

1 S.30

2 Representative Notte of Rutland City moves that the House propose to the
3 Senate that the bill be amended by striking out all after the enacting clause and
4 inserting in lieu thereof the following:

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

6 § 4023. POSSESSION OF FIREARMS IN HOSPITAL BUILDINGS

7 PROHIBITED

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

10 (b) A person who violates this section shall be imprisoned for not more
11 than one year or fined not more than \$1,000.00, or both \$250.00.

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

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

18 (e) As used in this section:

19 (1) “Firearm” has the same meaning as in subsection 4017(d) of this
20 title.

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

1 Sec. 2. 13 V.S.A. § 4019 is amended to read:

2 § 4019. FIREARMS TRANSFERS; BACKGROUND CHECKS

3 (a) As used in this section:

4 * * *

5 (4) “Licensed dealer” means a person issued a license as a dealer in
6 firearms pursuant to 18 U.S.C. § 923(a).

7 (5) “Proposed transferee” means an unlicensed person to whom a
8 proposed transferor intends to transfer a firearm.

9 (6) “Proposed transferor” means an unlicensed person who intends to
10 transfer a firearm to another unlicensed person.

11 (7) “Transfer” means to transfer ownership of a firearm by means of
12 sale, trade, or gift.

13 (8) “Unlicensed person” means a person who has not been issued a
14 license as a dealer, importer, or manufacturer in firearms pursuant to 18 U.S.C.
15 § 923(a).

16 (b)(1) Except as provided in subsection (e) of this section, an unlicensed
17 person shall not transfer a firearm to another unlicensed person unless:

18 (A) the proposed transferor and the proposed transferee physically
19 appear together with the firearm before a licensed dealer and request that the
20 licensed dealer facilitate the transfer; and

21 (B) the licensed dealer agrees to facilitate the transfer.

1 (d)(1) For purposes of a petition filed pursuant to this subchapter, a health
2 care provider may notify a law enforcement officer when the provider believes
3 in good faith that disclosure of the information is necessary to prevent or lessen
4 a serious and imminent threat to the health or safety of a person or the public.

5 (2) As used in this subsection:

6 (A) “Health care provider” has the same meaning as in 18 V.S.A.
7 § ~~9432~~ 9402.

8 (B) “Necessary to prevent or lessen a serious and imminent threat to
9 the health or safety of a person or the public” includes circumstances when the
10 health care provider reasonably believes that the patient poses an extreme risk
11 of causing harm to themselves or another person by purchasing, possessing, or
12 receiving a dangerous weapon or by having a dangerous weapon within the
13 patient’s custody or control.

14 Sec. 4. 13 V.S.A. § 4062 is added to read:

15 § 4062. ANNUAL REPORTING; OFFICE OF COURT ADMINISTRATOR

16 AND AGENCY OF HUMAN SERVICES

17 (a) On or before September 1, 2022 and annually thereafter, the Court
18 Administrator, with the assistance of the Agency of Human Services, shall
19 report data on the use of extreme risk protection orders during the previous
20 year to the Senate and House Committees on Judiciary.

1 (b) The reports required by this section shall include the following data for
2 the previous year:

3 (1) the number of extreme risk protection order petitions filed and the
4 number of orders issued;

5 (2) geographical data indicating the county where the petition was filed;
6 and

7 (3) follow-up information describing whether the order was renewed or
8 terminated pursuant to section 4055 of this title and whether the subject of the
9 order was charged with violating it under section 4058 of this title.

10 (c) The Agency of Human Services shall include in the reports required by
11 this section an analysis of the impact of extreme risk prevention orders on
12 Vermont suicide rates, including any relevant data relied on or utilized by the
13 Agency for purposes of providing the information required by 2017 Acts and
14 Resolves No. 34, An act relating to evaluation of suicide profiles.

15 **Sec. 5. 13 V.S.A. § 4021 is amended to read:**

16 **§ 4021. LARGE CAPACITY AMMUNITION FEEDING DEVICES**

17 **(a) A person shall not manufacture, possess, transfer, offer for sale,**
18 **purchase, or receive or import into this State a large capacity ammunition**
19 **feeding device. As used in this subsection, “import” shall not include the**
20 **transportation back into this State of a large capacity ammunition feeding**

1 device by the same person who transported the device out of State if the person
2 possessed the device on or before the effective date of this section.

3 * * *

4 (d)(1) This section shall not apply to any large capacity ammunition feeding
5 device:

6 * * *

7 (F)(i) transported by a resident of another state into this State for the
8 exclusive purpose of use in an ~~established~~ organized shooting competition if
9 the device is lawfully possessed under the laws of another state; or

10 (ii) possessed at and used at an organized shooting competition
11 sponsored by an entity registered with the Secretary of State and authorized to
12 do business in this State, if the device was lawfully possessed on or before
13 October 1, 2018.

14 * * *

15 Sec. 6. 15 V.S.A. § 1104 is amended to read:

16 § 1104. EMERGENCY RELIEF

17 (a) In accordance with the Vermont Rules of Civil Procedure, temporary
18 orders under this chapter may be issued ex parte, without notice to the
19 defendant, upon motion and findings by the court that the defendant has abused
20 the plaintiff or the plaintiff's children, or both. The plaintiff shall submit an
21 affidavit in support of the order. A minor 16 years of age or older, or a minor

1 of any age who is in a dating relationship as defined in subdivision 1101(2) of
2 this chapter, may seek relief on his or her own behalf. Relief under this section
3 shall be limited as follows:

4 (1) Upon a finding that there is an immediate danger of further abuse, an
5 order may be granted requiring the defendant:

6 (A) to refrain from abusing the plaintiff or his or her children, or
7 both, or from cruelly treating as defined in 13 V.S.A. § 352 or 352a or killing
8 any animal owned, possessed, leased, kept, or held as a pet by either party or
9 by a minor child residing in the household;

10 (B) to refrain from interfering with the plaintiff's personal liberty or
11 the personal liberty of the plaintiff's children, or both;

12 (C) to refrain from coming within a fixed distance of the plaintiff, the
13 plaintiff's children, the plaintiff's residence, or the plaintiff's place of
14 employment; ~~and~~

15 (D) to refrain from contacting the plaintiff or the plaintiff's children,
16 or both, in any way, whether directly, indirectly, or through a third party, with
17 the purpose of making contact with the plaintiff, including in writing or by
18 telephone, e-mail, or other electronic communication; or

19 (E) to immediately relinquish, until the expiration of the order, all
20 firearms that are in the defendant's possession, ownership, or control, and to
21 refrain from acquiring or possessing any firearms while the order is in effect.

