

114TH CONGRESS
2D SESSION

H. R. 5739

To prohibit the transfer, loan, or other disposition of a machinegun or semiautomatic assault weapon to an individual under 16 years of age.

IN THE HOUSE OF REPRESENTATIVES

JULY 12, 2016

Mr. GALLEGO (for himself, Mr. HONDA, Ms. LEE, Ms. KELLY of Illinois, Ms. CLARK of Massachusetts, and Mr. CAPUANO) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To prohibit the transfer, loan, or other disposition of a machinegun or semiautomatic assault weapon to an individual under 16 years of age.

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 “Help End Assault Rifle
5 Tragedies (HEART) Act of 2016”.

1 **SEC. 2. PROHIBITION ON THE TRANSFER, LOAN, OR OTHER**
2 **DISPOSITION OF A MACHINEGUN OR SEMI-**
3 **AUTOMATIC ASSAULT WEAPON TO AN INDIVIDUAL UNDER AGE 16.**

5 (a) IN GENERAL.—Section 922 of title 18, United
6 States Code, is amended by adding at the end the following:
7

8 “(aa) It shall be unlawful for any person, in or affecting
9 interstate or foreign commerce, to transfer, loan, or
10 otherwise dispose of a machinegun or semiautomatic assault
11 weapon to an individual, knowing or having reasonable
12 cause to believe that the individual has not attained
13 16 years of age, including the temporary transfer of a machine
14 gun or semiautomatic assault weapon to such individual
15 for use in target shooting or on a firing or shooting
16 range or for any other purpose.”.

17 (b) SEMIAUTOMATIC ASSAULT WEAPON DEFINED.—
18 Section 921(a) of title 18, United States Code, is amended
19 by inserting after paragraph (29) the following:

20 “(30) The term ‘semiautomatic assault weapon’
21 means any of the following, regardless of country of manufacture
22 or caliber of ammunition accepted:

23 “(A) A semiautomatic rifle that has the capacity
24 to accept a detachable magazine and any one of
25 the following:

26 “(i) A pistol grip.

1 “(ii) A forward grip.

2 “(iii) A folding, telescoping, or detachable
3 stock.

4 “(iv) A grenade launcher or rocket launch-
5 er.

6 “(v) A barrel shroud.

7 “(vi) A threaded barrel.

8 “(B) A semiautomatic rifle that has a fixed
9 magazine with the capacity to accept more than 10
10 rounds, except for an attached tubular device de-
11 signed to accept, and capable of operating only with,
12 .22 caliber rimfire ammunition.

13 “(C) Any part, combination of parts, compo-
14 nent, device, attachment, or accessory that is de-
15 signed or functions to accelerate the rate of fire of
16 a semiautomatic rifle but not convert the semiauto-
17 matic rifle into a machinegun.

18 “(D) A semiautomatic pistol that has the ca-
19 pacity to accept a detachable magazine and any one
20 of the following:

21 “(i) A threaded barrel.

22 “(ii) A second pistol grip.

23 “(iii) A barrel shroud.

1 “(iv) The capacity to accept a detachable
2 magazine at some location outside of the pistol
3 grip.

4 “(v) A semiautomatic version of an auto-
5 matic firearm.

6 “(E) A semiautomatic pistol with a fixed maga-
7 zine that has the capacity to accept more than 10
8 rounds.

9 “(F) A semiautomatic shotgun that has any one
10 of the following:

11 “(i) A folding, telescoping, or detachable
12 stock.

13 “(ii) A pistol grip.

14 “(iii) A fixed magazine with the capacity to
15 accept more than 5 rounds.

16 “(iv) The ability to accept a detachable
17 magazine.

18 “(v) A forward grip.

19 “(vi) A grenade launcher or rocket launch-
20 er.

21 “(G) Any shotgun with a revolving cylinder.

22 “(H) All of the following rifles, copies, dupli-
23 cates, variants, or altered facsimiles with the capa-
24 bility of any such weapon thereof:

25 “(i) All AK types, including the following:

1 “(I) AK, AK47, AK47S, AK–74,
2 AKM, AKS, ARM, MAK90, MISR,
3 NHM90, NHM91, Rock River Arms LAR–
4 47, SA85, SA93, Vector Arms AK–47,
5 VEPR, WASR–10, and WUM.

6 “(II) IZHMAISH Saiga AK.

7 “(III) MAADI AK47 and ARM.

8 “(IV) Norinco 56S, 56S2, 84S, and
9 86S.

10 “(V) Poly Technologies AK47 and
11 AKS.

12 “(ii) All AR types, including the following:

13 “(I) AR–10.

14 “(II) AR–15.

15 “(III) Armalite M15 22LR Carbine.

16 “(IV) Armalite M15–T.

17 “(V) Barrett REC7.

18 “(VI) Beretta AR–70.

19 “(VII) Bushmaster ACR.

20 “(VIII) Bushmaster Carbon 15.

21 “(IX) Bushmaster MOE series.

22 “(X) Bushmaster XM15.

23 “(XI) Colt Match Target Rifles.

24 “(XII) DoubleStar AR rifles.

25 “(XIII) DPMS Tactical Rifles.

- 1 “(XIV) Heckler & Koch MR556.
- 2 “(XV) Olympic Arms.
- 3 “(XVI) Remington R–15 rifles.
- 4 “(XVII) Rock River Arms LAR–15.
- 5 “(XVIII) Sig Sauer SIG516 rifles.
- 6 “(XIX) Sig Sauer MCX.
- 7 “(XX) Smith & Wesson M&P15 Ri-
- 8 fles.
- 9 “(XXI) Stag Arms AR rifles.
- 10 “(XXII) Sturm, Ruger & Co. SR556
- 11 rifles.
- 12 “(iii) Barrett M107A1.
- 13 “(iv) Barrett M82A1.
- 14 “(v) Beretta CX4 Storm.
- 15 “(vi) Calico Liberty Series.
- 16 “(vii) CETME Sporter.
- 17 “(viii) Daewoo K–1, K–2, Max 1, Max 2,
- 18 AR 100, and AR 110C.
- 19 “(ix) Fabrique Nationale/FN Herstal
- 20 FAL, LAR, 22 FNC, 308 Match, L1A1
- 21 Sporter, PS90, SCAR, and FS2000.
- 22 “(x) Feather Industries AT–9.
- 23 “(xi) Galil Model AR and Model ARM.
- 24 “(xii) Hi-Point Carbine.

1 “(xiii) HK–91, HK–93, HK–94, HK–
2 PSG–1, and HK USC.

3 “(xiv) Kel-Tec Sub-2000, SU–16, and
4 RFB.

5 “(xv) SIG AMT, SIG PE–57, Sig Sauer
6 SG 550, and Sig Sauer SG 551.

7 “(xvi) Springfield Armory SAR–48.

8 “(xvii) Steyr AUG.

9 “(xviii) Sturm, Ruger Mini-14 Tactical
10 Rife M–14/20CF.

11 “(xix) All Thompson rifles, including the
12 following:

13 “(I) Thompson M1SB.

14 “(II) Thompson T1100D.

15 “(III) Thompson T150D.

16 “(IV) Thompson T1B.

17 “(V) Thompson T1B100D.

18 “(VI) Thompson T1B50D.

19 “(VII) Thompson T1BSB.

20 “(VIII) Thompson T1–C.

21 “(IX) Thompson T1D.

22 “(X) Thompson T1SB.

23 “(XI) Thompson T5.

24 “(XII) Thompson T5100D.

25 “(XIII) Thompson TM1.

1 “(XIV) Thompson TM1C.

2 “(xx) UMAREX UZI Rifle.

3 “(xxi) UZI Mini Carbine, UZI Model A
4 Carbine, and UZI Model B Carbine.

5 “(xxii) Valmet M62S, M71S, and M78.

6 “(xxiii) Vector Arms UZI Type.

7 “(xxiv) Weaver Arms Nighthawk.

8 “(xxv) Wilkinson Arms Linda Carbine.

9 “(I) All of the following pistols, copies, dupli-
10 cates, variants, or altered facsimiles with the capa-
11 bility of any such weapon thereof:

12 “(i) All AK–47 types, including the fol-
13 lowing:

14 “(I) Centurion 39 AK pistol.

15 “(II) Draco AK–47 pistol.

16 “(III) HCR AK–47 pistol.

17 “(IV) IO Inc. Hellpup AK–47 pistol.

18 “(V) Krinkov pistol.

19 “(VI) Mini Draco AK–47 pistol.

20 “(VII) Yugo Krebs Krink pistol.

21 “(ii) All AR–15 types, including the fol-
22 lowing:

23 “(I) American Spirit AR–15 pistol.

24 “(II) Bushmaster Carbon 15 pistol.

1 “(III) DoubleStar Corporation AR
2 pistol.

3 “(IV) DPMS AR–15 pistol.

4 “(V) Olympic Arms AR–15 pistol.

5 “(VI) Rock River Arms LAR 15 pis-
6 tol.

7 “(iii) Calico Liberty pistols.

8 “(iv) DSA SA58 PKP FAL pistol.

9 “(v) Encom MP–9 and MP–45.

10 “(vi) Heckler & Koch model SP–89 pistol.

11 “(vii) Intratec AB–10, TEC–22 Scorpion,
12 TEC–9, and TEC–DC9.

13 “(viii) Kel-Tec PLR 16 pistol.

14 “(ix) The following MAC types:

15 “(I) MAC–10.

16 “(II) MAC–11.

17 “(III) Masterpiece Arms MPA A930
18 Mini Pistol, MPA460 Pistol, MPA Tactical
19 Pistol, and MPA Mini Tactical Pistol.

20 “(IV) Military Armament Corp.
21 Ingram M–11.

22 “(V) Velocity Arms VMAC.

23 “(x) Sig Sauer P556 pistol.

24 “(xi) Sites Spectre.

1 “(xii) All Thompson types, including the
2 following:

3 “(I) Thompson TA510D.

4 “(II) Thompson TA5.

5 “(xiii) All UZI types, including Micro-UZI.

6 “(J) All of the following shotguns, copies, dupli-
7 cates, variants, or altered facsimiles with the capa-
8 bility of any such weapon thereof:

9 “(i) Franchi LAW-12 and SPAS 12.

10 “(ii) All IZHMASH Saiga 12 types, in-
11 cluding the following:

12 “(I) IZHMASH Saiga 12.

13 “(II) IZHMASH Saiga 12S.

14 “(III) IZHMASH Saiga 12S EXP-
15 01.

16 “(IV) IZHMASH Saiga 12K.

17 “(V) IZHMASH Saiga 12K-030.

18 “(VI) IZHMASH Saiga 12K-040
19 Taktika.

20 “(iii) Streetsweeper.

21 “(iv) Striker 12.

22 “(K) All belt-fed semiautomatic firearms, in-
23 cluding TNW M2HB.

1 “(L) Any combination of parts from which a
2 firearm described in subparagraphs (A) through (K)
3 can be assembled.

4 “(M) The frame or receiver of a rifle or shot-
5 gun described in subparagraph (A), (B), (C), (F),
6 (G), (H), (J), or (K).”.

7 (c) PENALTIES.—Section 924(a)(2) of title 18,
8 United States Code, is amended by striking “or (o)” and
9 inserting “(o), or (aa)”.

10 (d) EFFECTIVE DATE.—The amendments made by
11 this section shall apply to conduct engaged in after the
12 date that is 180 days after the date of enactment of this
13 Act.

○