

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 38  
OFFERED BY MR. NADLER OF NEW YORK**

Page 1, line 11, strike “(a)” and insert “(a)(1)”.

Page 2, line 8, strike “(1)” and insert “(A)”.

Page 2, line 11, strike “(2)” and insert “(B)”.

Page 2, after line 13, insert the following:

1       “(2)(A) A person who has been convicted of a violent  
2 crime within the preceding three years may not possess  
3 or carry a concealed handgun under this section in a State  
4 that by law prohibits a person from doing so on the basis  
5 of a conviction for such offense.

6       “(B) For purposes of subparagraph (A), the term  
7 ‘violent crime’ means any offense that involves injury or  
8 the threat of injury to the person of another.

9       “(C) What constitutes a conviction of such a crime  
10 shall be determined in accordance with the law of the ju-  
11 risdiction in which the proceedings were held. Any convic-  
12 tion which has been expunged, or set aside or for which  
13 a person has been pardoned or has had civil rights re-  
14 stored shall not be considered a conviction for purposes  
15 of this paragraph, unless such pardon, expungement, or

1 restoration of civil rights expressly provides that the per-  
2 son may not ship, transport, possess, or receive firearms.”.

