

# **Ammunition Accountability Act**

## ***SAMPLE LEGISLATION***

An ACT relating to firearms and ammunition; requiring [AGENCY] to establish a statewide database to track coded ammunition manufactured and sold for handguns and assault rifles.

### **Section 1. Legislative Findings.**

The State Legislature hereby finds the following:

Each year in the United States, more than 30% of all homicides that involve a gun go unsolved.

Handgun ammunition accounts for 80% of all ammunition sold in the United States.

Current technology for matching a bullet used in a crime to the gun that fired it has worked moderately well for years, but presupposes that the weapon was recovered by law enforcement.

Bullet coding is a new and effective way for law enforcement to quickly identify persons of interest in gun crime investigations.

### **Section 2. Definitions.**

For purposes of this chapter, “coded ammunition” means a bullet carrying a unique identifier that has been applied by etching onto the base of the bullet projectile.

### **Section 3. Prohibition on possession or sale of non-coded ammunition.**

1. All handgun and assault weapon ammunition manufactured or sold in the state after January 1, 2009, shall be coded by the manufacturer.
  - a. The calibers covered by the coding requirement shall include: [LIST CALIBERS].
2. No later than January 1, 2011, all non-coded ammunition for the calibers listed in this chapter, whether owned by private citizens or retail outlets, must be disposed.

### **Section 4. Authority to establish an Ammunition Coding Database.**

1. [AGENCY] shall be responsible for establishing and maintaining an Ammunition Coding Database (ACD) containing the following information:
  - a. Manufacturer registry – Manufacturers shall:
    - i. Register with [AGENCY] in a manner prescribed by the department through rule; and
    - ii. Maintain records on the business premises for a period of seven years concerning all sales, loans, and transfers of ammunition, to, from, or within the state.
  - b. Vendor registry – Vendors shall
    - i. Register with [AGENCY] in a manner prescribed by the department through rule; and
    - ii. Record the following information in a format prescribed by the [AGENCY]:
      - a. The date of the transaction.
      - b. The name of the transferee.

- c. The purchaser's driver's license number or other government issued identification card number
    - d. The date of birth of the purchaser.
    - e. The unique identifier of all handgun ammunition or bullets transferred.
    - f. All other information prescribed by [AGENCY].
  - iii. Maintain records on the business premises for a period of three years from the date of the recorded purchase.
2. To the greatest extent possible or practical, the ACD shall be built within the framework of existing firearms databases. The ACD shall be operational no later than January 1, 2009.
3. Privacy of individuals is of the utmost importance. Access to information in the ACSD is reserved for key law enforcement personnel and to be released only in connection with a criminal investigation.

**NEW SECTION: Section 5. Penalties**

1. Any vendor that willfully fails to comply with, or falsifies the records required to be kept by this bill is guilty of a public offense punishable by imprisonment not to exceed one year, and a fine of \$1,000.
2. Any manufacturer that fails to comply with the provisions of this section shall be liable for a civil fine of not more than one \$1,000 for a first violation, not more than five \$5,000 for a second violation, and not more \$10,000 for a third and subsequent violation.
3. Any person who willfully destroys, obliterates, or otherwise renders unreadable, the serialization required pursuant to this bill, on any bullet or assembled ammunition is punishable by imprisonment not to exceed one year, and a fine of \$1,000.

**NEW SECTION: Section 6. Funding.**

1. Establishing and maintaining the ACD shall be funded by an end-user fee not to exceed [COST NUMBER, ESTIMATED AT \$0.005 PER BULLET OR ROUND OF AMMUNITION].
2. There is hereby established the Coded Ammunition Fund for deposit of the end-user fees described in this section. Moneys in the fund, upon appropriation, shall be available to the [AGENCY] for infrastructure, implementation, operational, enforcement, and future development costs of this chapter.
3. Ammunition manufacturers based within this state may submit a one-time tax credit application for cost of purchasing ammunition coding equipment. All applications must be submitted by January 1, 2009.

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*NOTE: To view a more detailed version of Ammunition Coding Database legislation that was proposed in other states, visit [www.ammunitionaccountability.org](http://www.ammunitionaccountability.org). Gordon Thomas Honeywell Governmental Affairs can also provide drafting guidance. Contact Briahna Taylor at (253) 620-6640 or [btaylor@gth-gov.com](mailto:btaylor@gth-gov.com)*