

118TH CONGRESS  
1ST SESSION

# S. 2753

To prevent the purchase of ammunition by prohibited purchasers.

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 11, 2023

Mr. BLUMENTHAL (for himself and Mr. MURPHY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## 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  
8       of ammunition by individuals who are prohibited from  
9       doing so under Federal and State law.

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

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

4 (1) by striking subsection (s);

5 (2) by redesignating subsection (t) as sub-  
6 section (s);

7 (3) in subsection (s), as so redesignated—

8 (A) by inserting “or ammunition” after  
9 “firearm” each place it appears except in sub-  
10 paragraphs (B)(ii) and (C) of paragraph (1);

11 (B) in paragraph (1)—

12 (i) in subparagraph (B)(ii), by insert-  
13 ing “in the case of a firearm,” before “3”;  
14 and

15 (ii) in subparagraph (C), in the mat-  
16 ter preceding clause (i), by inserting “the  
17 transfer of a firearm to” before “a person  
18 less”; and

19 (C) in paragraph (3)(C)(ii), by striking  
20 “the chief law enforcement officer (as defined in  
21 subsection (s)(8))” and inserting “the relevant  
22 chief of police, sheriff, or other equivalent offi-  
23 cial, or the designee of any such individual”;  
24 and

25 (4) by inserting after subsection (s), as so re-  
26 designated, the following:

1       “(t)(1)(A) It shall be unlawful for any person who  
2 is not a licensed importer, licensed manufacturer, or li-  
3 censed dealer to transfer ammunition to any other person  
4 who is not so licensed, unless a licensed importer, licensed  
5 manufacturer, or licensed dealer has first taken possession  
6 of the ammunition for the purpose of complying with sub-  
7 section (s).

8       “(B) Upon taking possession of ammunition under  
9 subparagraph (A), a licensee shall comply with all require-  
10 ments of this chapter as if the licensee were transferring  
11 ammunition from the inventory of the licensee to the unli-  
12 censed transferee.

13       “(C) If a transfer of ammunition described in sub-  
14 paragraph (A) will not be completed for any reason after  
15 a licensee takes possession of the ammunition (including  
16 because the transfer of the ammunition to, or receipt of  
17 the ammunition by, the transferee would violate this chap-  
18 ter), the return of the ammunition to the transferor by  
19 the licensee shall not constitute the transfer of ammuni-  
20 tion for purposes of this chapter.

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

22               “(A) a law enforcement agency or any law en-  
23               forcement officer, armed private security profes-  
24               sional, or member of the Armed Forces, to the ex-  
25               tent the officer, professional, or member is acting

1 within the course and scope of employment and offi-  
2 cial duties;

3 “(B) a transfer that is a loan or bona fide gift  
4 between spouses, between domestic partners, be-  
5 tween parents and their children, between siblings,  
6 between aunts or uncles and their nieces or nephews,  
7 or between grandparents and their grandchildren;

8 “(C) a transfer to an executor, administrator,  
9 trustee, or personal representative of an estate or a  
10 trust that occurs by operation of law upon the death  
11 of another person;

12 “(D) a transfer if the transfer is necessary to  
13 prevent imminent death or great bodily harm, if the  
14 possession by the transferee lasts only as long as im-  
15 mediately necessary to prevent the imminent death  
16 or great bodily harm; or

17 “(E) a transfer, if the transferor has no reason  
18 to believe that the transferee will use or intends to  
19 use the ammunition in a crime or is prohibited from  
20 possessing ammunition under State or Federal law,  
21 and the transfer takes place and the transferee’s  
22 possession of the ammunition is exclusively—

23 “(i) at a shooting range or in a shooting  
24 gallery or other area designated for the purpose  
25 of target shooting;

1           “(ii) while reasonably necessary for the  
2 purposes of hunting, trapping, or fishing, if the  
3 transferor—

4           “(I) has no reason to believe that the  
5 transferee intends to use the ammunition  
6 in a place where it is illegal; and

7           “(II) has reason to believe that the  
8 transferee will comply with all licensing  
9 and permit requirements for such hunting,  
10 trapping, or fishing; or

11           “(iii) while in the presence of the trans-  
12 feror.

13           “(3)(A) Notwithstanding any other provision of this  
14 chapter, the Attorney General may implement this sub-  
15 section with regulations.

16           “(B) Regulations promulgated under this paragraph  
17 may not include any provision—

18           “(i) requiring licensees to facilitate transfers in  
19 accordance with paragraph (1);

20           “(ii) requiring persons not licensed under this  
21 chapter to keep records of background checks of am-  
22 munition transfers; or

23           “(iii) limiting the amount of any fee a licensee  
24 may charge to facilitate transfers in accordance with  
25 paragraph (1).

1       “(4) It shall be unlawful for a licensed importer, li-  
2 censed manufacturer, or licensed dealer to transfer posses-  
3 sion of ammunition to another person who is not so li-  
4 censed unless the importer, manufacturer, or dealer has  
5 provided such other person with a notice of the prohibition  
6 under paragraph (1), and such other person has certified  
7 that such other person has been provided with this notice  
8 on a form prescribed by the Attorney General.”.

9       (b) TECHNICAL AND CONFORMING AMENDMENTS.—

10           (1) UNITED STATES CODE.—Chapter 44 of title  
11 18, United States Code, is amended—

12           (A) in section 922(y)(2), in the matter pre-  
13 ceding subparagraph (A), by striking “,  
14 (g)(5)(B), and (s)(3)(B)(v)(II)” and inserting  
15 “and (g)(5)(B)”;

16           (B) in section 925A, in the matter pre-  
17 ceding paragraph (1), by striking “subsection  
18 (s) or (t) of section 922” and inserting “section  
19 922(s)”;

20           (C) in section 925B—

21           (i) in subsection (a), by striking  
22 “922(t)” and inserting “922(s)”;

23           (ii) in subsection (b), by striking  
24 “922(t) of title 18, United States Code”  
25 and inserting “922(s)”.

1           (2) BRADY HANDGUN VIOLENCE PREVENTION  
2 ACT.—Section 103(l) of the Brady Handgun Vio-  
3 lence Prevention Act (34 U.S.C. 40901(l)) is amend-  
4 ed, in the matter preceding paragraph (1), by strik-  
5 ing “(t)” and inserting “(s)”.

6           (3) NICS IMPROVEMENT AMENDMENTS ACT OF  
7 2007.—Section 103(f) of the NICS Improvement  
8 Amendments Act of 2007 (34 U.S.C. 40913(f)) is  
9 amended by striking “922(t)” and inserting  
10 “922(s)”.

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

18 **SEC. 4. RULES OF CONSTRUCTION.**

19           Nothing in this Act, or any amendment made by this  
20 Act, shall be construed to—

21           (1) authorize the establishment, directly or indi-  
22 rectly, of a national firearms or ammunition reg-  
23 istry; or

24           (2) interfere with the authority of a State,  
25 under section 927 of title 18, United States Code,

1 to enact a law on the same subject matter as this  
2 Act.

3 **SEC. 5. EFFECTIVE DATE.**

4 This Act and the amendments made by this Act shall  
5 take effect on the date that is 180 days after the date  
6 of enactment of this Act.

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