

1 S.55

2 Representative LaLonde of South Burlington moves that the House propose
3 to the Senate that the bill be amended as follows:

4 First: By adding a new Sec. 8 to read as follows:

5 Sec. 8. 13 V.S.A. § 4021 is added to read

6 § 4021. LARGE CAPACITY AMMUNITION FEEDING DEVICES

7 (a) A person shall not manufacture, possess, or transfer a large capacity
8 ammunition feeding device.

9 (b) A person who violates this section shall be imprisoned for not more
10 than one year or fined not more than \$500.00, or both.

11 (c) This section shall not apply to the possession or transfer of any large
12 capacity ammunition feeding device otherwise lawfully possessed on or before
13 the effective date of this act.

14 (d) This section not apply to any large capacity ammunition feeding device:

15 (1) manufactured for, transferred to, or possessed by the United States or
16 a department or agency of the United States, or any state or a department,
17 agency, or political subdivision of a state;

18 (2) transferred to or possessed by a state or federal law enforcement
19 officer for legitimate law enforcement purposes, whether the officer is on or
20 off duty;

1 (3) transferred to a licensee under Title I of the Atomic Energy Act of
2 1954 for purposes of establishing and maintaining an on-site physical
3 protection system and security organization required by federal law, or
4 possessed by an employee or contractor of such a licensee on-site for these
5 purposes, or off-site for purposes of licensee-authorized training or
6 transportation of nuclear materials;

7 (4) possessed by an individual who is retired from service with a law
8 enforcement agency after having been transferred to the individual by the
9 agency upon his or her retirement, provided that the individual is not otherwise
10 prohibited from receiving ammunition; or

11 (5) manufactured, transferred, or possessed by a licensed manufacturer
12 or licensed importer for the purposes of testing or experimentation authorized
13 by the U.S. Attorney General.

14 (e) As used in this section, “large capacity ammunition feeding device”
15 mean a magazine, belt, drum, feed strip, or similar device manufactured after
16 July 1, 2018 that has a capacity of, or that can be readily restored or converted
17 to accept, more than 10 rounds of ammunition, provided that “large capacity
18 ammunition feeding device” shall not include an attached tubular device
19 designed to accept, and capable of operating only with, .22 caliber rimfire
20 ammunition.

21

1 Second: By adding a new Sec. 9 to read as follows:

2 Sec. 9. 13 V.S.A. § 4022 is added to read

3 § 4022. SEMIAUTOMATIC ASSAULT WEAPONS PROHIBITED

4 (a)(1) A person shall not manufacture, possess, or transfer a semiautomatic
5 assault weapon.

6 (2) A person who violates this subsection shall be imprisoned for not
7 more than one year or fined not more than \$1,000.00, or both.

8 (b) This section shall not apply to the possession or transfer of any
9 semiautomatic assault weapon otherwise lawfully possessed on the effective
10 date of this section.

11 (c)(1) As used in this section, “semiautomatic assault weapon” means:

12 (A) a semiautomatic rifle that has an ability to accept a detachable
13 magazine and has at least one of the following characteristics:

14 (i) a folder or telescoping stock;

15 (ii) a pistol grip that protrudes conspicuously beneath the action of
16 the weapon;

17 (iii) a thumbhole stock;

18 (iv) a second handgrip or a protruding grip that can be held by the
19 nontrigger hand;

20 (v) a bayonet mount;

1 (vi) a flash suppressor, muzzle break, muzzle compensator, or
2 threaded barrel designed to accommodate a flash suppressor, muzzle break, or
3 muzzle compensator;

4 (vii) a grenade launcher; or

5 (B) a semiautomatic shotgun that has at least one of the following
6 characteristics:

7 (i) a folding or telescoping stock;

8 (ii) a thumbhole stock;

9 (iii) a second handgrip or a protruding grip that can be held by the
10 nontrigger hand;

11 (iv) a fixed magazine capacity in excess of seven rounds;

12 (v) an ability to accept a detachable magazine; or

13 (C) a semiautomatic pistol that has an ability to accept a detachable
14 magazine and has at least one of the following characteristics:

15 (i) a folding or telescoping stock;

16 (ii) a thumbhole stock;

17 (iii) a second handgrip or a protruding grip that can be held by the
18 nontrigger hand;

19 (iv) the capacity to accept an ammunition magazine that attaches
20 to the pistol outside the pistol grip;

1 (v) a threaded barrel capable of accepting a barrel extender, flash
2 suppressor, forward handgrip, or silencer;

3 (vi) a shroud that is attached to or partially or completely encircles
4 the barrel and that permits the shooter to hold the firearm with the nontrigger
5 hand without being burned;

6 (vii) a manufactured weight of 50 ounces or more when the pistol
7 is unloaded; or

8 (viii) a semiautomatic version of an automatic rifle, shotgun, or
9 firearm; or

10 (D) a revolving cylinder shotgun.

11 (2) “Semiautomatic assault weapon” shall not include:

12 (A) any rifle, shotgun, or pistol that:

13 (i) is manually operated by bolt, pump, lever, or slide action;

14 (ii) has been rendered permanently inoperable; or

15 (iii) is an antique firearm as defined in 18 U.S.C. § 921(a)(16); or

16 (B) a semiautomatic rifle that cannot accept a detachable magazine
17 that holds more than five rounds of ammunition;

18 (C) a semiautomatic shotgun that cannot hold more than five rounds
19 of ammunition in a fixed or detachable magazine; or

20 (D) any firearm, rifle, or shotgun that was manufactured at least
21 50 years prior to the effective date of this section.

1 Third: By adding a new Sec. 10 to read as follows:

2 Sec. 10. 13 V.S.A. § 4023 is added to read:

3 § 4023. SAFE STORAGE

4 (a) A person shall not store or otherwise leave a firearm outside his or her
5 immediate possession or control without having first securely locked the
6 firearm in a safe storage depository or, by use of a tamper-resistant mechanical
7 lock gun lock or other device appropriate to that weapon, rendered it incapable
8 of being fired.

9 (b) A person who violates this section shall be imprisoned for not more
10 than one year or fined not more than \$500.00, or both.

11 (c) As used in this section:

12 (1) “Firearm” shall have the same meaning as in subsection 4017(d)
13 of this title.

14 (2) “Safe storage depository” shall mean a safe or other secure container
15 that, when locked, is incapable of being opened without the key, combination,
16 or other unlocking mechanism so as to prevent an unauthorized person from
17 obtaining access to the weapon.

18 Fourth: By adding a new Sec. 11 to read as follows:

1 Sec. 11. 13 V.S.A. § 4024 is added to read:

2 § 4024. FIREARMS TRANSFERS; WAITING PERIOD

3 (a) A person shall not transfer a firearm to another person until 10 days
4 after the completion of the background check required by 18 U.S.C. § 922(s)
5 or section 4019 of this title.

6 (b) A person who transfers a firearm to another unlicensed person in
7 violation of subsection (a) of this section shall be imprisoned not more than
8 one year or fined not more than \$500.00, or both.

9 Fifth: By adding a new Sec. 12 to read as follows:

10 Sec. 12. 13 V.S.A. § 4004 is amended to read:

11 § 4004. POSSESSION OF DANGEROUS OR DEADLY WEAPON IN A
12 SCHOOL BUS OR SCHOOL BUILDING OR ON SCHOOL PROPERTY

13 (a) No person shall knowingly possess a firearm or a dangerous or deadly
14 weapon while within a school building or on a school bus. A person who
15 violates this section shall, for the first offense, be imprisoned not more than
16 one year or fined not more than \$1,000.00, or both, and for a second or
17 subsequent offense shall be imprisoned not more than three years or fined not
18 more than \$5,000.00, or both.

19 (b) No person shall knowingly possess a firearm or a dangerous or deadly
20 weapon on any school property with the intent to injure another person. A
21 person who violates this section shall, for the first offense, be imprisoned not

1 more than two years or fined not more than \$1,000.00, or both, and for a
2 second or subsequent offense shall be imprisoned not more than three years or
3 fined not more than \$5,000.00, or both.

4 (c) This section shall not apply to:

5 (1) A law enforcement officer;

6 (A) while engaged in law enforcement duties; or

7 (B) in possession of a concealed firearm in accordance with 18

8 U.S.C. § 926B.

9 (2) Possession and use of firearms or dangerous or deadly weapons if the
10 board of school directors, or the superintendent or principal if delegated
11 authority to do so by the board, authorizes possession or use for specific
12 occasions or for instructional or other specific purposes.

13 (d) As used in this section:

14 (1) “School property” means any property owned by a school, including
15 motor vehicles.

16 (2) “Owned by the school” means owned, leased, controlled or
17 subcontracted by the school.

18 (3) “Dangerous or deadly weapon” has the meaning defined in section
19 4016 of this title.

20 (4) “Firearm” has the meaning defined in section 4016 of this title.

1 (5) “Law enforcement officer” has the meaning defined in section 4016
2 of this title.

3 (e) The provisions of this section shall not limit or restrict any prosecution
4 for any other offense, including simple assault or aggravated assault.

5

6 And by renumbering existing Sec. 8 to be Sec. 13