

1 S.138

2 Representative Deen of Westminster moves that the proposal of amendment
3 of the Committee on Commerce and Economic Development as amended by
4 the Committees on Ways and Means and on Appropriations be further
5 amended as follows:

6 First: By striking out Sec. A.2 in its entirety (manufacture of gun
7 suppressors) and inserting in lieu thereof Secs. A.2.A, A.2.B, and A.2.C to
8 read:

9 Sec. A.2.A. 13 V.S.A. § 4010 is amended to read:

10 § 4010. ~~GUN SILENCERS~~ SUPPRESSORS

11 ~~A person who manufactures, sells, uses, or possesses with intent to sell or~~
12 ~~use an appliance known as or used for a gun silencer shall be fined \$25.00 for~~
13 ~~each offense. The provisions of this section shall not prevent the use or~~
14 ~~possession of gun silencers by:~~

15 ~~(1) a Level III certified law enforcement officer or Department of Fish~~
16 ~~and Wildlife employee in connection with his or her duties and responsibilities~~
17 ~~and in accordance with the policies and procedures of that officer's or~~
18 ~~employee's agency or department; or~~

19 ~~(2) the Vermont National Guard in connection with its duties and~~
20 ~~responsibilities.~~

1 (a) As used in this section, “gun suppressor” means any device for
2 silencing, muffling, or diminishing the report of a portable firearm, including
3 any combination of parts, designed or redesigned, and intended for use in
4 assembling or fabricating a gun suppressor, and any part intended only for use
5 in such assembly or fabrication.

6 (b)(1) Except as provided in subsection (c) of this section, a person shall
7 not manufacture, make, or import a gun suppressor.

8 (2) A person who violates subdivision (1) of this subsection shall be
9 fined not less than \$500.00.

10 (c) Subsection (b) of this section shall not apply to:

11 (1) a licensed manufacturer, as defined in 18 U.S.C. § 921, who is
12 registered as a manufacturer pursuant to 26 U.S.C. § 5802;

13 (2) a licensed importer, as defined in 18 U.S.C. § 921, who is registered
14 as an importer pursuant to 26 U.S.C. § 5802; or

15 (3) a person who makes a gun suppressor in compliance with the
16 requirements of 26 U.S.C. § 5822.

17 Sec. A.2.B. 10 V.S.A. § 4704 is amended to read:

18 § 4704. USE OF MACHINE GUNS AND, AUTOLOADING RIFLES, AND
19 GUN SUPPRESSORS

20 (a) A person engaged in hunting for wild animals shall not use, carry, or
21 have in his or her possession;

- 1 (1) a machine gun of any kind or description;
- 2 (2) an autoloading rifle with a magazine capacity of over six cartridges,
3 except a .22 caliber rifle using rim fire cartridges; or
- 4 (3) a gun suppressor.

5 (b) As used in this section, “gun suppressor” means any device for
6 silencing, muffling, or diminishing the report of a portable firearm, including
7 any combination of parts, designed or redesigned, and intended for use in
8 assembling or fabricating a gun suppressor, and any part intended only for use
9 in such assembly or fabrication.

10 Sec. A.2.C. 10 V.S.A. § 4502 is amended to read:

11 § 4502. UNIFORM POINT SYSTEM; REVOCATION OF LICENSE

12 (a) A uniform point system which assigns points to those convicted of a
13 violation of a provision of this part is established. The conviction report from
14 the ~~court~~ Court shall be prima facie evidence of the points assessed. In
15 addition to other penalties assessed for violation of fish and wildlife statutes,
16 the Commissioner shall suspend licenses issued under this part which are held
17 by a person who has accumulated ten or more points in accordance with the
18 provisions of subsection (c) of this section.

19 (b) A person violating provisions of this part shall receive points for
20 convictions in accordance with the following schedule (all sections are in Title
21 10 of Vermont Statutes Annotated):

1 * * *

2 (2) Ten points shall be assessed for:

3 * * *

4 (G) § 4704. Use of machine guns ~~and~~, autoloading rifles, and gun
5 suppressors

6 * * *

7 Second: In Sec. H.1 (effective dates), in subsection (b), by striking out
8 subdivision (2) in its entirety (manufacture of gun suppressors) and inserting in
9 lieu thereof the following:

10 (2) [Reserved.]

11 Third: In Sec. H.1 (effective dates), by adding a new subsection to be
12 subsection (i) to read:

13 (i) Secs. A.2.A, A.2.B, and A.2.C (gun suppressors) shall take effect on
14 July 2, 2015.