

# Assessing the Impact of the Bipartisan Safer Communities Act (BSCA)

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# National Criminal History Improvement Program (NCHIP) Supplemental Funds

- **BSCA provided an additional \$200 million in NCHIP funding over 5 years**
- **Very similar to NCHIP except**
  - Additional priority areas around BSCA provisions
  - Courts may apply directly
  - No match requirement

# Expanded Background Checks for Potential Firearm Transferees Under the Age of 21 (U21)

- BSCA requires additional outreach/research for potential juvenile criminal/delinquency information or juvenile mental health adjudications/commitments that may disqualify the receipt or possession of a firearm
- The following entities will be contacted based on the address of the potential firearm transferee under the age of 21
  - State criminal history repositories/juvenile justice information systems
  - State custodians of mental health adjudications
  - Local law enforcement agencies
- BSCA allows for an additional delay up to 10 business days (if cause is discovered during the first 3 business days) to obtain and review information

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# **Bipartisan Safer Communities Act (BSCA)**

## **Public Law 117-159, Section 12005**

- **Misdemeanor Crime of Domestic Violence (DMCDV)**
  - Expands firearms prohibition to include a **person who has a current or recent former dating relationship with the victim**
  - Applies to persons convicted on or after 6/25/2022
- **Until BSCA the boyfriend/girlfriend relationship was not a NICS prohibitor when they did not live together**

# Dating Relationship Definition

## 18 USC 921(A)(37)

- **Dating relationship is between “individuals who have or have recently had a continuing serious relationship of a romantic nature”**
- **Examples**
  - Boyfriend/girlfriend
  - Fiancé
  - Includes same-sex relationships

# Length of DMCDV Prohibition

- **BSCA established the “dating” relationship as a temporary prohibition**
  - Restoration occurs five years from date of conviction or completion of sentence
  - Five-year timeframe is voided if a subsequent firearms-prohibiting conviction occurs
- **Conviction for any of the following will invalidate the five-year restoration**
  - Another DMCDV
  - Another disqualifying conviction
  - Any other misdemeanor offense under federal, state, local, or tribal law which has, an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, regardless of the relationship to the victim



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Questions?