**H.R.2546 -- Firearm Risk Protection Act of 2015 (Introduced in House - IH)**

**Text of Bill Amended as Recommended by Gun Insurance Blog**

**Added provisions defining required insurance in Red.**

HR 2546 IH

114th CONGRESS

1st Session

**H. R. 2546**

To prohibit the sale of a firearm to, and the purchase of a firearm by, a person who is not covered by appropriate liability insurance coverage.

**IN THE HOUSE OF REPRESENTATIVES**

**May 21, 2015**

Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. LYNCH, Ms. TSONGAS, Mr. GRIJALVA, and Ms. CLARK of Massachusetts) introduced the following bill; which was referred to the Committee on the Judiciary

**A BILL**

To prohibit the sale of a firearm to, and the purchase of a firearm by, a person who is not covered by appropriate liability insurance coverage.

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the `Firearm Risk Protection Act of 2015'.

**SEC. 2. PROHIBITIONS ON SALE OF FIREARM TO, AND PURCHASE OF FIREARM BY, A PERSON NOT COVERED BY APPROPRIATE LIABILITY INSURANCE.**

(a) Prohibitions- Section 922 of title 18, United States Code, is amended by adding at the end the following:

`(aa)(1)(A)(i) It shall be unlawful for a person to purchase a firearm unless, at the time of the purchase, the purchaser presents to the seller proof that the purchaser is covered by a qualified liability insurance policy.

`(ii) It shall be unlawful for a person to sell a firearm unless, at the time of the sale, the seller verifies that the purchaser is covered by a qualified liability insurance policy.

`(iii) It shall be unlawful for a person who owns a firearm purchased on or after the effective date of this subsection not to be covered by a qualified liability insurance policy.

`(B) Subparagraph (A) shall not apply to the purchase or sale of a firearm for the use of the United States or any department or agency of the United States, or any State or any department, agency, or political subdivision of a State.

`(2) In paragraph (1), the term `qualified liability insurance policy' means, with respect to the purchaser of a firearm, a policy that--

`(A) provides liability insurance covering the purchaser specifically for losses resulting from use of the firearm while it is owned by the purchaser; and

`(B) is issued by an insurer licensed or authorized to provide the coverage by the State insurance regulatory authority for the State in which the purchaser resides.'.

`(C) contains a personal injury protection endorsement.

 (b) Penalty- Section 924 of such title is amended by adding at the end the following:

`(q) Whoever violates section 922(aa) shall be fined not more than $10,000.'.

(c) Effective Date- The amendments made by this section shall apply to conduct engaged in after the 180-day period that begins with the date of the enactment of this Act.

**SEC. 3. PERSONAL INJURY PROTECTION ENDORSEMENT**

(a) Coverage – the personal injury protection endorsement shall provide that the insurer issuing the policy will pay first-party benefits to reimburse for basic economic loss sustained by an person on account of death or injury arising out of the use of the firearm by any person regardless of whether the person has a legal right to use the firearm or the permission of the owner of the firearm. The coverage of the endorsement shall extend to injuries occurring until the earlier of:

 (1) replacement of the coverage of the firearm by another insurer and,

 (2) five years after loss, theft or uninsured transfer of the firearm.

(b) In this section the term basic economic loss means:

 (1) Medical expense consisting of necessary expenses to a maximum amount of $200,000 for:

 (a) medical, hospital, surgical, nursing, dental, ambulance, X-ray, prescription drug and prosthetic services;

 (b) psychiatric, physical and occupational therapy and rehabilitation;

 (c) any other professional health services;

 (2) Work loss consisting of the following losses and expenses, up to a maximum payment of $5,000 per month for a maximum period of five years from the date of the injury:

 (a) loss of earnings from work which the injured person would have performed had such person not have been injured,

 (b) loss of earnings from work which would have been performed by another person but was not performed to allow care for the injured person, and

 (c) reasonable and necessary expenses sustained by the injured person in obtaining services in lieu of those which such person would have performed for income; and

 (3) A death benefit of $100,000 upon the death of any person arising out of the use of the firearm payable to the estate of such person.