

## S 730

### Firearm Straw Purchasing and Trafficking Prevention Act

**Congress:** 113 (2013–2015, Ended)

**Chamber:** Senate

**Policy Area:** Crime and Law Enforcement

**Introduced:** Apr 15, 2013

**Current Status:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 40.

**Latest Action:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 40. (Apr 16, 2013)

**Official Text:** <https://www.congress.gov/bill/113th-congress/senate-bill/730>

### Sponsor

**Name:** Sen. Cruz, Ted [R-TX]

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

### Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Heller, Dean [R-NV]	R · NV		Apr 16, 2013

### Committee Activity

*No committee referrals or activity are recorded for this bill.*

### Subjects & Policy Tags

#### Policy Area:

Crime and Law Enforcement

### Related Bills

*No related bills are listed.*

Firearm Straw Purchasing and Trafficking Prevention Act - Amends the federal criminal code to prohibit purchasing or otherwise obtaining a firearm that has been shipped, transported, or received in interstate or foreign commerce for or on behalf of any other person who the purchaser knows: (1) is prohibited from possessing or receiving a firearm; (2) intends to use, carry, possess, sell, or otherwise dispose of the firearm in furtherance of a crime of violence, a drug trafficking crime, or a federal crime of terrorism; (3) intends to engage in conduct that would constitute such a crime if the conduct occurred in the United States; or (4) is not a resident of any state and is not a citizen or lawful permanent resident of the United States. Prohibits willfully procuring another to engage in such conduct.

Prohibits: (1) shipping, transporting, transferring, or otherwise disposing of two or more firearms to another person in or otherwise affecting interstate or foreign commerce knowing that the use, carrying, or possession of a firearm by the transferee is prohibited or would constitute a crime of violence, a drug trafficking crime, or a federal crime of terrorism; (2) receiving two or more firearms in or otherwise affecting interstate or foreign commerce if the recipient either knows such receipt is prohibited or intends to use the firearm in furtherance of such a crime; or (3) attempting or conspiring to commit such conduct.

Sets penalties for violations, including enhanced penalties for acting in concert with another person as an organizer, leader, supervisor, or manager in such a transfer or receipt of firearms.

Directs the U.S. Sentencing Commission to: (1) review and amend its guidelines and policy statements to ensure that persons convicted of such offenses and other offenses applicable to the straw purchases and trafficking of firearms are subject to increased penalties in comparison to those currently provided; (2) consider an appropriate amendment to reflect the intent of Congress that straw purchasers without significant criminal histories receive sentences that are sufficient to deter participation in such activities; and (3) review and amend its guidelines and policy statements to reflect the intent of Congress that a person convicted of such an offense who is affiliated with a gang, cartel, organized crime ring, or other such enterprise should be subject to higher penalties than an otherwise unaffiliated individual.

Increases the maximum penalty for making false statements or representations with respect to firearms.

Expands the scope of prohibitions against transferring a firearm knowing that it will be used to commit a crime of violence or drug trafficking crime to cover receiving or transferring a firearm or ammunition, attempting or conspiring to do so, and transferring a firearm or ammunition knowing that it will be used to commit a federal crime of terrorism or a crime under the Arms Export Control Act, the International Emergency Economic Powers Act, or the Foreign Narcotics Kingpin Designation Act.

Increases the maximum term of imprisonment for such violations and for smuggling a firearm or ammunition into or out of the United States with intent to engage in or promote prohibited conduct.

### **Actions Timeline**

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- **Apr 16, 2013:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 40.
- **Apr 15, 2013:** Introduced in Senate
- **Apr 15, 2013:** Introduced in the Senate. Read the first time. Placed on Senate Legislative Calendar under Read the First Time.