Assault Weapons Ban of 2023
H.R. 698 & S. 25

Introduced by Rep. Cicilline and Sen. Feinstein

HISTORY OF ASSAULT WEAPONS IN THE UNITED STATES

It’s no accident that assault weapons – a term coined and promulgated by the gun industry as a way of marketing and selling military-style firearms – are so often the chosen weapon of mass shooters. Assault weapons, especially when paired with large-capacity ammunition magazines (LCMs), lead to far deadlier mass casualty events than shootings with other firearms; In mass shootings where assault weapons are used, 2.4 times as many people are killed and 24 times as many people are wounded than in mass shootings where another firearm was used. These firearms are designed to kill as many people as possible in the shortest amount of time possible – they are weapons of war, and do not belong on our streets or in our communities.

In 1994, Congress took steps to address this issue by enacting a federal assault weapons ban as part of the Violent Crime Control and Law Enforcement Act. However, the ban expired in 2004 and was not renewed. Congress’ failure to renew the bill had dire consequences: During the decade that the 1994 Federal Assault Weapons Ban was in effect, gun massacres (six or more people shot and killed) fell by 37%, and the number of people dying from such gun massacres declined 43%. In fact, during that 10-year period, mass shooting fatalities (four or more killed) were 70% less likely to occur compared to the periods before and after the ban. In the decade after the ban expired, the U.S. experienced a 183% increase in gun massacres and a 239% increase in fatalities.

WHAT ARE SEMI-AUTOMATIC ASSAULT WEAPONS?

Semi-automatic assault weapons are center-fire firearms that are capable of accepting a detachable ammunition magazine (or other ammunition feeding device) capable of holding more than 15 rounds that has any tactical features designed to increase its offensive lethality. Such features include any device or mechanism which enhances or aids the shooter’s ability to hold, aim, shoot, maneuver, conceal, or reload the firearm for offensive purposes, excluding optics.

Since the bill sunsetting in 2004, sales of these weapons have increased drastically, which has resulted in countless preventable deaths. In 2004, the year the bill expired,
WHAT ARE LARGE CAPACITY AMMUNITION FEEDING DEVICES?

Large-capacity ammunition feeding devices, also known as LCMs, are magazines, belts, or drums that are capable of feeding a firearm more than 15 rounds of ammunition without reloading. These devices allow shooters to rapidly fire bullets without stopping to reload, giving victims less time to escape or incapacitate the shooter. When a shooter uses a LCM on any type of firearm, the death toll rises by 62 percent and the number of wounded people increases 14-fold.

Unsurprisingly, LCMs are commonly used to carry out mass shootings. In 2019, it took a gunman in Dayton, Ohio equipped with a 100-round drum magazine just 32 seconds to fire 41 rounds, killing 9 people and injuring 26 more. However, some states have been able to save lives by banning these devices: between 1976 and 2018, state laws banning these types of magazines were associated with 38% fewer fatalities and 77% fewer nonfatal injuries.

THE ASSAULT WEAPONS BAN OF 2023

Assault weapons bans are effective at reducing the number of people killed or injured when a mass shooting occurs. Eight states – Delaware, California, Connecticut, Hawaii, Maryland, Massachusetts, New Jersey, New York – and Washington, D.C already have assault weapons bans in place, however, they are vulnerable to assault weapons trafficked in from surrounding states with weaker laws.

This is why it’s crucial that Congress pass H.R. 698/S. 25, the Assault Weapons Ban of 2023, to ban assault weapons and large capacity magazines at the federal level. The bill bans the import, sell, manufacture, transfer, or possession of new assault weapons and LCMs. Specifically, this law would make it unlawful to import, sell, manufacture, or transfer:

- Semiautomatic rifles that can accept a detachable magazine and have at least one of the following military features: (1) pistol grip; (2) forward grip; (3) folding, telescoping, or detachable stock; (4) grenade launcher; (5) barrel shroud; or (6) threaded barrel.
- Semiautomatic pistols that can accept a detachable magazine and have at least one of the following military features: (1) threaded barrel; (2) second pistol grip; (3) barrel shroud; (4) capacity to accept a detachable magazine at some location...
outside of the pistol grip; (5) a buffer tube, stabilizing brace, or similar component that protrudes horizontally behind the pistol grip; or (6) semiautomatic version of an automatic firearm.

- Semiautomatic shotguns that have at least one of the following: (1) folding, telescoping, or detachable stock; (2) pistol grip; (3) fixed magazine with the capacity to accept more than 5 rounds; (4) ability to accept a detachable magazine; (5) forward grip; (6) grenade launcher; or (7) shotgun with a revolving cylinder.

- Semiautomatic rifles and handguns that have a fixed magazine capable of accepting more than 15 rounds.

- The legislation also names over 200 firearms, and their frames or receivers, including all AR- and AK- types, as well as variants, facsimiles, copies, and duplicates.

- Any part, or combination of parts, that increases the rate of fire of a semiautomatic firearm, including bumpstocks.

- Large capacity ammunition feeding devices capable of accepting more than 15 rounds.

Contrary to talking points popular among gun industry allies, this bill would not criminalize firearms or magazines already in existence. Firearms and LCMs manufactured before the date of enactment will remain legal to possess. Individuals would be allowed to sell existing assault weapons, but only after the completion of a Brady Background Check. LCMs may be kept by current owners, but may not be transferred to another individual. The legislation also creates grants for voluntary buy-back programs for both should individuals wish to dispose of either. This legislation also specifically exempts more than 2000 types of firearms, which are best suited for hunting, sporting, and self-defense.