

113TH CONGRESS
1ST SESSION

S. 33

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

IN THE SENATE OF THE UNITED STATES

JANUARY 22 (legislative day, JANUARY 3), 2013

Mr. LAUTENBERG (for himself, Mr. SCHUMER, Mr. DURBIN, Mr. CARPER, Mrs. FEINSTEIN, Mr. REED, Mrs. BOXER, Mr. MENENDEZ, Mr. COONS, Mr. WHITEHOUSE, Mr. CARDIN, Mr. HARKIN, Mr. LEVIN, Mr. BLUMENTHAL, Mr. FRANKEN, Mr. MURPHY, and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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 of 2013”.

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, including any such de-
11 vice joined or coupled with another in any man-
12 ner, that has a capacity of, or that can be read-
13 ily restored or converted to accept, more than
14 10 rounds of ammunition; and

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

19 (b) PROHIBITIONS.—Section 922 of title 18, United
20 States Code, is amended by inserting after subsection (u)
21 the following:

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

25 “(ii) Clause (i) shall not apply to the possession of
26 a large capacity ammunition feeding device otherwise law-

1 fully possessed within the United States on or before the
2 date of the enactment of the Large Capacity Ammunition
3 Feeding Device Act of 2013.

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

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

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

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

23 “(C) the possession, by an individual who is re-
24 tired from service with a law enforcement agency
25 and is not otherwise prohibited from receiving am-

1 munition, of a large capacity ammunition feeding de-
 2 vice transferred to the individual by the agency upon
 3 that retirement; or

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

9 (c) PENALTIES.—Section 924 of title 18, United
 10 States Code, is amended—

11 (1) in subsection (a), by adding at the end the
 12 following:

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

16 (2) in subsection (d)—

17 (A) in paragraph (1)—

18 (i) by striking “Any firearm or ammu-
 19 nition” and inserting “Any firearm, ammu-
 20 nition, or large capacity ammunition feed-
 21 ing device”;

22 (ii) by striking “or (k)” and inserting
 23 “(k), or (v)”;

24 (iii) by striking “or any firearm or
 25 ammunition” and inserting “or any fire-

1 arm, ammunition, or large capacity ammu-
2 nition feeding device”; and

3 (iv) by striking “firearms or ammuni-
4 tion” and inserting “firearms, ammunition,
5 or large capacity ammunition feeding de-
6 vices” each place the term appears; and

7 (B) in paragraph (3)(E), by inserting
8 “922(v),” after “922(n),”.

9 (d) IDENTIFICATION AND MARKINGS.—Section
10 923(i) of title 18, United States Code, is amended—

11 (1) by striking “Licensed importers” and in-
12 serting the following: “(1) Licensed importers”; and

13 (2) by adding at the end the following:

14 “(2) A large capacity ammunition feeding device
15 manufactured by any person after the date of enactment
16 of the Large Capacity Ammunition Feeding Device Act
17 of 2013 shall be identified by a serial number and the date
18 on which the device was manufactured, and such other
19 identification as the Attorney General may by regulation
20 prescribe.”.

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