

S 397

Protection of Lawful Commerce in Arms Act

Congress: 109 (2005–2007, Ended)

Chamber: Senate

Policy Area: Law

Introduced: Feb 16, 2005

Current Status: Became Public Law No: 109-92.

Latest Action: Became Public Law No: 109-92. (Oct 26, 2005)

Law: 109-92 (Enacted Oct 26, 2005)

Official Text: <https://www.congress.gov/bill/109th-congress/senate-bill/397>

Sponsor

Name: Sen. Craig, Larry E. [R-ID]

Party: Republican • **State:** ID • **Chamber:** Senate

Cosponsors (61 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Alexander, Lamar [R-TN]	R · TN		Feb 16, 2005
Sen. Baucus, Max [D-MT]	D · MT		Feb 16, 2005
Sen. Bunning, Jim [R-KY]	R · KY		Feb 16, 2005
Sen. Burns, Conrad R. [R-MT]	R · MT		Feb 16, 2005
Sen. Chambliss, Saxby [R-GA]	R · GA		Feb 16, 2005
Sen. Coburn, Tom [R-OK]	R · OK		Feb 16, 2005
Sen. Collins, Susan M. [R-ME]	R · ME		Feb 16, 2005
Sen. Cornyn, John [R-TX]	R · TX		Feb 16, 2005
Sen. Crapo, Mike [R-ID]	R · ID		Feb 16, 2005
Sen. Domenici, Pete V. [R-NM]	R · NM		Feb 16, 2005
Sen. Ensign, John [R-NV]	R · NV		Feb 16, 2005
Sen. Enzi, Michael B. [R-WY]	R · WY		Feb 16, 2005
Sen. Hutchison, Kay Bailey [R-TX]	R · TX		Feb 16, 2005
Sen. Inhofe, James M. [R-OK]	R · OK		Feb 16, 2005
Sen. Isakson, Johnny [R-GA]	R · GA		Feb 16, 2005
Sen. Johnson, Tim [D-SD]	D · SD		Feb 16, 2005
Sen. Kyl, Jon [R-AZ]	R · AZ		Feb 16, 2005
Sen. Lincoln, Blanche L. [D-AR]	D · AR		Feb 16, 2005
Sen. Murkowski, Lisa [R-AK]	R · AK		Feb 16, 2005
Sen. Nelson, Ben [D-NE]	D · NE		Feb 16, 2005
Sen. Santorum, Rick [R-PA]	R · PA		Feb 16, 2005
Sen. Sessions, Jeff [R-AL]	R · AL		Feb 16, 2005
Sen. Snowe, Olympia J. [R-ME]	R · ME		Feb 16, 2005
Sen. Stevens, Ted [R-AK]	R · AK		Feb 16, 2005
Sen. Sununu, John E. [R-NH]	R · NH		Feb 16, 2005
Sen. Thomas, Craig [R-WY]	R · WY		Feb 16, 2005
Sen. Thune, John [R-SD]	R · SD		Feb 16, 2005
Sen. Allen, George [R-VA]	R · VA		Feb 17, 2005
Sen. Landrieu, Mary L. [D-LA]	D · LA		Feb 17, 2005
Sen. Vitter, David [R-LA]	R · LA		Feb 17, 2005
Sen. DeMint, Jim [R-SC]	R · SC		Mar 1, 2005
Sen. Dole, Elizabeth [R-NC]	R · NC		Mar 1, 2005
Sen. Dorgan, Byron L. [D-ND]	D · ND		Mar 1, 2005
Sen. Grassley, Chuck [R-IA]	R · IA		Mar 1, 2005
Sen. Gregg, Judd [R-NH]	R · NH		Mar 1, 2005
Sen. Hagel, Chuck [R-NE]	R · NE		Mar 1, 2005
Sen. Hatch, Orrin G. [R-UT]	R · UT		Mar 1, 2005
Sen. Lott, Trent [R-MS]	R · MS		Mar 2, 2005
Sen. Frist, William H. [R-TN]	R · TN		Mar 3, 2005
Sen. Talent, Jim [R-MO]	R · MO		Mar 3, 2005
Sen. Graham, Lindsey [R-SC]	R · SC		Mar 4, 2005

Cosponsor	Party / State	Role	Date Joined
Sen. Allard, Wayne [R-CO]	R · CO		Mar 7, 2005
Sen. Cochran, Thad [R-MS]	R · MS		Mar 9, 2005
Sen. Martinez, Mel [R-FL]	R · FL		Mar 9, 2005
Sen. Shelby, Richard C. [R-AL]	R · AL		Mar 9, 2005
Sen. Brownback, Sam [R-KS]	R · KS		Mar 10, 2005
Sen. Burr, Richard [R-NC]	R · NC		Mar 10, 2005
Sen. Bond, Christopher S. [R-MO]	R · MO		Mar 14, 2005
Sen. Specter, Arlen [R-PA]	R · PA		Mar 14, 2005
Sen. McConnell, Mitch [R-KY]	R · KY		Mar 15, 2005
Sen. Coleman, Norm [R-MN]	R · MN		Mar 16, 2005
Sen. Pryor, Mark L. [D-AR]	D · AR		Mar 16, 2005
Sen. Roberts, Pat [R-KS]	R · KS		Mar 17, 2005
Sen. Bennett, Robert F. [R-UT]	R · UT		Apr 12, 2005
Sen. Voinovich, George V. [R-OH]	R · OH		Apr 12, 2005
Sen. Smith, Gordon H. [R-OR]	R · OR		Apr 27, 2005
Sen. McCain, John [R-AZ]	R · AZ		Jul 21, 2005
Sen. Salazar, Ken [D-CO]	D · CO		Jul 21, 2005
Sen. Byrd, Robert C. [D-WV]	D · WV		Jul 25, 2005
Sen. Rockefeller, John D., IV [D-WV]	D · WV		Jul 26, 2005
Sen. Conrad, Kent [D-ND]	D · ND		Jul 27, 2005

Committee Activity

No committee referrals or activity are recorded for this bill.

Subjects & Policy Tags

Policy Area:

Law

Related Bills

Bill	Relationship	Last Action
109 HR 800	Related bill	Oct 26, 2005: Sponsor introductory remarks on measure. (CR E2162-2163)
109 HRES 493	Procedurally related	Oct 18, 2005: Motion to reconsider laid on the table Agreed to without objection.

(This measure has not been amended since it was passed by the Senate on July 29, 2005. The summary of that version is repeated here.)

Protection of Lawful Commerce in Arms Act - (Sec. 3) Prohibits a qualified civil liability action from being brought in any state or federal court against a manufacturer or seller of a firearm, ammunition, or a component of a firearm that has been shipped or transported in interstate or foreign commerce, or against a trade association of such manufacturers or sellers, for damages, punitive damages, injunctive or declaratory relief, abatement, restitution, fines, penalties, or other relief resulting from the criminal or unlawful misuse of a firearm. Requires pending actions to be dismissed.

Excludes from such prohibition actions: (1) brought by a directly harmed party against a person who transfers a firearm knowing that it will be used to commit a crime of violence or a drug trafficking crime; (2) brought against a seller for negligent entrustment or negligence per se; (3) in which a manufacturer or seller of a firearm knowingly violated a state or federal statute applicable to the sale or marketing of the firearm and the violation was a proximate cause of the harm for which relief is sought; (4) for breach of contract or warranty in connection with the purchase of the firearm; (5) for death, physical injuries, or property damage resulting directly from a defect in design or manufacture of the firearm when used as intended or in a reasonably foreseeable manner, except that where the discharge was caused by a volitional act that constituted a criminal offense, such act shall be considered the sole proximate cause of any resulting death, personal injuries, or property damage; or (6) commenced by the Attorney General to enforce firearms provisions under the federal criminal code or the Internal Revenue Code. Permits a person under age 17 to recover damages authorized under federal or state law in a civil action that meets specified requirements.

(Sec. 5) Child Safety Lock Act of 2005 - Prohibits the sale, delivery, or transfer by a licensed importer, manufacturer, or dealer of a handgun to any person other than a person with a firearms license unless the transferee is provided with a secure gun storage or safety device. Lists exceptions, including for U.S. and state agencies and for law enforcement. Grants immunity from a qualified civil liability action for a person who has lawful possession and control of a handgun and who uses a secure gun storage or safety device. Establishes as penalties for violations: (1) license revocation or suspension for up to six months; or (2) a civil penalty of up to \$2,500.

(Sec. 6) Sets penalties for using or carrying armor piercing ammunition during and in relation to a crime of violence or a drug trafficking crime, and for possessing armor piercing ammunition in furtherance of any such crime, that shall be in addition to the punishment otherwise provided for such crime.

Directs the Attorney General to conduct and report to the chairman and ranking member of the House and Senate Judiciary Committees on a study to determine whether a uniform standard for the testing of projectiles against body armor is feasible.

Actions Timeline

- **Oct 26, 2005:** Signed by President.
- **Oct 26, 2005:** Signed by President.
- **Oct 26, 2005:** Became Public Law No: 109-92.
- **Oct 26, 2005:** Became Public Law No: 109-92.
- **Oct 25, 2005:** Presented to President.
- **Oct 25, 2005:** Presented to President.
- **Oct 20, 2005:** Considered under the provisions of rule H. Res. 493. (consideration: CR H8990-9011)
- **Oct 20, 2005:** Rule provides for consideration of S. 397 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit. Measure will be considered read. Bill is closed to amendments.
- **Oct 20, 2005:** DEBATE - The House proceeded with one hour of debate on S. 397.
- **Oct 20, 2005:** The previous question was ordered pursuant to the rule. (consideration: CR H9010)
- **Oct 20, 2005:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 283 - 144 (Roll no. 534).(text: CR H8990-8992)
- **Oct 20, 2005:** On passage Passed by the Yeas and Nays: 283 - 144 (Roll no. 534). (text: CR H8990-8992)
- **Oct 20, 2005:** Motion to reconsider laid on the table Agreed to without objection.
- **Oct 20, 2005:** Cleared for White House.
- **Oct 18, 2005:** Rule H. Res. 493 passed House.
- **Oct 17, 2005:** Rules Committee Resolution H. Res. 493 Reported to House. Rule provides for consideration of S. 397 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit. Measure will be considered read. Bill is closed to amendments.
- **Sep 6, 2005:** Received in the House.
- **Sep 6, 2005:** Message on Senate action sent to the House.
- **Sep 6, 2005:** Held at the desk.
- **Jul 29, 2005:** Considered by Senate. (consideration: CR S9374-9398)
- **Jul 29, 2005:** Passed/agreed to in Senate: Passed Senate with amendments by Yea-Nay. 65 - 31. Record Vote Number: 219.
- **Jul 29, 2005:** Passed Senate with amendments by Yea-Nay. 65 - 31. Record Vote Number: 219.
- **Jul 28, 2005:** Considered by Senate. (consideration: CR S9217-9244)
- **Jul 27, 2005:** Motion to proceed to measure considered in Senate. (consideration: CR S9059-9086)
- **Jul 27, 2005:** Motion to proceed to consideration of measure agreed to in Senate by Voice Vote.
- **Jul 27, 2005:** Measure laid before Senate by motion. (consideration: CR S9059-9087, S9087-9115)
- **Jul 27, 2005:** Cloture motion on the bill presented in Senate. (consideration: CR S9087)
- **Jul 26, 2005:** Cloture on the Motion to proceed to the bill invoked in Senate by Yea-Nay Vote. 66 - 32. Record Vote Number: 206. (consideration: CR S8908-8909)
- **Jul 26, 2005:** Motion to proceed to measure considered in Senate. (consideration: CR S8908-89027)
- **Jul 22, 2005:** Motion to proceed to consideration of measure made in Senate.
- **Jul 22, 2005:** Cloture motion on the motion to proceed to the measure presented in Senate. (consideration: CR S8740-8741; text: CR S8740-8741)
- **Jul 22, 2005:** Motion to proceed to consideration of measure withdrawn in Senate.
- **Feb 17, 2005:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 15.
- **Feb 16, 2005:** Introduced in Senate
- **Feb 16, 2005:** Sponsor introductory remarks on measure. (CR S1529)
- **Feb 16, 2005:** Introduced in the Senate. Read the first time. Placed on Senate Legislative Calendar under Read the First Time. (text of measure as introduced: CR S1529-1530)