

1 H.335

2 Introduced by Representative Till of Jericho

3 Referred to Committee on

4 Date:

5 Subject: Criminal procedures; firearms

6 Statement of purpose of bill as introduced: This bill proposes a number of
7 provisions related to firearms regulation. The bill proposes to:

8 (1) require a 48-hour waiting period for all gun sales by firearms dealers;

9 (2) repeal the prohibition on the sale or use of gun silencers;

10 (3) provide that purchases of firearms trigger locks and gun safes are
11 exempt from Vermont income taxation and not subject to the Vermont sales
12 and use tax; and

13 (4) establish a grant program in the Department of Fish and Wildlife to
14 assist firing ranges to upgrade their facilities to National Rifle Association
15 standards.

16 An act relating to procedures related to firearms

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

2 Sec. 1. 13 V.S.A. § 4017 is added to read:

3 § 4017. FIREARMS SALES; 48-HOUR WAITING PERIOD

4 (a) After completing the sale of a firearm, a pawnbroker or retail merchant
5 dealing in firearms shall maintain possession of the firearm for 48 hours.

6 At the end of the 48-hour waiting period, the pawnbroker or retail merchant
7 may transfer possession of the firearm to the purchaser.

8 (b) A person who violates this section shall be fined not more than
9 \$1,000.00.

10 (c) As used in the section, “firearm” means any weapon, whether loaded or
11 unloaded, which will expel a projectile by the action of an explosive and
12 includes any weapon commonly referred to as a pistol, revolver, rifle, gun,
13 machine gun, or shotgun, provided that “firearm” shall not include an “antique
14 firearm” as defined in 18 U.S.C. § 921(a)(16) or a “curio or relic” as defined in
15 27 C.F.R. § 178.11.

16 Sec. 2. 32 V.S.A. § 5823 is amended to read:

17 § 5823. VERMONT INCOME OF INDIVIDUALS, ESTATES AND
18 TRUSTS

19 (a) For any taxable year, the Vermont income of a resident individual is the
20 adjusted gross income of the individual for that taxable year, and the Vermont
21 income of a resident estate or trust is its gross income for the taxable year, less:

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(9) Any amount paid to purchase a firearm trigger lock or a gun safe.

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Sec. 3. 32 V.S.A. § 9741 is amended to read:

§ 9741. SALES NOT COVERED

Retail sales and use of the following shall be exempt from the tax on retail sales imposed under section 9771 of this title and the use tax imposed under section 9773 of this title.

* * *

(49) Sales of firearms trigger locks and gun safes.

Sec. 4. FIRING RANGE UPGRADES; APPROPRIATION

(a) The Department of Fish and Wildlife shall establish a grant program to assist firing ranges to upgrade to National Rifle Association (NRA) standards. Any firing range or gun club which permits all Vermont law enforcement officers to use its premises may apply to the Department for a grant.

(b) The Department of Fish and Wildlife shall award a grant of \$20,000.00 under subsection (a) of this section to a firing range or gun club that demonstrates in its application that:

(1) all Vermont law enforcement officers are permitted to use its premises; and

(2) the upgrades shall be completed within five years.

1 (c) Notwithstanding any other law or policy, the Vermont National Guard
2 is encouraged to assist firing ranges to make the upgrades necessary to meet
3 NRA standards pursuant to a grant awarded under subsection (a) of this
4 section.

5 (d) The amount of \$450,000.00 is appropriated to the Department of Fish
6 and Wildlife for purposes of awarding grants under this section.

7 Sec. 5. REPEAL

8 13 V.S.A. § 4010 (prohibiting sale or use of gun silencers) is repealed.

9 Sec. 6. EFFECTIVE DATES

10 This act shall take effect on passage, except for Sec. 2 (income tax
11 deduction for purchase of firearm trigger lock or gun safe) of this act, which
12 shall take effect on January 1, 2014 and apply to tax year 2014 and after.