

116TH CONGRESS
1ST SESSION

H. R. 4594

To amend title 18, United States Code, to treat bump-stock-type devices as machineguns, and to ban the possession or transfer of other devices designed to accelerate the rate of fire of a semiautomatic firearm.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 1, 2019

Mr. MOULTON introduced the following bill; which was referred to the
Committee on the Judiciary

A BILL

To amend title 18, United States Code, to treat bump-stock-type devices as machineguns, and to ban the possession or transfer of other devices designed to accelerate the rate of fire of a semiautomatic firearm.

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 “Bumpstocks and Accel-
5 eration Devices Act”.

1 **SEC. 2. BUMP-STOCK-TYPE DEVICES TREATED AS MA-**
2 **CHINEGUNS.**

3 (a) IN GENERAL.—Section 921(a)(23) of title 18,
4 United States Code, is amended—

5 (1) by inserting “(A)” before “The”; and

6 (2) by adding at the end the following:

7 “(B) In such section 5845(b) as applied to this chap-
8 ter—

9 “(i) the term ‘automatically’ as it modifies
10 ‘shoots, is designed to shoot, or can be readily re-
11 stored to shoot,’ means functioning as the result of
12 a self-acting or self-regulating mechanism that al-
13 lows the firing of multiple rounds through a single
14 function of the trigger;

15 “(ii) the term ‘single function of the trigger’
16 means a single pull of the trigger and analogous mo-
17 tions; and

18 “(iii) the term ‘machinegun’ includes a bump-
19 stock-type device.”.

20 (b) DEFINITIONS.—Section 921(a) of such title is
21 amended by inserting after paragraph (29) the following:

22 “(30) BUMP-STOCK-TYPE DEVICE.—The term
23 ‘bump-stock-type device’ means a device that allows a
24 semiautomatic firearm to shoot more than one shot with
25 a single pull of the trigger by harnessing the recoil energy
26 of the semiautomatic firearm to which it is affixed so that

1 the trigger resets and continues firing without additional
 2 physical manipulation of the trigger by the shooter.

3 “(31) SEMIAUTOMATIC FIREARM.—The term ‘semi-
 4 automatic firearm’ means any repeating firearm that—

5 “(A) utilizes a portion of the energy of a firing
 6 cartridge to extract the fired cartridge case and
 7 chamber the next round; and

8 “(B) requires a separate function of the trigger
 9 to fire each cartridge.”.

10 **SEC. 3. BAN ON POSSESSION OR TRANSFER OF ACCELERA-**
 11 **TION DEVICE OR BINARY-TRIGGER-TYPE DE-**
 12 **VICE.**

13 (a) IN GENERAL.—Section 922 of title 18, United
 14 States Code, is amended by adding at the end the fol-
 15 lowing:

16 “(aa)(1) It shall be unlawful for any person, in or
 17 affecting interstate or foreign commerce, to possess or
 18 transfer an acceleration device or a binary-trigger-type de-
 19 vice.

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

21 “(A) the otherwise lawful possession of such a
 22 device before the date that is 90 days after the date
 23 this subsection takes effect, if the device is destroyed
 24 or disposed of within that 90-day period; or

1 “(B) the possession of such a device by or for,
2 or the transfer of a device for or to, the United
3 States, a department or agency of the United States,
4 a State, or a department, agency, or political sub-
5 division of a State, for the purposes of testing or ex-
6 perimentation authorized by the Attorney General.”.

7 (b) DEFINITIONS.—Section 921(a) of such title is
8 amended by adding at the end the following:

9 “(36) The term ‘acceleration device’ means any part,
10 combination of parts, component, device, attachment, or
11 accessory that is designed and functions to accelerate the
12 rate of fire of a semiautomatic firearm but not convert
13 the semiautomatic firearm into a machinegun.

14 “(37) The term ‘binary-trigger-type device’ means a
15 device that allows a semiautomatic firearm to fire more
16 than one cartridge with a single pull and release of the
17 trigger if—

18 “(A) the device treats the pull and release of
19 the trigger as separate functions to fire a cartridge;
20 and

21 “(B) each function results in at least one fired
22 cartridge.”.

23 (c) PENALTIES.—Section 924(a)(2) of such title is
24 amended by striking “or (o)” and inserting “(o), or (aa).”

1 **SEC. 4. SENTENCING GUIDELINES.**

2 Pursuant to its authority under section 924 of title
3 28, United States Code, and in accordance with this sec-
4 tion, the United States Sentencing Commission shall
5 amend and review the Federal sentencing guidelines and
6 policy statements to ensure that the guidelines provide for
7 a penalty enhancement of not less than 2 offense levels
8 for a violation of section 922(aa) of title 18 of such Code,
9 and for a violation of section 922(o) of such title 18 con-
10 sisting of possession of a bump-stock-type device (as de-
11 fined in section 921(a)(30) of such title 18) if the device
12 that is the subject of the violation has been—

13 (1) used, carried, or possessed during or in re-
14 lation to a crime of violence or drug trafficking
15 crime (as such terms are defined in section
16 924(c)(3) of such title 18); or

17 (2) smuggled unlawfully into or from the
18 United States.

○