mr. DAVIS of Illinois, Ms. DELBENE, Ms. WILLIAMS of Georgia, Mr. SHERMAN, Mr. TONKO, Mr. TRAN, Mr. MOULTON, Ms. DEAN of Pennsylvania, Mr. FOSTER, Ms. SALINAS, Ms. KELLY of Illinois, Ms. OMAR, Mr. DOGGETT, Mr. SWALWELL, Mr. KEATING, Mr. PALLONE, Ms. McCLELLAN, Mr. IVEY, Mr. DESAULNIER, Mrs. SYKES, Ms. LEGER FERNANDEZ, Mr. THOMPSON of California, Mr. KRISHNAMOORTHY, Mrs. DINGELL, Ms. HOULAHAN, Mr. VARGAS, Mr. CISNEROS, Ms. JAYAPAL, Mr. AMO, Mr. TORRES of New York, Ms. SCANLON, Ms. DEGETTE, Mr. PANETTA, Mr. GRIJALVA, and Mr. TAKANO) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend chapter 44 of title 18, United States Code, to require the safe storage of firearms, 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 “Ethan’s Law”.

5 **SEC. 2. FINDINGS.**

6 Congress finds the following:

7 (1) An estimated 4,600,000 minors in the
8 United States live in homes with at least 1 unse-
9 cured firearm.

10 (2) Seventy-three percent of children under the
11 age of 10 living in homes with firearms reported
12 knowing the location of their parents’ firearms.
13 Thirty-six percent of those children reported han-
14 dling their parents’ unsecured firearms.

15 (3) The presence of unsecured firearms in the
16 home increases the risk of unintentional and inten-
17 tional shootings. Over 75 percent of firearms used in
18 youth suicide attempts and unintentional firearm in-
19 juries were stored in the residence of the victim, a
20 relative, or a friend.

21 (4) The United States Secret Service and the
22 Department of Education report that in 65 percent

1 of deadly school shootings, the attacker obtained the
2 firearm from his or her own home or that of a rel-
3 ative.

4 (5) In the last decade, nearly 2,000,000 fire-
5 arms have been reported stolen. In 2016 alone,
6 238,000 firearms were reported stolen in the United
7 States. Between 2010 and 2016, police recovered
8 more than 23,000 stolen firearms across jurisdic-
9 tions that were used to commit kidnappings, armed
10 robberies, sexual assaults, murders, and other vio-
11 lent crimes.

12 (6) Higher levels of neighborhood gun violence
13 drive depopulation, discourage commercial activity,
14 and decrease property values, resulting in fewer
15 business establishments, fewer jobs, lower home val-
16 ues, and lower home ownership rates.

17 (7) The negative economic impact of gun vio-
18 lence in communities is tied directly to the national
19 economy and interstate commerce.

20 (8) Congress has the power under the interstate
21 commerce clause and other provisions of the Con-
22 stitution of the United States to enact measures en-
23 suring firearms are securely stored.

1 **SEC. 3. SECURE GUN STORAGE OR SAFETY DEVICE.**

2 Section 922(z) of title 18, United States Code, is
3 amended by adding at the end the following:

4 “(4) SECURE GUN STORAGE BY OWNERS.—

5 “(A) OFFENSE.—

6 “(i) IN GENERAL.—Except as pro-
7 vided in clause (ii), it shall be unlawful for
8 a person to store or keep any firearm that
9 has moved in, or that has otherwise af-
10 fected, interstate or foreign commerce on
11 the premises of a residence under the con-
12 trol of the person if the person knows, or
13 reasonably should know, that—

14 “(I) a minor is likely to gain ac-
15 cess to the firearm without the per-
16 mission of the parent or guardian of
17 the minor; or

18 “(II) a resident of the residence
19 is ineligible to possess a firearm under
20 Federal, State, or local law.

21 “(ii) EXCEPTION.—Clause (i) shall
22 not apply to a person if the person—

23 “(I) keeps the firearm—

24 “(aa) secure using a secure
25 gun storage or safety device; or

1 “(bb) in a location that a
2 reasonable person would believe
3 to be secure; or

4 “(II) carries the firearm on his
5 or her person or within such close
6 proximity thereto that the person can
7 readily retrieve and use the firearm as
8 if the person carried the firearm on
9 his or her person.

10 “(B) PENALTY.—

11 “(i) IN GENERAL.—Any person who
12 violates subparagraph (A) shall be fined
13 \$500 per violation.

14 “(ii) ENHANCED PENALTY.—If a per-
15 son violates subparagraph (A) and a minor
16 or a resident who is ineligible to possess a
17 firearm under Federal, State, or local law
18 obtains the firearm and causes injury or
19 death to such minor or resident, or to any
20 other individual, the person shall be fined
21 under this title, imprisoned for not more
22 than 5 years, or both.

23 “(iii) FORFEITURE OF IMPROPERLY
24 STORED FIREARM.—Any firearm stored in
25 violation of subparagraph (A) shall be sub-

1 ject to seizure and forfeiture in accordance
 2 with the procedures described in section
 3 924(d).

4 “(C) MINOR DEFINED.—In this paragraph,
 5 the term ‘minor’ means an individual who is
 6 less than 18 years of age.”.

7 **SEC. 4. FIREARM SAFE STORAGE PROGRAM.**

8 Title I of the Omnibus Crime Control and Safe
 9 Streets Act of 1968 (34 U.S.C. 10101 et seq.) is amended
 10 by adding at the end the following:

11 **“PART PP—FIREARM SAFE STORAGE PROGRAM**

12 **“SEC. 3061. FIREARM SAFE STORAGE PROGRAM.**

13 “(a) IN GENERAL.—The Assistant Attorney General
 14 shall make grants to an eligible State or Indian Tribe to
 15 assist the State or Indian Tribe in carrying out the provi-
 16 sions of any State or Tribal law that is functionally iden-
 17 tical to section 922(z)(4) of title 18, United States Code.

18 “(b) ELIGIBLE STATE OR INDIAN TRIBE.—

19 “(1) IN GENERAL.—Except as provided in para-
 20 graph (2), a State or Indian Tribe shall be eligible
 21 to receive grants under this section on and after the
 22 earliest date as of which—

23 “(A) the State or Indian Tribe has enacted
 24 a law that is functionally identical to section
 25 922(z)(4) of title 18, United States Code; and

“(B) the attorney general of the State (or comparable Tribal official) has submitted a written certification to the Assistant Attorney General stating that the law of the State or Indian Tribe reflects the sense of Congress in section 922(z)(4)(D) of such title 18.

“(2) FIRST YEAR ELIGIBILITY EXCEPTION.—

“(A) IN GENERAL.—A covered State or Indian Tribe shall be eligible to receive a grant under this section during the 1-year period beginning on the date of enactment of this part.

“(B) COVERED STATE OR INDIAN TRIBE.—
In this paragraph, the term ‘covered State or Indian Tribe’ means a State or Indian Tribe that, before the date of enactment of this part, enacted a law—

“(i) that is functionally identical to section 922(z)(4) of title 18, United States Code; and

“(ii) for which the attorney general of the State (or comparable Tribal official) submits a written certification to the Assistant Attorney General stating that the law of the State or Indian Tribe reflects

1 the sense of Congress in section
2 922(z)(4)(D) of such title 18.

3 “(c) USE OF FUNDS.—Funds awarded under this
4 section may be used by a State or Indian Tribe to assist
5 law enforcement agencies or the courts of the State or In-
6 dian Tribe in enforcing and otherwise facilitating compli-
7 ance with any State or Tribal law functionally identical
8 to section 922(z)(4) of title 18, United States Code.

9 “(d) APPLICATION.—An eligible State or Indian
10 Tribe desiring a grant under this section shall submit to
11 the Assistant Attorney General an application at such
12 time, in such manner, and containing or accompanied by
13 such information, as the Assistant Attorney General may
14 reasonably require.

15 “(e) INCENTIVES.—For each of fiscal years 2025
16 through 2029, the Attorney General shall give affirmative
17 preference to all Bureau of Justice Assistance discre-
18 tionary grant applications of a State or Indian Tribe that
19 has enacted a law—

20 “(1) functionally identical to section 922(z)(4)
21 of title 18, United States Code; and

22 “(2) for which the attorney general of the State
23 (or comparable Tribal official) submits a written cer-
24 tification to the Assistant Attorney General stating
25 that the law of the State or Indian Tribe reflects the

1 sense of Congress in section 922(z)(4)(D) of such
2 title 18.”.

3 **SEC. 5. SENSE OF CONGRESS.**

4 Paragraph (4) of section 922(z) of title 18, United
5 States Code, as added by section 3, is amended by adding
6 at the end the following:

7 “(D) SENSE OF CONGRESS RELATING TO
8 LIABILITY.—It is the sense of Congress that—

9 “(i) failure to comply with subpara-
10 graph (A) constitutes negligence under any
11 relevant statute or common law rule; and

12 “(ii) when a violation of subparagraph
13 (A) is the but-for cause of a harm caused
14 by the discharge of a firearm, such viola-
15 tion should be deemed to be the legal or
16 proximate cause of such harm, regardless
17 of whether such harm was also the result
18 of an intentional tort.”.

19 **SEC. 6. SEVERABILITY.**

20 If any provision of this Act, or an amendment made
21 by this Act, or the application of such provision to any
22 person or circumstance, is held to be invalid, the remain-
23 der of this Act, or an amendment made by this Act, or

- 1 the application of such provision to other persons or cir-
- 2 cumstances, shall not be affected.

