

115TH CONGRESS
2D SESSION

H. R. 5088

To amend title 18, United States Code, to prohibit the transfer of a semiautomatic assault weapon to a person under 21 years of age, and to prohibit the possession or ownership of a semiautomatic assault weapon by such a person, with exceptions for active duty military personnel and full-time law enforcement employees.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 26, 2018

Ms. JACKSON LEE (for herself and Mr. COHEN) 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 transfer of a semiautomatic assault weapon to a person under 21 years of age, and to prohibit the possession or ownership of a semiautomatic assault weapon by such a person, with exceptions for active duty military personnel and full-time law enforcement employees.

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 “No More Atrocities
5 with Guns Act” or the “No MAGA Act”.

1 **SEC. 2. INCREASE IN MINIMUM AGE AT WHICH A PERSON**
2 **MAY BE TRANSFERRED, OR POSSESS OR OWN,**
3 **A SEMIAUTOMATIC ASSAULT WEAPON, WITH**
4 **EXCEPTIONS.**

5 (a) PROHIBITION ON TRANSFER BY FEDERAL FIRE-
6 ARMS LICENSEE.—

7 (1) IN GENERAL.—Section 922(b)(1) of title
8 18, United States Code, is amended to read as fol-
9 lows:

10 “(1)(A) any firearm or ammunition to any indi-
11 vidual who the licensee knows or has reasonable
12 cause to believe has not attained 18 years of age;

13 “(B) any semiautomatic assault weapon to any
14 individual who the licensee knows or has reasonable
15 cause to believe has not attained 21 years of age and
16 is not a qualified individual; or

17 “(C) if the firearm or ammunition is not a
18 semiautomatic assault weapon and is other than a
19 shotgun or rifle, or ammunition for a shotgun or
20 rifle, to any individual who the licensee knows or has
21 reasonable cause to believe has not attained 21 years
22 of age;”.

23 (2) SWORN STATEMENT.—Section 922(c)(1) of
24 such title is amended by striking “in the case of any
25 firearm” and all that follows through “eighteen
26 years or more of age” and inserting “in the case of

1 a semiautomatic assault weapon, I am at least 21
2 years of age or a qualified individual (as defined in
3 section 921(a)(31) of title 18, United States Code),
4 in the case of a firearm other than a semiautomatic
5 assault weapon, a shotgun or a rifle, I am at least
6 21 years of age, or that, in the case of a shotgun
7 or a rifle, I am at least 18 years of age”.

8 (b) PROHIBITION ON TRANSFER BY OTHERS; PROHI-
9 BITION ON POSSESSION OR OWNERSHIP.—

10 (1) IN GENERAL.—Section 922 of such title is
11 amended by adding at the end the following:

12 “(aa) It shall be unlawful—

13 “(1) for any person not licensed under section
14 923, in or affecting interstate or foreign commerce,
15 to transfer a semiautomatic assault weapon to an in-
16 dividual who has not attained 21 years of age and
17 is not a qualified individual; or

18 “(2) for an individual who has not attained 21
19 years of age and is not a qualified individual to pos-
20 sess or own a semiautomatic assault weapon in or
21 affecting interstate or foreign commerce.”.

22 (2) PENALTIES.—Section 924 of such title is
23 amended—

24 (A) in subsection (a), by adding at the end
25 the following:

1 “(8)(A) Whoever knowingly violates section
2 922(aa)(1) shall be fined not more than \$50,000 (or, in
3 the case of the second or a subsequent such offense, not
4 more than \$250,000), imprisoned not more than 5 years,
5 or both.

6 “(B) Whoever knowingly violates section 922(aa)(2)
7 shall be fined not more than \$5,000, imprisoned not more
8 than 5 years, or both.”; and

9 (B) in subsection (d)(1), by striking “or
10 (k)” and inserting “(k), or (aa)”.

11 (c) DEFINITIONS.—

12 (1) SEMIAUTOMATIC ASSAULT WEAPON.—Sec-
13 tion 921(a) of such title is amended by inserting
14 after paragraph (29) the following:

15 “(30) The term ‘semiautomatic assault weapon’
16 means any semiautomatic assault weapon, as defined in
17 section 921(a)(30) of this title, as included in the enact-
18 ment of the Public Safety and Recreational Firearms Use
19 Protection Act without regard to the repeal of such Act.

20 “(31) The term ‘qualified individual’ means—

21 “(A) a member of the Armed Forces on active
22 duty; and

23 “(B) a qualified law enforcement officer (as de-
24 fined in section 926B(c)(1)).”.

1 (d) EFFECTIVE DATE.—The amendments made by
2 this section shall apply to conduct engaged in after the
3 90-day period that begins with the date of the enactment
4 of this Act.

○