

118TH CONGRESS
1ST SESSION

H. R. 4637

To prevent the purchase of ammunition by prohibited purchasers.

IN THE HOUSE OF REPRESENTATIVES

JULY 13, 2023

Ms. WASSERMAN SCHULTZ (for herself, Ms. NORTON, Ms. BONAMICI, Ms. SÁNCHEZ, Mr. ROBERT GARCIA of California, Ms. BARRAGÁN, Mr. MOULTON, Ms. LOIS FRANKEL of Florida, Mr. KRISHNAMOORTHY, Mr. DAVIS of North Carolina, Mrs. MCBATH, Mr. IVEY, Mr. EVANS, Mr. MOSKOWITZ, Ms. CASTOR of Florida, and Mr. GARCÍA of Illinois) introduced the following bill; which was referred to the Committee on the Judiciary

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 “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

1 of ammunition by individuals who are prohibited from
2 doing so under Federal and State law.

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

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

6 (1) by striking subsection (s) and redesignating
7 subsection (t) as subsection (s); and

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

9 (A) by inserting “or ammunition” after
10 “firearm” each place it appears;

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

13 (C) in paragraph (1)(C), by inserting “a
14 firearm and” before “a person less”; and

15 (D) by adding at the end the following:

16 “(7)(A)(i) It shall be unlawful for any person who
17 is not a licensed importer, licensed manufacturer, or li-
18 censed dealer to transfer ammunition to any other person
19 who is not so licensed, unless a licensed importer, licensed
20 manufacturer, or licensed dealer has first taken possession
21 of the ammunition for the purpose of complying with this
22 subsection.

23 “(ii) Upon taking possession of ammunition under
24 clause (i), a licensee shall comply with all requirements
25 of this chapter as if the licensee were transferring ammu-

1 nition from the inventory of the licensee to the unlicensed
2 transferee.

3 “(iii) If a transfer of ammunition described in clause
4 (i) will not be completed for any reason after a licensee
5 takes possession of the ammunition (including because the
6 transfer of the ammunition to, or receipt of the ammuni-
7 tion by, the transferee would violate this chapter), the re-
8 turn of the ammunition to the transferor by the licensee
9 shall not constitute the transfer of ammunition for pur-
10 poses of this chapter.

11 “(B) Subparagraph (A) shall not apply to—

12 “(i) a law enforcement agency or any law en-
13 forcement officer, armed private security profes-
14 sional, or member of the armed forces, to the extent
15 the officer, professional, or member is acting within
16 the course and scope of employment and official du-
17 ties;

18 “(ii) a transfer that is a loan or bona fide gift
19 between spouses, between domestic partners, be-
20 tween parents and their children, between siblings,
21 between aunts or uncles and their nieces or nephews,
22 or between grandparents and their grandchildren;

23 “(iii) a transfer to an executor, administrator,
24 trustee, or personal representative of an estate or a

1 trust that occurs by operation of law upon the death
2 of another person;

3 “(iv) a transfer if the transfer is necessary to
4 prevent imminent death or great bodily harm, if the
5 possession by the transferee lasts only as long as im-
6 mediately necessary to prevent the imminent death
7 or great bodily harm; or

8 “(v) a transfer, if the transferor has no reason
9 to believe that the transferee will use or intends to
10 use the ammunition in a crime or is prohibited from
11 possessing ammunition under State or Federal law,
12 and the transfer takes place and the transferee’s
13 possession of the ammunition is exclusively—

14 “(I) at a shooting range or in a shooting
15 gallery or other area designated for the purpose
16 of target shooting;

17 “(II) while reasonably necessary for the
18 purposes of hunting, trapping, or fishing, if the
19 transferor—

20 “(aa) has no reason to believe that
21 the transferee intends to use the ammuni-
22 tion in a place where it is illegal; and

23 “(bb) has reason to believe that the
24 transferee will comply with all licensing

1 and permit requirements for such hunting,
2 trapping, or fishing; or

3 “(III) while in the presence of the trans-
4 feror.

5 “(C)(i) Notwithstanding any other provision of this
6 chapter, the Attorney General may implement this sub-
7 section with regulations.

8 “(ii) Regulations promulgated under this paragraph
9 may not include any provision—

10 “(I) requiring licensees to facilitate transfers in
11 accordance with subparagraph (A);

12 “(II) requiring persons not licensed under this
13 chapter to keep records of background checks of am-
14 munition transfers; and

15 “(III) limiting the amount of any fee a licensee
16 may charge to facilitate transfers in accordance with
17 subparagraph (A).

18 “(D) It shall be unlawful for a licensed importer, li-
19 censed manufacturer, or licensed dealer to transfer posses-
20 sion of ammunition to another person who is not so li-
21 censed unless the importer, manufacturer, or dealer has
22 provided such other person with a notice of the prohibition
23 under subparagraph (A), and such other person has cer-
24 tified that such other person has been provided with this
25 notice on a form prescribed by the Attorney General.”.

1 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

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

7 (2) CONSOLIDATED AND FURTHER CONTINUING
8 APPROPRIATIONS ACT, 2012.—Section 511 of title V
9 of division B of the Consolidated and Further Con-
10 tinuing Appropriations Act, 2012 (34 U.S.C. 40901
11 note) is amended by striking “subsection 922(t)”
12 each place it appears and inserting “subsection (s)
13 or (t) of section 922”.

14 **SEC. 4. RULES OF CONSTRUCTION.**

15 Nothing in this Act, or any amendment made by this
16 Act, shall be construed to—

17 (1) authorize the establishment, directly or indi-
18 rectly, of a national firearms or ammunition reg-
19 istry; or

20 (2) interfere with the authority of a State,
21 under section 927 of title 18, United States Code,
22 to enact a law on the same subject matter as this
23 Act.

1 **SEC. 5. EFFECTIVE DATE.**

2 This Act and the amendments made by this Act shall
3 take effect 180 days after the date of enactment of this
4 Act.

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