



2ND CONGRESS
1ST SESSION

H.R. 5

To prohibit the sale, transfer, or possession of large capacity ammunition feeding devices.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 27, 2013

Ms. KESSLER introduced the following bill; which was referred to the Committee on Energy and Commerce for a period to be subsequently determined by the Speaker, for consideration of such provisions as fall within the jurisdiction of the committee concerned.

A BILL

To prohibit the sale, transfer, or possession of large capacity ammunition feeding devices.

1 *Be it enacted by the Senate and House of*
2 *Representatives of the United States of America in*
3 *Congress assembled,*

4 **SECTION 1. SHORT TITLE.**

5 This Act may be cited as the "Large Capacity
6 Ammunition Limitation Act".

7 SEC. 2. Definitions 1.Large capacity magazine/ feeding device:
8 a fixed or detachable magazine, box, drum, feed strip, or
9 similar device capable of accepting, or that can be readily
10 converted to accept, more than ten rounds of ammunition or
11 more than five shotgun shells. SEC. 3. Restrictions on Large
12 Capacity Ammunition Feeding Devices (a) Section 922 of title

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13 18, US Code is amended – (1) by inserting subsection (u) the
14 following: It shall be unlawful for a person to import, sell,
15 manufacture, transfer, or possess, in or affecting interstate or
16 foreign commerce, a large capacity ammunition-feeding device.
17 (2) Paragraph (1) shall not apply to the possession of any
18 large capacity ammunition-feeding device otherwise lawfully
19 possessed on or before the date of enactment of the Large
20 Capacity Ammunition Limitation Act. (3) Paragraph (1) shall
21 not apply to – (a.) The importation for, manufacture for, sale
22 to, transfer to, or possession by the United States or a
23 department or agency of the United States or a State or a
24 department, agency, or political subdivision of a State, or a sale
25 or transfer to or possession by a qualified law enforcement
26 officer employed by the United States or a department of
27 agency of the United States or a State or a department,
28 agency, or political subdivision of a State for purposes of law
29 enforcement (whether on or off duty), or a sale or transfer to or
30 possession by a campus law enforcement officer for purposes of
31 law enforcement. (b.) The possession, by an individual who is
32 retired in good standing from service with a law enforcement
33 agency and is not otherwise prohibited from receiving
34 ammunition, of a large capacity ammunition feeding device – i.
35 Sold or transferred to the individual by the agency upon
36 such retirement; or ii. That the individual purchased, or
37 otherwise obtained for official use before such retirement (c.)
38 The importation, sale, manufacture, transfer, possession
39 of any large capacity ammunition feeding device by a licensed

40 manufacturer or licensed importer for the purposes of testing or
41 experimentation by the Attorney General. (4) Identification
42 Markings for Large Capacity Ammunition – Feeding Devices (a.)
43 Section 924, title 18 USC is amended to read “A large
44 capacity ammunition feeding device manufactured after the
45 date of enactment of the Large Capacity Ammunition Limitation
46 Act shall be identified by a serial number and the date on which
47 the device was manufactured or made, legibly and
48 conspicuously engraved or cast on the device, and such other
49 identification as the Attorney General shall by regulations
50 prescribe.” SEC. 3. Exceptions: A person may possess a large –
51 capacity magazine if he/ she owns the large capacity magazine
52 on the effective date of this act and maintains continuous
53 possession of the large capacity magazine. SEC. 4. Punishment
54 A person or business who sells, transfers, or possesses a
55 large – capacity magazine after the effective date will have his/
56 her magazine seized and receive a class two misdemeanor,
57 serving jail time or paying a fine as determined by the state but
58 not both. SEC. 5. Effective Date This act takes effect two (2)
59 months after passing.