

118TH CONGRESS
1ST SESSION

H. R. 396

To regulate bump stocks in the same manner as machineguns.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 17, 2023

Ms. TITUS (for herself, Mr. KILDEE, and Mr. FITZPATRICK) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To regulate bump stocks in the same manner as machineguns.

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 “Closing the Bump
5 Stock Loophole Act of 2023”.

6 **SEC. 2. BUMP STOCKS.**

7 (a) IN GENERAL.—Section 5845 of the Internal Rev-
8 enue Code of 1986 is amended—

1 (1) in subsection (a), by striking “and (8) a de-
2 structive device.” and inserting “(8) a destructive
3 device; and (9) a bump stock.”; and

4 (2) by adding at the end the following new sub-
5 sections:

6 “(n) BUMP STOCK.—The term ‘bump stock’ means
7 any of the following:

8 “(1) Any manual, power-driven, or electronic
9 device that is designed such that when the device is
10 attached to a semiautomatic weapon, the device
11 eliminates the need for the operator of a semiauto-
12 matic weapon to make a separate movement for each
13 individual function of the trigger and—

14 “(A) materially increases the rate of fire of
15 the semiautomatic weapon, or

16 “(B) approximates the action or rate of
17 fire of a machinegun.

18 “(2) Any part or combination of parts that is
19 designed and functions to eliminate the need for the
20 operator of a semiautomatic weapon to make a sepa-
21 rate movement for each individual function of the
22 trigger and—

23 “(A) materially increases the rate of fire of
24 a semiautomatic weapon, or

1 “(B) approximates the action or rate of
2 fire of a machinegun.

3 “(3) Any semiautomatic weapon that has been
4 modified in any way that eliminates the need for the
5 operator of the semiautomatic weapon to make a
6 separate movement for each individual function of
7 the trigger and—

8 “(A) materially increases the rate of fire of
9 the semiautomatic weapon, or

10 “(B) approximates the action or rate of
11 fire of a machinegun.

12 “(o) SEMIAUTOMATIC WEAPON.—The term ‘semi-
13 automatic weapon’ means any repeating weapon that—

14 “(1) utilizes a portion of the energy of a firing
15 cartridge or shell to extract the fired cartridge case
16 or shell casing and chamber the next round, and

17 “(2) requires a separate function of the trigger
18 to fire each cartridge or shell.”.

19 (b) AMENDMENTS TO TITLE 18, UNITED STATES
20 CODE.—

21 (1) Section 921(a) of title 18, United States
22 Code, is amended—

23 (A) in paragraph (3), by striking “muffler
24 or firearm silencer” and inserting “muffler,
25 firearm silencer, or bump stock”; and

1 (B) by adding at the end the following:

2 “(38) The term ‘bump stock’ has the meaning given
3 such term in section 5845(n) of the National Firearms
4 Act (26 U.S.C. 5845(n)).”.

5 (2) Section 922 of title 18, United States Code,
6 is amended—

7 (A) in each of subsections (a)(4) and
8 (b)(4), by inserting “bump stock,” before “ma-
9 chinegun”; and

10 (B) in subsection (o)—

11 (i) in paragraph (1), by inserting “or
12 bump stock” before the period; and

13 (ii) in paragraph (2)—

14 (I) in subparagraph (A), by strik-
15 ing “or” at the end;

16 (II) in subparagraph (B), by
17 striking the period and inserting “;
18 or”; and

19 (III) by adding at the end the
20 following:

21 “(C) the otherwise lawful possession of a bump
22 stock that, on or before the date that is 1 year after
23 the date of the enactment of this subparagraph, is
24 registered to the possessor in accordance with sec-
25 tion 5841 of the Internal Revenue Code of 1986.”.

1 (c) EFFECTIVE DATE.—

2 (1) IN GENERAL.—The amendments made by
3 this section shall take effect on the date of the en-
4 actment of this Act.

5 (2) APPLICATION TO POSSESSION ON DATE OF
6 ENACTMENT.—Notwithstanding paragraph (1), any
7 person on the date of the enactment of this Act pos-
8 sessing a bump stock as defined in section 5845(n)
9 of the Internal Revenue Code of 1986 (as amended
10 by this Act) shall, not later than the date that is 1
11 year after the date of the enactment of this Act, reg-
12 ister such bump stock in accordance with section
13 5841 of the Internal Revenue Code of 1986 and in-
14 clude with such registration the information required
15 under section 5841(a) of such Code. Such registra-
16 tion shall become a part of the National Firearms
17 Registration and Transfer Record required to be
18 maintained by such section. The prohibition on pos-
19 session of an unregistered firearm under section
20 5861 of such Code shall not apply to a bump stock
21 described in this Act on any date that is 1 year or
22 less after the enactment of this Act.

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