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(Original Signature of Member)

116TH CONGRESS  
1ST SESSION

# H. R.

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To prevent the purchase of ammunition by prohibited purchasers.

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## IN THE HOUSE OF REPRESENTATIVES

Ms. WASSERMAN SCHULTZ introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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# A BILL

To prevent the purchase of ammunition by prohibited purchasers.

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 “Jaime’s Law”.

5 **SEC. 2. PURPOSE.**

6 The purpose of this Act is to enhance the background  
7 check process in the United States to prevent the purchase  
8 of ammunition by individuals prohibited from doing so.

1 **SEC. 3. TRANSFERS OF FIREARMS OR AMMUNITION.**

2 (a) IN GENERAL.—Section 922 of title 18, United  
3 States Code, is amended—

4 (1) by striking subsection (s) and redesignating  
5 subsection (t) as subsection (s);

6 (2) in subsection (s) (as so redesignated)—

7 (A) by inserting “or ammunition” after  
8 “firearm” each place it appears except in para-  
9 graph (3);

10 (B) in paragraph (1)(B)(ii), by inserting  
11 “in the case of a firearm,” before “3”;

12 (C) in paragraph (3)—

13 (i) by striking all that precedes sub-  
14 paragraph (B) and inserting the following:

15 “(3) Paragraph (1) shall not apply to a transfer be-  
16 tween a licensee and another person if—

17 “(A)(i) in the case of a firearm transfer—

18 “(I) such other person has presented to  
19 the licensee a permit that—

20 “(aa) allows such other person to pos-  
21 sess or acquire a firearm; and

22 “(bb) was issued not more than 5  
23 years earlier by the State in which the  
24 transfer is to take place; and

25 “(II) the law of the State provides that  
26 such a permit is to be issued only after an au-

1           thorized government official has verified that  
2           the information available to such official does  
3           not indicate that possession of a firearm by  
4           such other person would be in violation of law;  
5           or

6           “(ii) in the case of an ammunition transfer—

7                 “(I) such other person has presented to  
8           the licensee a permit that—

9                 “(aa) allows such other person to pos-  
10           sess or acquire ammunition, or to possess  
11           or acquire a firearm; and

12                 “(bb) was issued not more than 5  
13           years earlier by the State in which the  
14           transfer is to take place; and

15                 “(II) the law of the State provides that  
16           such a permit is to be issued only after an au-  
17           thorized government official has verified that  
18           the information available to such official does  
19           not indicate that possession of ammunition by  
20           such other person would be in violation of  
21           law;”); and

22                 (ii) in subparagraph (C)(ii), by strik-  
23           ing “(as defined in subsection (s)(8))”; and  
24           (D) by adding at the end the following:

1           “(7) In this subsection, the term ‘chief law enforce-  
2 ment officer’ means the chief of police, the sheriff, or an  
3 equivalent officer or the designee of any such individual.”;  
4 and

5           (3) by inserting after subsection (s) (as so re-  
6 designated) the following:

7           “(t)(1)(A) It shall be unlawful for any person who  
8 is not a licensed importer, licensed manufacturer, or li-  
9 censed dealer to transfer ammunition to any other person  
10 who is not so licensed, unless a licensed importer, licensed  
11 manufacturer, or licensed dealer has first taken possession  
12 of the ammunition for the purpose of complying with sub-  
13 section (s).

14           “(B) Upon taking possession of ammunition under  
15 subparagraph (A), a licensee shall comply with all require-  
16 ments of this chapter as if the licensee were transferring  
17 ammunition from the inventory of the licensee to the unli-  
18 censed transferee.

19           “(C) If a transfer of ammunition described in sub-  
20 paragraph (A) will not be completed for any reason after  
21 a licensee takes possession of the ammunition (including  
22 because the transfer of the ammunition to, or receipt of  
23 the ammunition by, the transferee would violate this chap-  
24 ter), the return of the ammunition to the transferor by

1 the licensee shall not constitute the transfer of ammuni-  
2 tion for purposes of this chapter.

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

4 “(A) a law enforcement agency or any law en-  
5 forcement officer, armed private security profes-  
6 sional, or member of the armed forces, to the extent  
7 the officer, professional, or member is acting within  
8 the course and scope of employment and official du-  
9 ties;

10 “(B) a transfer that is a loan or bona fide gift  
11 between spouses, between domestic partners, be-  
12 tween parents and their children, between siblings,  
13 between aunts or uncles and their nieces or nephews,  
14 or between grandparents and their grandchildren;

15 “(C) a transfer to an executor, administrator,  
16 trustee, or personal representative of an estate or a  
17 trust that occurs by operation of law upon the death  
18 of another person;

19 “(D) a transfer if the transfer is necessary to  
20 prevent imminent death or great bodily harm, if the  
21 possession by the transferee lasts only as long as im-  
22 mediately necessary to prevent the imminent death  
23 or great bodily harm;

24 “(E) a transfer, if the transferor has no reason  
25 to believe that the transferee will use or intends to

1 use the ammunition in a crime or is prohibited from  
2 possessing ammunition under State or Federal law,  
3 and the transfer takes place and the transferee's  
4 possession of the ammunition is exclusively—

5 “(i) at a shooting range or in a shooting  
6 gallery or other area designated for the purpose  
7 of target shooting;

8 “(ii) while reasonably necessary for the  
9 purposes of hunting, trapping, or fishing, if the  
10 transferor—

11 “(I) has no reason to believe that the  
12 transferee intends to use the ammunition  
13 in a place where it is illegal; and

14 “(II) has reason to believe that the  
15 transferee will comply with all licensing  
16 and permit requirements for such hunting,  
17 trapping, or fishing; or

18 “(iii) while in the presence of the trans-  
19 feror.

20 “(3)(A) Notwithstanding any other provision of this  
21 chapter, the Attorney General may implement this sub-  
22 section with regulations.

23 “(B) Regulations promulgated under this paragraph  
24 may not include any provision requiring licensees to facili-  
25 tate transfers in accordance with paragraph (1).

1       “(C) Regulations promulgated under this paragraph  
2 may not include any provision requiring persons not li-  
3 censed under this chapter to keep records of background  
4 checks of ammunition transfers.

5       “(D) Regulations promulgated under this paragraph  
6 may not include any provision limiting the amount of any  
7 fee a licensee may charge to facilitate transfers in accord-  
8 ance with paragraph (1).

9       “(4) It shall be unlawful for a licensed importer, li-  
10 censed manufacturer, or licensed dealer to transfer posses-  
11 sion of ammunition to another person who is not so li-  
12 censed unless the importer, manufacturer, or dealer has  
13 provided such other person with a notice of the prohibition  
14 under paragraph (1), and such other person has certified  
15 that such other person has been provided with this notice  
16 on a form prescribed by the Attorney General.”.

17       (b) TECHNICAL AND CONFORMING AMENDMENTS.—

18           (1) SECTION 922.—Section 922(y)(2) of title  
19 18, United States Code, is amended, in the matter  
20 preceding subparagraph (A), by striking “,  
21 (g)(5)(B), and (s)(3)(B)(v)(II)” and inserting “and  
22 (g)(5)(B)”.

23           (2) CONSOLIDATED AND FURTHER CONTINUING  
24 APPROPRIATIONS ACT, 2012.—Section 511 of title V  
25 of division B of the Consolidated and Further Con-

1 continuing Appropriations Act, 2012 (34 U.S.C. 40901  
2 note) is amended by striking “subsection 922(t)”  
3 each place it appears and inserting “subsection (s)  
4 or (t) of section 922”.

5 **SEC. 4. RULES OF CONSTRUCTION.**

6 Nothing in this Act, or any amendment made by this  
7 Act, shall be construed to—

8 (1) authorize the establishment, directly or indi-  
9 rectly, of a national firearms or ammunition reg-  
10 istry; or

11 (2) interfere with the authority of a State,  
12 under section 927 of title 18, United States Code,  
13 to enact a law on the same subject matter as this  
14 Act.

15 **SEC. 5. EFFECTIVE DATE.**

16 This title and the amendments made by this title  
17 shall take effect 180 days after the date of enactment of  
18 this Act.