

104TH CONGRESS
2D SESSION

H. R. 3017

To amend title 18, United States Code, to prohibit the possession or transfer of handgun ammunition capable of being used to penetrate standard body armor.

IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 1996

Mr. YATES introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to prohibit the possession or transfer of handgun ammunition capable of being used to penetrate standard body armor.

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. PROHIBITION AGAINST THE POSSESSION OR**
4 **TRANSFER OF HANDGUN AMMUNITION CAPA-**
5 **BLE OF BEING USED TO PENETRATE STAND-**
6 **ARD BODY ARMOR.**

7 (a) IN GENERAL.—Section 922 of title 18, United
8 States Code, is amended by adding at the end the follow-
9 ing:

1 “(y)(1) It shall be unlawful for any person to possess
2 or transfer a piece of handgun ammunition if—

3 “(A) the Secretary has determined, pursuant to
4 section 926(d), that the ammunition is of a type
5 which is capable of being used to penetrate standard
6 body armor;

7 “(B) notice of the determination has been pub-
8 lished in the Federal Register; and

9 “(C) the determination has not been rescinded.

10 “(2) Paragraph (1) shall not apply to—

11 “(A) the sale or delivery by a manufacturer or
12 importer of handgun ammunition for use of the
13 United States or any department or agency thereof
14 or any State or any department, agency, or political
15 subdivision thereof; or

16 “(B) the sale or delivery by a manufacturer or
17 importer of handgun ammunition for purposes of
18 testing or experimentation authorized by the Sec-
19 retary.

20 “(3) Paragraph (1) shall not apply to a piece of hand-
21 gun ammunition which is the subject of a notice published
22 in the Federal Register pursuant to section 926(d)(2) if
23 the piece of ammunition was lawfully possessed by any
24 person immediately before the date of the publication.”.

1 (b) DETERMINATION OF THE CAPABILITY OF HAND-
2 GUN AMMUNITION; PUBLICATION IN FEDERAL REGISTER
3 OF PROHIBITED HANDGUN AMMUNITION.—Section 926
4 of such title is amended by adding at the end the follow-
5 ing:

6 “(d)(1) The Secretary shall determine whether any
7 handgun ammunition is capable of being used to penetrate
8 standard body armor, in accordance with regulations pre-
9 scribed by the Secretary which shall provide for the man-
10 ner in which such capability is to be determined, includ-
11 ing—

12 “(A) the type or types of standard body armor
13 to be used in determining such capability;

14 “(B) the type or types of firearm from which
15 the ammunition is to be expelled by action of an ex-
16 plosive; and

17 “(C) the type or types of such explosive.

18 “(2) Upon making a determination pursuant to para-
19 graph (1) that a type of handgun ammunition is capable
20 of being used to penetrate standard body armor, the Sec-
21 retary shall publish notice of the determination in the Fed-
22 eral Register.”.

23 (c) PENALTIES.—Section 924(a)(1)(B) of such title
24 is amended by inserting “or (y)” before “of section 922”.

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