

118TH CONGRESS
2D SESSION

S. 5232

To prohibit the unauthorized possession of a firearm at a Federal election site.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 25, 2024

Mr. MURPHY (for himself, Mr. CASEY, Mr. MARKEY, and Mrs. SHAHEEN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To prohibit the unauthorized possession of a firearm at a Federal election site.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Vote Without Fear
5 Act”.

6 **SEC. 2. PROHIBITION ON UNAUTHORIZED FIREARM POS-**
7 **SESSION AT A FEDERAL ELECTION SITE.**

8 (a) IN GENERAL.—Chapter 44 of title 18, United
9 States Code, is amended by adding at the end the fol-
10 lowing:

1 **“§ 935. Prohibition on unauthorized firearm posses-**
2 **sion at a Federal election site**

3 “(a) DEFINITION.—In this section, the term ‘Federal
4 election site’ means a building or any part thereof at which
5 an employee of the United States, a State, or a political
6 subdivision thereof is engaged in—

7 “(1) the administration of a polling place in an
8 election for Federal office; or

9 “(2) the processing or counting of ballots cast
10 in such an election.

11 “(b) POSSESSION OF FIREARM NEAR FEDERAL
12 ELECTION SITE.—

13 “(1) OFFENSE.—

14 “(A) IN GENERAL.—Except as provided in
15 subparagraph (B), it shall be unlawful for an
16 individual to knowingly possess or cause to be
17 present a firearm in, or within 100 yards of an
18 entrance to, a place that the individual knows,
19 or has reasonable cause to believe, is a Federal
20 election site.

21 “(B) EXCEPTIONS.—Subparagraph (A)
22 shall not apply to—

23 “(i) the possession of a firearm by a
24 law enforcement officer employed by the
25 United States, a State, or a political sub-
26 division thereof, or a private security guard

1 hired or arranged for by the owner or
2 manager of a building in which there is a
3 Federal election site, who is authorized by
4 law to possess a firearm and who is on
5 duty;

6 “(ii) the possession of a firearm in a
7 vehicle within 100 yards of an entrance to
8 a Federal election site, if the firearm is not
9 removed from the vehicle or brandished
10 while the vehicle is in, or within 100 yards
11 of the entrance to, a Federal election site;
12 or

13 “(iii) the otherwise lawful possession
14 of a firearm in a place of residence, in a
15 place of business, or on private property,
16 in or within 100 yards of an entrance to
17 a Federal election site.

18 “(2) PENALTY.—Any individual who violates
19 paragraph (1), or attempts to do so, shall be fined
20 under this title, imprisoned not more than 1 year, or
21 both.

22 “(c) POSSESSION OF FIREARM NEAR FEDERAL
23 ELECTION SITE WITH INTENT FOR USE IN CRIME.—

24 “(1) OFFENSE.—It shall be unlawful for an in-
25 dividual, with intent that a firearm be used in the

1 commission of a crime, to knowingly possess or
2 cause to be present the firearm in, or within 100
3 yards of an entrance to, a place that the individual
4 knows, or has reasonable cause to believe, is a Fed-
5 eral election site.

6 “(2) PENALTY.—Any individual who violates
7 paragraph (1), or attempts to do so, shall be fined
8 under this title, imprisoned not more than 5 years,
9 or both.

10 “(d) HOMICIDE.—An individual who kills any other
11 individual in the course of a violation of subsection (b)
12 or (c), or in the course of an attack on a Federal election
13 site involving the use of a firearm, or attempts or con-
14 spires to do so, shall be punished as provided in—

15 “(1) section 1111, in the case of murder (as de-
16 fined in that section);

17 “(2) section 1112, in the case of manslaughter
18 (as defined in that section);

19 “(3) section 1113, in the case of attempt to
20 commit murder or manslaughter (as those terms are
21 so defined); or

22 “(4) section 1117, in the case of conspiracy to
23 commit murder (as so defined).”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 for chapter 44 of title 18, United States Code, is amended
3 by adding at the end the following:

“935. Prohibition on unauthorized firearm possession at a Federal election
site.”.

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