

119TH CONGRESS
2^D SESSION

H. R. 2189

AN ACT

To modernize Federal firearms laws to account for advancements in technology and less-than-lethal weapons, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **TITLE I—LAW-ENFORCEMENT**
2 **INNOVATE TO DE-ESCALATE**

3 **SECTION 101. SHORT TITLE.**

4 This title may be cited as the “Law-Enforcement In-
5 novate to De-Escalate Act”.

6 **SEC. 102. EXEMPTION OF CERTAIN LESS-THAN-LETHAL**
7 **PROJECTILE DEVICES FROM RESTRICTIONS**
8 **UNDER TITLE 18, UNITED STATES CODE.**

9 Section 921(a) of title 18, United States Code, is
10 amended—

11 (1) in the second sentence of paragraph (3), by
12 inserting “or a less-than-lethal projectile device” be-
13 fore the period; and

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

15 “(39)(A) The term ‘less-than-lethal projectile device’
16 means a device that—

17 “(i) is not designed or intended to expel and
18 may not be readily converted to accept and dis-
19 charge—

20 “(I) ammunition commonly used in hand-
21 guns, rifles, or shotguns; or

22 “(II) any other projectile at a velocity ex-
23 ceeding 500 feet per second;

1 “(ii) is designed and intended to be used in a
2 manner that is not likely to cause death or serious
3 bodily injury; and

4 “(iii) does not accept, and is not able to be
5 readily modified to accept, an ammunition feeding
6 device—

7 “(I) loaded through the inside of a pistol
8 grip; or

9 “(II) commonly used in semiautomatic
10 firearms.

11 “(B) If a person requests that the Attorney General
12 determine whether a device satisfies the definition of ‘less-
13 than-lethal projectile device’ under subparagraph (A), the
14 Attorney General shall make the determination not later
15 than 90 days after the date on which the Attorney General
16 receives the device pursuant to the request.”.

17 **TITLE II—INNOVATE LESS LE-**
18 **THAL TO DE-ESCALATE TAX**
19 **MODERNIZATION**

20 **SEC. 201. SHORT TITLE.**

21 This title may be cited as the “Innovate Less Lethal
22 to De-Escalate Tax Modernization Act”.

1 **SEC. 202. EXEMPTION OF CERTAIN LESS-THAN-LETHAL**
2 **PROJECTILE DEVICES FROM FIREARMS AND**
3 **AMMUNITION TAX.**

4 (a) IN GENERAL.—Section 4182 of the Internal Rev-
5 enue Code of 1986 is amended—

6 (1) by redesignating subsection (d) as sub-
7 section (e), and

8 (2) by inserting after subsection (c) the fol-
9 lowing new subsection:

10 “(d) LESS-THAN-LETHAL PROJECTILE DEVICES.—

11 “(1) IN GENERAL.—The tax imposed by section
12 4181 shall not apply to—

13 “(A) any less-than-lethal projectile device,

14 “(B) any device contained on the most re-
15 cent list made available by the Secretary under
16 paragraph (4)(B), and

17 “(C) any shell or cartridge that meets the
18 requirement of paragraph (2)(B) and is de-
19 signed for use in a device referred to in sub-
20 paragraph (A) or (B).

21 “(2) LESS-THAN-LETHAL PROJECTILE DE-
22 VICE.—The term ‘less-than-lethal projectile device’
23 means a device that—

24 “(A) is not designed or intended to expel,
25 and may not be readily converted to accept and
26 discharge—

1 “(i) ammunition commonly used in
2 handguns, rifles, or shotguns, or

3 “(ii) any other projectile at a velocity
4 exceeding 500 feet per second,

5 “(B) is designed and intended to be used
6 in a manner that is not likely to cause death or
7 serious bodily injury, and

8 “(C) does not accept, and is not able to be
9 readily modified to accept, ammunition feeding
10 devices—

11 “(i) loaded through the inside of a
12 pistol grip, or

13 “(ii) commonly used in semiautomatic
14 firearms.

15 “(3) REQUEST FOR CLASSIFICATION.—Pursu-
16 ant to a request made by the manufacturer, pro-
17 ducer, or importer of a device for a determination as
18 to whether such device satisfies the requirements
19 under paragraph (2), the Secretary shall make such
20 determination not later than 90 days after the date
21 of receipt of such request.

22 “(4) ANNUAL REVIEW OF NEW AND EMERGING
23 TECHNOLOGIES.—

24 “(A) LIST OF LESS-THAN-LETHAL PROJEC-
25 TILE DEVICES.—The Secretary shall make pub-

1 likely available a list of devices that the Sec-
2 retary has determined are described in para-
3 graph (2) and shall update such list annually to
4 take into account new devices.

5 “(B) LIST OF NON-LETHAL DEVICES THE
6 PROJECTILES OF WHICH EXCEED 500 FEET PER
7 SECOND.—

8 “(i) IN GENERAL.—The Secretary
9 shall—

10 “(I) make publicly available a list
11 of devices that the Secretary has de-
12 termined are not described in para-
13 graph (2) but would be so described if
14 such paragraph were applied without
15 regard to subparagraph (A)(ii) there-
16 of, and

17 “(II) update such list annually to
18 take into account new devices.

19 “(ii) REPORT TO CONGRESS.—The
20 Secretary shall annually submit a written
21 report to the Committee on Ways and
22 Means of the House of Representatives
23 and the Committee on Finance of the Sen-
24 ate regarding the annual list of devices de-
25 scribed in clause (i), including a copy of

1 such list, a description of the devices that
2 were considered for inclusion on such list,
3 and the reasons for including or excluding
4 such devices from such list.”.

5 (b) EFFECTIVE DATE.—

6 (1) IN GENERAL.—Except as otherwise pro-
7 vided in this subsection, the amendments made by
8 this section shall apply to articles sold by the manu-
9 facturer, producer, or importer after the date of the
10 enactment of this Act.

11 (2) REQUESTS FOR DETERMINATIONS.—Section
12 4182(d)(3) of the Internal Revenue Code of 1986
13 (as added by this section) shall apply to requests re-
14 ceived after the date of the enactment of this Act,
15 except that any request under such section which is
16 received during the 180-day period beginning on the
17 date of the enactment of this Act shall be treated for
18 purposes of such section as received as of the close
19 of such period.

20 **SEC. 203. EXEMPTION OF CERTAIN LESS-THAN-LETHAL**
21 **PROJECTILE DEVICES FROM NATIONAL FIRE-**
22 **ARMS ACT.**

23 Section 5845(a) of the Internal Revenue Code of
24 1986 is amended by striking “an antique firearm or” and
25 inserting “any antique firearm, any less-than-lethal pro-

- 1 jectile device (as defined in section 4182(d)(2)), any device
- 2 referred to in section 4182(d)(1)(B), or”.

Passed the House of Representatives February 12,
2026.

Attest:

Clerk.

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