Introduced by Representatives LaLonde of South Burlington and Arsenault of Williston

Referred to Committee on Date:

Subject: Criminal procedures; firearms

Statement of purpose of bill as introduced: This bill proposes to prohibit firearms at polling places and to require that lost or stolen firearms be reported to a law enforcement agency.

An act relating to prohibiting firearms at polling places and requiring that lost or stolen firearms be reported to a law enforcement agency

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

Sec. 1. 13 V.S.A. § 4027 is added to read:

§ 4027. POLLING PLACES; FIREARMS PROHIBITED
  (a) A person shall not knowingly possess a firearm at a polling place.
  (b) A person who violates this section shall be imprisoned not more than one year or fined not more than $1,000.00, or both.
  (c) This section shall not apply to:
      (1) firearms carried for legitimate law enforcement purposes by a federal law enforcement officer or a law enforcement officer certified as a law
enforcement officer by the Vermont Criminal Justice Council pursuant to 20 V.S.A. § 2358; or

(2) firearms carried by a person while performing the person’s official duties as an employee of the United States; a department or agency of the United States; a state; or a department, agency, or political subdivision of a state.

(d) As used in this section:

(1) “Firearm” has the same meaning as in section 4017 of this title.

(2) “Polling place” means a place that a municipality has designated to the Secretary of State as a polling place pursuant to 17 V.S.A. § 2502(f).

Sec. 2. 13 V.S.A. § 4028 is added to read:

§ 4028. REPORTING OF LOST OR STOLEN FIREARMS; CIVIL PENALTY

(a) A person in lawful possession of a firearm shall notify a law enforcement agency within 72 hours after the person discovers that the firearm has been lost or stolen.

(b) A person who violates this section shall be assessed a civil penalty of not more than $250.00.

(c) As used in this section:

(1) “Firearm” has the same meaning as in section 4017 of this title.
(2) “Law enforcement agency” means the Vermont State Police, a municipal police department, or a sheriff’s department.

Sec. 3. 4 V.S.A. § 1102 is amended to read:

§ 1102. JUDICIAL BUREAU; JURISDICTION

* * *

(b) The Judicial Bureau shall have jurisdiction of the following matters:

* * *

(33) Violations of 13 V.S.A. § 4028, relating to failing to notify a law enforcement agency within 72 hours that a firearm has been lost or stolen.

* * *

Sec. 4. EFFECTIVE DATE

This act shall take effect on passage.