

115TH CONGRESS
1ST SESSION

H. R. 4268

To amend title 18, United States Code, to provide for a 7-day waiting period before a semiautomatic firearm, a silencer, armor piercing ammunition, or a large capacity ammunition magazine may be transferred.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 7, 2017

Ms. JACKSON LEE (for herself, Mr. CONYERS, Mrs. WATSON COLEMAN, Ms. NORTON, Mr. RASKIN, Mr. LEWIS of Georgia, Ms. DELAURO, Mrs. LAWRENCE, Mr. CLAY, Ms. JUDY CHU of California, Mr. TAKANO, Mr. CICILLINE, and Mr. NADLER) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to provide for a 7-day waiting period before a semiautomatic firearm, a silencer, armor piercing ammunition, or a large capacity ammunition magazine may be transferred.

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 “Gun Safety: Not Sorry
5 Act of 2017”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds as follows:

1 (1) There is nearly one mass shooting per day
2 in the United States—355 mass shootings in 2015.

3 (2) In December 2012, a gunman walked into
4 Sandy Hook Elementary School in Newtown, Con-
5 necticut, and killed 20 children, 6 adults, and him-
6 self.

7 (3) Since December 2012, there have been at
8 least 1,518 mass shootings, with at least 1,715 peo-
9 ple killed and 6,089 wounded.

10 (4) On the night of October 1, 2017, a gunman
11 opened fire on a large crowd of concertgoers at the
12 Route 91 Harvest music festival on the Las Vegas
13 Strip, leaving 58 people dead and 527 injured.

14 (5) Every day, on average, 92 Americans are
15 victims of gun violence, resulting in more than
16 33,000 deaths annually.

17 (6) States with higher gun ownership rates have
18 higher gun murder rates—as much as 114 percent
19 higher than States with lower gun ownership rates.

20 (7) A recent study by the Centers for Disease
21 Control and Prevention looking at 30 years of homi-
22 cide data found that for every 1 percent increase in
23 a State’s gun ownership rate, there is a nearly 1
24 percent increase in its firearm homicide rate.

1 (8) Gun death rates are generally lower in
2 States with restrictions such as safe storage require-
3 ments or assault weapons bans.

4 (9) Mass shootings stopped by armed civilians
5 in the past 33 years: 0.

6 (10) Because more than 75 percent of the
7 weapons used in mass shootings between 1982 and
8 2012 were obtained legally, stronger legislation is
9 needed to prevent guns from getting into the wrong
10 hands.

11 **SEC. 3. 7-DAY WAITING PERIOD REQUIRED BEFORE TRANS-**
12 **FERRING A SEMIAUTOMATIC FIREARM, A SI-**
13 **LENCER, ARMOR PIERCING AMMUNITION, OR**
14 **A LARGE CAPACITY AMMUNITION MAGAZINE.**

15 (a) TRANSFERS BY LICENSED IMPORTERS, LI-
16 CENSED MANUFACTURERS, OR LICENSED DEALERS TO
17 PERSONS NOT SO LICENSED.—Section 922(t) of title 18,
18 United States Code, is amended—

19 (1) in paragraph (1)—

20 (A) by inserting “, armor piercing ammu-
21 nition, or a large capacity ammunition maga-
22 zine” after “firearm” the first place it appears;
23 and

24 (B) by striking subparagraph (B) and in-
25 serting the following:

1 “(B)(i) in the case of a transfer not referred to
2 in clause (ii)—

3 “(I) the system provides the licensee with
4 a unique identification number; or

5 “(II) 3 business days (meaning a day on
6 which State offices are open) have elapsed since
7 the licensee contacted the system, and the sys-
8 tem has not notified the licensee that the re-
9 ceipt of a firearm by such other person would
10 violate subsection (g) or (n) of this section; and

11 “(ii) in the case of the transfer of a semiauto-
12 matic firearm, a silencer, armor piercing ammuni-
13 tion, or a large capacity ammunition magazine, 7
14 business days (meaning a day on which State offices
15 are open) have elapsed since the licensee contacted
16 the system, and the system has not notified the li-
17 censee that the receipt of the firearm or ammunition
18 involved by such other person would violate sub-
19 section (g) or (n) of this section; and”;

20 (2) in paragraph (3), by striking “firearm” the
21 first place it appears;

22 (3) in paragraph (4), by inserting “, armor
23 piercing ammunition, or a large capacity ammuni-
24 tion magazine” after “firearm” the second place it
25 appears;

1 (4) in paragraph (5), by inserting “, armor
2 piercing ammunition, or a large capacity ammuni-
3 tion magazine” after “firearm” the first place it ap-
4 pears; and

5 (5) in paragraph (6)—

6 (A) by inserting “, armor piercing ammu-
7 nition, or a large capacity ammunition maga-
8 zine” after “firearm” the first place it appears;
9 and

10 (B) by striking “the firearm” and insert-
11 ing “a firearm”.

12 (b) TRANSFERS BETWEEN PERSONS WHO ARE NOT
13 LICENSED IMPORTERS, LICENSED MANUFACTURERS, OR
14 LICENSED DEALERS.—

15 (1) PROHIBITION.—Section 922 of such title is
16 amended by adding at the end the following:

17 “(aa) It shall be unlawful for a person who is not
18 a licensed importer, licensed manufacturer, or licensed
19 dealer, in or affecting interstate or foreign commerce, to
20 transfer to another person not so licensed a semiautomatic
21 firearm, a silencer, armor piercing ammunition, or a large
22 capacity ammunition magazine, unless at least 7 business
23 days (meaning a day on which State offices are open) have
24 elapsed since the transferee most recently offered or
25 agreed to acquire the semiautomatic firearm, silencer, am-

1 munition, or magazine, as the case may be, from the
2 transferor.”.

3 (2) PENALTIES.—Section 924(a)(5) of such
4 title is amended by striking “or (t)” and inserting
5 “, (t), or (aa)”.

6 (c) DEFINITIONS.—Section 921(a) of such title is
7 amended by inserting after paragraph (29) the following:
8 “(30) The term ‘semiautomatic firearm’ means any
9 repeating firearm which utilizes a portion of the energy
10 of a firing cartridge to extract the fired cartridge case and
11 chamber the next round, and which requires a separate
12 pull of the trigger to fire each cartridge.

13 “(31) The term ‘large capacity ammunition maga-
14 zine’ means a magazine, belt, drum, feed strip, or similar
15 device that has a capacity of, or that can be readily re-
16 stored or converted to accept, more than 10 rounds of am-
17 munition.”.

18 (d) EFFECTIVE DATE.—The amendments made by
19 this section shall apply to conduct engaged in after the
20 30-day period that begins with the date of the enactment
21 of this Act.

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