

RULES COMMITTEE PRINT 119-18

TEXT OF H.R. 2189, LAW-ENFORCEMENT

INNOVATE TO DE-ESCALATE ACT

[Showing the text of H.R. 2189 as reported by the Committee on the Judiciary and H.R. 4242, as reported by the Committee on Ways and Means.]

1 **TITLE I—LAW-ENFORCEMENT**

2 **INNOVATE TO DE-ESCALATE**

3 SEC. 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—

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

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

1 “(i) is not designed or intended to expel and
2 may not be readily converted to accept and dis-
3 charge—

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

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

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

11 “(iii) does not accept, and is not able to be
12 readily modified to accept, an ammunition feeding
13 device—

14 “(I) loaded through the inside of a pistol
15 grip; or

16 “(II) commonly used in semiautomatic
17 firearms.

18 “(B) If a person requests that the Attorney General
19 determine whether a device satisfies the definition of ‘less-
20 than-lethal projectile device’ under subparagraph (A), the
21 Attorney General shall make the determination not later
22 than 90 days after the date on which the Attorney General
23 receives the device pursuant to the request.”.

1 **TITLE II—INNOVATE LESS LE-**
2 **THAL TO DE-ESCALATE TAX**
3 **MODERNIZATION**

4 **SEC. 201. SHORT TITLE.**

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

7 **SEC. 202. EXEMPTION OF CERTAIN LESS-THAN-LETHAL**
8 **PROJECTILE DEVICES FROM FIREARMS AND**
9 **AMMUNITION TAX.**

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

12 (1) by redesignating subsection (d) as sub-
13 section (e), and

14 (2) by inserting after subsection (c) the fol-
15 lowing new subsection:

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

17 “(1) IN GENERAL.—The tax imposed by section
18 4181 shall not apply to—

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

20 “(B) any device contained on the most re-
21 cent list made available by the Secretary under
22 paragraph (4)(B), and

23 “(C) any shell or cartridge that meets the
24 requirement of paragraph (2)(B) and is de-

1 signed for use in a device referred to in sub-
2 paragraph (A) or (B).

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

6 “(A) is not designed or intended to expel,
7 and may not be readily converted to accept and
8 discharge—

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

16 “(C) does not accept, and is not able to be
17 readily modified to accept, ammunition feeding
18 devices—

23 “(3) REQUEST FOR CLASSIFICATION.—Pursu-
24 ant to a request made by the manufacturer, pro-
25 ducer, or importer of a device for a determination as

1 to whether such device satisfies the requirements
2 under paragraph (2), the Secretary shall make such
3 determination not later than 90 days after the date
4 of receipt of such request.

5 “(4) ANNUAL REVIEW OF NEW AND EMERGING
6 TECHNOLOGIES.—

7 “(A) LIST OF LESS-THAN-LETHAL PROJECTILE
8 DEVICES.—The Secretary shall make publicly
9 available a list of devices that the Secretary
10 has determined are described in paragraph (2) and
11 shall update such list annually to take into account new devices.

12 “(B) LIST OF NON-LETHAL DEVICES THE
13 PROJECTILES OF WHICH EXCEED 500 FEET PER
14 SECOND.—

15 “(i) IN GENERAL.—The Secretary
16 shall—

17 “(I) make publicly available a list
18 of devices that the Secretary has determined
19 are not described in paragraph (2) but would be so described if
20 such paragraph were applied without
21 regard to subparagraph (A)(ii) thereof, and
22
23
24

14 (b) EFFECTIVE DATE.—

20 (2) REQUESTS FOR DETERMINATIONS.—Section
21 4182(d)(3) of the Internal Revenue Code of 1986
22 (as added by this section) shall apply to requests re-
23 ceived after the date of the enactment of this Act,
24 except that any request under such section which is
25 received during the 180-day period beginning on the

1 date of the enactment of this Act shall be treated for
2 purposes of such section as received as of the close
3 of such period.

4 SEC. 203. EXEMPTION OF CERTAIN LESS-THAN-LETHAL
5 PROJECTILE DEVICES FROM NATIONAL FIRE-
6 ARMS ACT.

7 Section 5845(a) of the Internal Revenue Code of
8 1986 is amended by striking “an antique firearm or” and
9 inserting “any antique firearm, any less-than-lethal pro-
10 jective device (as defined in section 4182(d)(2)), any device
11 referred to in section 4182(d)(1)(B), or”.