

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

S.209

An act relating to prohibiting unserialized firearms and unserialized
firearms frames and receivers

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 13 V.S.A. chapter 85 is amended to read:

CHAPTER 85. WEAPONS

* * *

Subchapter 4. Unserialized Firearms and Firearms Frames and Receivers

§ 4081. SHORT TITLE

This subchapter shall be known as the “Vermont Ghost Guns Act.”

§ 4082. DEFINITIONS

As used in this subchapter:

(1) “Federal firearms licensee” means a federally licensed firearm
dealer, federally licensed firearm importer, and federally licensed firearm
manufacturer.

(2) “Federally licensed firearm dealer” means a licensed dealer as
defined in 18 U.S.C. § 921(a)(11).

(3) “Federally licensed firearm importer” means a licensed importer as
defined in 18 U.S.C. § 921(a)(9).

(4) “Federally licensed firearm manufacturer” means a licensed
manufacturer as defined in 18 U.S.C. § 921(a)(10).

1 (5) “Fire control component” means a component necessary for the
2 firearm to initiate, complete, or continue the firing sequence, including any of
3 the following: hammer, bolt, bolt carrier, breechblock, cylinder, trigger
4 mechanism, firing pin, striker, or slide rails.

5 (6) “Frame or receiver of a firearm” means a part of a firearm that, when
6 the complete firearm is assembled, is visible from the exterior and provides
7 housing or a structure designed to hold or integrate one or more fire control
8 components, even if pins or other attachments are required to connect the fire
9 control components. Any part of a firearm imprinted with a serial number is
10 presumed to be a frame or receiver of a firearm unless the Federal Bureau of
11 Alcohol, Tobacco, Firearms and Explosives makes an official determination
12 otherwise or there is other reliable evidence to the contrary.

13 (7) “Three-dimensional printer” means a computer-aided manufacturing
14 device capable of producing a three-dimensional object from a three-
15 dimensional digital model through an additive manufacturing process that
16 involves the layering of two-dimensional cross sections formed of a resin or
17 similar material that are fused together to form a three-dimensional object.

18 (8) “Unfinished frame or receiver” means any forging, casting, printing,
19 extrusion, machined body, or similar article that has reached a stage in
20 manufacture when it may readily be completed, assembled, or converted to be
21 used as the frame or receiver of a functional firearm or that is marketed or sold

1 to the public to become or be used as the frame or receiver of a functional
2 firearm once completed, assembled, or converted.

3 (9) “Violent crime” has the same meaning as in section 4017 of this
4 title.

5 § 4083. UNLAWFUL CONDUCT INVOLVING UNSERIALIZED
6 FIREARMS, FRAMES, AND RECEIVERS

7 (a)(1) A person shall not knowingly possess, transfer, or offer to transfer an
8 unfinished frame or receiver unless the unfinished frame or receiver has been
9 imprinted with a serial number by a federal firearms licensee pursuant to
10 federal law or section 4084 of this title.

11 (2) This subsection shall not apply to:

12 (A) a federal firearms licensee acting within the scope of the
13 licensee’s license;

14 (B) temporary possession or transfer of an unfinished frame or
15 receiver for the purpose of having it imprinted with a serial number pursuant to
16 federal law or section 4084 of this title; or

17 (C) an unfinished frame or receiver transferred to or possessed by a
18 law enforcement officer for legitimate law enforcement purposes.

19 (b)(1) A person shall not knowingly possess, transfer, or offer to transfer a
20 firearm or frame or receiver of a firearm that is not imprinted with a serial

1 number by a federal firearms licensee pursuant to federal law or section 4084
2 of this title.

3 (2) This subsection shall not apply to:

4 (A) a federal firearms licensee acting within the scope of the
5 licensee's license;

6 (B) temporary possession or transfer of a firearm or frame or receiver
7 of a firearm for the purpose of having it imprinted with a serial number
8 pursuant to federal law or section 4084 of this title;

9 (C) an unserialized frame or receiver transferred to or possessed by a
10 law enforcement officer for legitimate law enforcement purposes;

11 (D) an antique firearm as defined in subsection 4017(d) of this title;

12 (E) a firearm that has been rendered permanently inoperable; or

13 (F) a firearm that was manufactured before 1968.

14 (c)(1) A person who manufactures a firearm or frame or receiver of a
15 firearm, including by a three-dimensional printer, shall cause the firearm,
16 frame, or receiver to be imprinted with a serial number by a federal firearms
17 licensee pursuant to federal law or section 4084 of this title.

18 (2) This subsection shall not apply to:

19 (A) a federally licensed firearms manufacturer acting within the
20 scope of the manufacturer's license; or

1 (B) temporary possession or transfer of a firearm or frame or receiver
2 of a firearm for the purpose of having it imprinted with a serial number
3 pursuant to federal law or section 4084 of this title.

4 (d)(1) A person who violates this section shall be:

5 (A) for a first offense, imprisoned for not more than one year or fined
6 not more than \$500.00, or both;

7 (B) for a second offense, imprisoned for not more than two years or
8 fined not more than \$1,000.00, or both; and

9 (C) for a third or subsequent offense, imprisoned for not more than
10 three years or fined not more than \$2,000.00, or both.

11 (2) A person who uses an unserialized firearm while committing a
12 violent crime shall be imprisoned for not more than five years or fined not
13 more than \$5,000.00, or both.

14 § 4084. FEDERAL FIREARMS LICENSEES; AUTHORITY TO
15 SERIALIZE FIREARMS, FRAMES, AND RECEIVERS

16 (a) A federal firearms licensee may imprint a serial number on an
17 unserialized firearm or frame or receiver of a firearm pursuant to this section.

18 (b)(1) A firearm, frame, or receiver serialized pursuant to this section shall
19 be imprinted with a serial number that begins with the licensee's abbreviated
20 federal firearms license number, which is the first three and last five digits of
21 the license number, and is followed by a hyphen that precedes a unique

1 identification number. The serial number shall not be duplicated on any other
2 firearm, frame, or receiver serialized by the licensee and shall be imprinted in a
3 manner that complies with the requirements under federal law for affixing
4 serial numbers to firearms, including that the serial number be at the minimum
5 size and depth and not susceptible to being readily obliterated, altered, or
6 removed.

7 (2) A licensee who serializes a firearm, frame, or receiver pursuant to
8 this section shall make and retain records of the serialization that comply with
9 the requirements under federal law for the sale of a firearm. In addition to any
10 record required by federal law, the record shall include the date, name, age,
11 and residence of any person to whom the item is transferred and the unique
12 serial number imprinted on the firearm, frame, or receiver.

13 (3) A licensee shall not be deemed a firearms manufacturer solely for
14 serializing a firearm, frame, or receiver pursuant to this section.

15 (c) Returning a firearm, frame, or receiver to a person after it has been
16 serialized pursuant to federal law or this section constitutes a transfer that
17 requires a background check of the transferee. A federal licensee who
18 serializes a firearm, frame, or receiver pursuant to this section shall conduct a
19 background check on the transferee pursuant to subsection 4019(c) of this title,
20 provided that if the transfer is denied, the licensee shall deliver the firearm,
21 frame, or receiver to a law enforcement agency for disposition. The agency

1 shall provide the licensee with a receipt on agency letterhead for the firearm,
2 frame, or receiver.

3 (d) A licensee who violates subsection (b) or (c) of this section shall:

4 (1) for a first offense, be fined not more than \$2,500.00; and

5 (2) for a second or subsequent offense, be imprisoned for not more than
6 one year or fined not more than \$2,500.00, or both.

7 Sec. 2. EFFECTIVE DATE

8 This act shall take effect on December 31, 2024.