

H.R. _____

IN THE HOUSE OF REPRESENTATIVES

February 17, 2002

Mr. Barr introduced the following bill:

To prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages resulting from the misuse of their products by others.

1 *Be it enacted by the Senate and House of Representatives of the United States of America*
2 *in Congress assembled,*

3 Section 1. Short Title.

4 This Act may be cited as the “Firearms Heritage Protection Act of 2002.”

5 Section 2. Findings; Purposes.

6 (a) FINDINGS. The Congress finds the following:

7 (1) Citizens have a right, under the Second Amendment to the United
8 States Constitution, to keep and bear arms.

9 (2) Lawsuits have been commenced against manufacturers,
10 distributors, dealers, and importers of nondefective firearms, which
11 seek money damages and other relief for the harm caused by the
12 misuse of firearms by third parties, including criminals.

13 (3) Businesses in the United States that are engaged in lawful
14 commerce involving the sale and distribution of firearms and
15 ammunition are not, and should not be, liable for the harm caused

1 by those who criminally or unlawfully misuse firearms or
2 ammunition.

3 (4) The possibility of imposing liability on an entire industry for harm
4 that is the sole responsibility of others is an abuse of the legal
5 system, erodes public confidence in our nation's laws, and
6 threatens to diminish a basic constitutional right.

7 (b) PURPOSES – The purposes of this Act are as follows:

8 (1) To prohibit causes of action against manufacturers, distributors,
9 dealers, and importers of firearms or ammunition products for the
10 harm caused by the criminal or unlawful misuse of firearms and
11 ammunition products by others.

12 (2) To preserve a citizen's access to a supply of firearms and
13 ammunition for all lawful purposes—including hunting, self-
14 defense, collecting, and competitive or recreational shooting.

15 (3) To guarantee a citizen's rights, privileges, and immunities, as
16 applied to the States, under the Fourteenth Amendment to the
17 United States Constitution.

18 SECTION 3. PROHIBITION ON BRINGING OF QUALIFIED CIVIL LIABILITY
19 ACTIONS IN FEDERAL OR STATE COURT.

20 (a) IN GENERAL – A qualified, civil liability action may not be brought in any
21 Federal or State court against any manufacturer, distributor, dealer, or
22 importer of firearms or ammunition products because of the harm caused by
23 persons who criminally or unlawfully misuse firearms or ammunition.

1 (b) DISMISSAL OF PENDING ACTIONS – A qualified, civil liability action
2 that is pending on the date of enactment of this Act shall be dismissed
3 immediately by the court in which the action was brought.

4 SECTION 4. EFFECTIVE DATE.

5 (a) This law shall take effect immediately upon enactment of this Act.