

**AMENDMENT TO H.R. 1501**  
**OFFERED BY MR. CUNNINGHAM OF CALIFORNIA**

At the end of the bill, insert the following:

1           **TITLE \_\_\_\_—COMMUNITY**  
2                   **PROTECTION ACT**

3 **SEC. \_\_\_\_1. SHORT TITLE.**

4           This title may be cited as the “Community Protection  
5 Act of 1999”.

6 **SEC. \_\_\_\_2. EXEMPTION OF QUALIFIED LAW ENFORCEMENT**  
7                   **OFFICERS FROM STATE LAWS PROHIBITING**  
8                   **THE CARRYING OF CONCEALED FIREARMS.**

9           (a) IN GENERAL.—Chapter 44 of title 18, United  
10 States Code, is amended by inserting after section 926A  
11 the following:

12 **“§ 926B. Carrying of concealed firearms by qualified**  
13                   **law enforcement officers**

14           “(a) Notwithstanding any other provision of the law  
15 of any State or any political subdivision thereof, an indi-  
16 vidual who is a qualified law enforcement officer and who  
17 is carrying the identification required by subsection (d)  
18 may carry a concealed firearm that has been shipped or  
19 transported in interstate or foreign commerce, subject to  
20 subsection (b).

1           “(b) This section shall not be construed to supersede  
2 or limit the laws of any State that—

3           “(1) permit private persons or entities to pro-  
4 hibit or restrict the possession of concealed firearms  
5 on their property; or

6           “(2) prohibit or restrict the possession of fire-  
7 arms on any State or local government property, in-  
8 stallation, building, base, or park.

9           “(c) As used in this section, the term ‘qualified law  
10 enforcement officer’ means an employee of a governmental  
11 agency who—

12           “(1) is authorized by law to engage in or super-  
13 vise the prevention, detection, investigation, or pros-  
14 ecution of, or the incarceration of any person for,  
15 any violation of law, and has statutory powers of ar-  
16 rest;

17           “(2) is authorized by the agency to carry a fire-  
18 arm;

19           “(3) is not the subject of any disciplinary action  
20 by the agency; and

21           “(4) meets standards, if any, established by the  
22 agency which require the employee to regularly qual-  
23 ify in the use of a firearm.

24           “(d) The identification required by this subsection is  
25 the official badge and photographic identification issued

1 by the governmental agency for which the individual is,  
2 or was, employed as a law enforcement officer.”.

3 (b) CLERICAL AMENDMENT.—The table of sections  
4 for such chapter is amended by inserting after the item  
5 relating to section 926A the following:

“926B. Carrying of concealed firearms by qualified law enforcement officers.”.

6 **SEC. \_\_\_\_ 3. EXEMPTION OF QUALIFIED RETIRED LAW EN-**  
7 **FORCEMENT OFFICERS FROM STATE LAWS**  
8 **PROHIBITING THE CARRYING OF CON-**  
9 **CEALED FIREARMS.**

10 (a) IN GENERAL.—Chapter 44 of title 18, United  
11 States Code, is further amended by inserting after section  
12 926B the following:

13 **“§ 926C. Carrying of concealed firearms by qualified**  
14 **retired law enforcement officers**

15 “(a) Notwithstanding any other provision of the law  
16 of any State or any political subdivision thereof, an indi-  
17 vidual who is a qualified retired law enforcement officer  
18 and who is carrying the identification required by sub-  
19 section (d) may carry a concealed firearm that has been  
20 shipped or transported in interstate or foreign commerce,  
21 subject to subsection (b).

22 “(b) This section shall not be construed to supersede  
23 or limit the laws of any State that—

1           “(1) permit private persons or entities to pro-  
2           hibit or restrict the possession of concealed firearms  
3           on their property; or

4           “(2) prohibit or restrict the possession of fire-  
5           arms on any State or local government property, in-  
6           stallation, building, base, or park.

7           “(c) As used in this section, the term ‘qualified re-  
8           tired law enforcement officer’ means an individual who—

9           “(1) retired in good standing from service with  
10          a public agency as a law enforcement officer, other  
11          than for reasons of mental instability;

12          “(2) before such retirement, was authorized by  
13          law to engage in or supervise the prevention, detec-  
14          tion, investigation, or prosecution of, or the incarcer-  
15          ation of any person for, any violation of law, and  
16          had statutory powers of arrest;

17          “(3)(A) before such retirement, was regularly  
18          employed as a law enforcement officer for an aggre-  
19          gate of 5 years or more; or

20          “(B) retired from service with such agency,  
21          after completing any applicable probationary period  
22          of such service, due to a service-connected disability,  
23          as determined by such agency;

24          “(4) has a nonforfeitable right to benefits under  
25          the retirement plan of the agency;

1           “(5) during the most recent 12-month period  
2           or, if the agency requires active duty officers to do  
3           so with lesser frequency than every 12 months, dur-  
4           ing such most recent period as the agency requires  
5           with respect to active duty officers, has completed,  
6           at the expense of the individual, a program approved  
7           by the State for training or qualification in the use  
8           of firearms; and

9           “(6) is not prohibited by Federal law from re-  
10          ceiving a firearm.

11          “(d) The identification required by this subsection is  
12          photographic identification issued by the State in which  
13          the agency for which the individual was employed as a law  
14          enforcement officer is located.”.

15          (b) CLERICAL AMENDMENT.—The table of sections  
16          for such chapter is further amended by inserting after the  
17          item relating to section 926B the following:

          “926C. Carrying of concealed firearms by qualified retired law enforcement offi-  
          cers.”.