

116TH CONGRESS
1ST SESSION

H. R. 1454

To provide for a 3-day waiting period before a person may receive a handgun,
with exceptions.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 28, 2019

Mr. KRISHNAMOORTHY (for himself, Mr. CASE, Ms. DEAN, Ms. DELAURO, Mrs. DEMINGS, Mr. DEUTCH, Mr. ESPAILLAT, Mr. FOSTER, Mr. GARAMENDI, Ms. HAALAND, Mr. HASTINGS, Mr. HIMES, Ms. JACKSON LEE, Mr. KHANNA, Mr. MCNERNEY, Ms. MENG, Mr. MOULTON, Ms. NORTON, Ms. OCASIO-CORTEZ, Ms. OMAR, Mr. PAYNE, Mr. QUIGLEY, Mr. RASKIN, Mr. RUPPERSBERGER, Mr. SIRES, Mr. SOTO, Mr. VARGAS, Mr. GREEN of Texas, Ms. LEE of California, Mr. DANNY K. DAVIS of Illinois, and Mr. THOMPSON of Mississippi) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide for a 3-day waiting period before a person may
receive a handgun, with exceptions.

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 “Choosing Our Own
5 Lives Over Fast Firearms Act” or the “COOL OFF Act”.

1 **SEC. 2. 3-DAY WAITING PERIOD REQUIRED BEFORE RE-**
2 **CEIPT OF A HANDGUN, WITH EXCEPTIONS.**

3 (a) TRANSFERS BETWEEN PERSONS WHO ARE NOT
4 FIREARMS LICENSEES.—Section 922 of title 18, United
5 States Code, is amended by adding at the end the fol-
6 lowing:

7 “(aa)(1) Except as provided in paragraph (2), it shall
8 be unlawful for a person not licensed under this chapter,
9 in or affecting interstate or foreign commerce, to receive
10 a handgun from another person not licensed under this
11 chapter unless at least 3 business days (meaning a day
12 on which State offices are open) have elapsed since the
13 recipient most recently offered to take possession of the
14 handgun.

15 “(2) Paragraph (1) shall not apply with respect to
16 a handgun transfer that meets the conditions of subsection
17 (t)(7).”.

18 (b) TRANSFERS BY FIREARMS LICENSEES TO NON-
19 LICENSEES.—Section 922(t) of such title is amended—

20 (1) in paragraph (1)—

21 (A) by striking “and” at the end of sub-
22 paragraph (B)(ii);

23 (B) by adding “and” at the end of sub-
24 paragraph (C); and

25 (C) by adding at the end the following:

1 “(D) in the case of a handgun transfer
2 that does not meet the conditions of paragraph
3 (7), 3 business days (meaning a day on which
4 State offices are open) have elapsed since the li-
5 censee contacted the system.”; and

6 (2) by adding at the end the following:

7 “(7) A handgun transfer meets the conditions of this
8 paragraph if—

9 “(A) the transferee is a law enforcement agency
10 or any law enforcement officer, armed private secu-
11 rity professional, or member of the armed forces, to
12 the extent the officer, professional, or member is
13 acting within the course and scope of employment
14 and official duties;

15 “(B) the transfer is a loan between spouses, be-
16 tween domestic partners, between parents and their
17 children, between siblings, between aunts or uncles
18 and their nieces or nephews, or between grand-
19 parents and their grandchildren, for a lawful pur-
20 pose;

21 “(C) the transfer is temporary and necessary to
22 prevent imminent death or great bodily harm, if the
23 possession by the transferee lasts only as long as im-
24 mediately necessary to prevent the imminent death
25 or great bodily harm; or

1 “(D) the transfer is temporary and the trans-
2 feror has no reason to believe that the transferee will
3 use or intends to use the firearm in a crime or is
4 prohibited from possessing firearms under State or
5 Federal law, and the transfer takes place and the
6 transferee’s possession of the firearm is exclu-
7 sively—

8 “(i) at a shooting range or in a shooting
9 gallery or other area designated for the purpose
10 of target shooting;

11 “(ii) while reasonably necessary for the
12 purposes of hunting, trapping, or fishing, if the
13 transferor—

14 “(I) has no reason to believe that the
15 transferee intends to use the firearm in a
16 place where it is illegal; and

17 “(II) has reason to believe that the
18 transferee will comply with all licensing
19 and permit requirements for such hunting,
20 trapping, or fishing; or

21 “(iii) while in the presence of the trans-
22 feror.”.

23 (c) PENALTIES.—Section 924(a)(1)(B) of such title
24 is amended by striking “or (q)” and inserting “(q), or
25 (aa)”.

1 (d) EFFECTIVE DATE.—The amendments made by
2 this section shall apply to conduct engaged in after the
3 90-day period that begins with the date of the enactment
4 of this Act.

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