

113TH CONGRESS  
1ST SESSION

# H. R. 138

To prohibit the transfer or possession of large capacity ammunition feeding devices, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2013

Mrs. MCCARTHY of New York (for herself and Ms. DEGETTE) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To prohibit the transfer or possession of large capacity ammunition feeding devices, and for other purposes.

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 “Large Capacity Ammu-  
5 nition Feeding Device Act”.

1 **SEC. 2. PROHIBITION ON TRANSFER OR POSSESSION OF**  
2 **LARGE CAPACITY AMMUNITION FEEDING DE-**  
3 **VICES.**

4 (a) DEFINITION.—Section 921(a) of title 18, United  
5 States Code, is amended by inserting after paragraph (29)  
6 the following:

7 “(30) The term ‘large capacity ammunition  
8 feeding device’—

9 “(A) means a magazine, belt, drum, feed  
10 strip, or similar device that has a capacity of,  
11 or that can be readily restored or converted to  
12 accept, more than 10 rounds of ammunition;  
13 but

14 “(B) does not include an attached tubular  
15 device designed to accept, and capable of oper-  
16 ating only with, .22 caliber rimfire ammuni-  
17 tion.”.

18 (b) PROHIBITIONS.—Section 922 of such title is  
19 amended by inserting after subsection (u) the following:

20 “(v)(1)(A)(i) Except as provided in clause (ii), it shall  
21 be unlawful for a person to transfer or possess a large  
22 capacity ammunition feeding device.

23 “(ii) Clause (i) shall not apply to the possession of  
24 a large capacity ammunition feeding device otherwise law-  
25 fully possessed within the United States on or before the  
26 date of the enactment of this subsection.

1       “(B) It shall be unlawful for any person to import  
2 or bring into the United States a large capacity ammuni-  
3 tion feeding device.

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

5           “(A) a manufacture for, transfer to, or posses-  
6 sion by the United States or a department or agency  
7 of the United States or a State or a department,  
8 agency, or political subdivision of a State, or a  
9 transfer to or possession by a law enforcement offi-  
10 cer employed by such an entity for purposes of law  
11 enforcement (whether on or off duty);

12           “(B) a transfer to a licensee under title I of the  
13 Atomic Energy Act of 1954 for purposes of estab-  
14 lishing and maintaining an on-site physical protec-  
15 tion system and security organization required by  
16 Federal law, or possession by an employee or con-  
17 tractor of such a licensee on-site for such purposes  
18 or off-site for purposes of licensee-authorized train-  
19 ing or transportation of nuclear materials;

20           “(C) the possession, by an individual who is re-  
21 tired from service with a law enforcement agency  
22 and is not otherwise prohibited from receiving am-  
23 munition, of a large capacity ammunition feeding de-  
24 vice transferred to the individual by the agency upon  
25 that retirement; or

1           “(D) a manufacture, transfer, or possession of  
2           a large capacity ammunition feeding device by a li-  
3           censed manufacturer or licensed importer for the  
4           purposes of testing or experimentation authorized by  
5           the Attorney General.”.

6           (c) PENALTIES.—Section 924(a) of such title is  
7           amended by adding at the end the following:

8           “(8) Whoever knowingly violates section 922(v) shall  
9           be fined under this title, imprisoned not more than 10  
10          years, or both.”.

11          (d) IDENTIFICATION MARKINGS.—Section 923(i) of  
12          such title is amended by adding at the end the following:

13          “A large capacity ammunition feeding device manufac-  
14          tured after the date of the enactment of this sentence shall  
15          be identified by a serial number that clearly shows that  
16          the device was manufactured after such date of enactment,  
17          and such other identification as the Attorney General may  
18          by regulation prescribe.”.

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