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S.30

Introduced by Senators Baruth, Balint, Bray, Campion, Chittenden, Clarkson,
Cummings, Hardy, Hooker, Lyons, McCormack, Pearson,
Perchlik, Ram, Sirotkin and White

Referred to Committee on Judiciary

Date: January 14, 2021

Subject: Crimes; firearms; prohibition on possession at certain locations

Statement of purpose: This bill proposes to prohibit the possession of firearms
at childcare facilities, hospitals, and certain public buildings.

~~An act relating to prohibiting possession of firearms at childcare facilities,
hospitals, and certain public buildings.~~

*An act relating to prohibiting possession of firearms within hospital
buildings*

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

~~Sec. 1. 13 V.S.A. § 4023 is added to read:~~

~~§ 4023. POSSESSION OF FIREARMS; PROHIBITED LOCATIONS~~

~~(a) A person shall not possess a firearm at a prohibited location.~~

~~(b) A person who violates this section shall be imprisoned for not more
than one year or fined not more than \$1,000.00, or both.~~

~~(c) This section shall not apply to a firearm possessed by:~~

~~(1) a federal law enforcement officer or a law enforcement officer~~

~~certified as a law enforcement officer by the Vermont Criminal Justice~~

1 ~~Training Council pursuant to 20 V.S.A. § 2358, for legitimate law enforcement~~
2 ~~purposes, whether the officer is on or off duty; or~~

3 ~~(2) the United States or a department or agency of the United States or~~
4 ~~by any state or by a department, agency, or political subdivision of a state.~~

5 ~~(d) As used in this section:~~

6 ~~(1) “Firearm” has the same meaning as in subsection 4017(d) of this~~
7 ~~title.~~

8 ~~(2) “Prohibited location” means:~~

9 ~~(A) a childcare facility as defined in 33 V.S.A. § 3511, provided that~~
10 ~~a childcare facility shall not include a family day care home that provides care~~
11 ~~on a regular basis in the caregiver’s own home;~~

12 ~~(B) a hospital as defined in 18 V.S.A. § 1902; or~~

13 ~~(C) a publicly owned building that is currently in use for the~~
14 ~~performance of essential government functions.~~

15 Sec. 2. EFFECTIVE DATE

16 ~~This act shall take effect on July 1, 2021.~~

Sec. 1. 13 V.S.A. § 4023 is added to read:

§ 4023. POSSESSION OF FIREARMS IN HOSPITAL BUILDINGS
PROHIBITED

(a) A person shall not knowingly possess a firearm while within a hospital
building.

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

(c) This section shall not apply to a firearm possessed by a federal law enforcement officer or a law enforcement officer certified as a law enforcement officer by the Vermont Criminal Justice Training Council pursuant to 20 V.S.A. § 2358, for legitimate law enforcement purposes.

(d) Notice of the provisions of this section shall be posted conspicuously at each public entrance to each hospital.

(e) As used in this section:

(1) "Firearm" has the same meaning as in subsection 4017(d) of this title.

(2) "Hospital" has the same meaning as in 18 V.S.A. § 1902.

**Sec. 2. CAPITOL COMPLEX SECURITY ADVISORY COMMITTEE;
REPORT ON FIREARMS IN STATE HOUSE**

On or before December 1, 2021, the Capitol Complex Security Advisory Committee shall report to the Joint Justice Oversight Committee on the regulation of firearms in the Capitol Complex as defined in 29 V.S.A. § 182. The report shall:

(1) summarize how the possession of firearms at the Capitol Complex is currently regulated, including pursuant to Rule 26 of the Joint Rules of the Senate and House of Representatives;

(2) describe situations when persons have impermissibly possessed firearms at the Capitol Complex in the past and how these situations are typically handled; and

(3) recommend whether and how the issue of firearms at the Capitol Complex should be addressed in legislation.

Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2021.