

1 H.582

2 Introduced by Representatives Mrowicki of Putney, Berbeco of Winooski,

3 Carpenter of Hyde Park, and Goldman of Rockingham

4 Referred to Committee on

5 Date:

6 Subject: Crimes; firearms; semiautomatic assault weapons

7 Statement of purpose of bill as introduced: This bill proposes to prohibit

8 possession of semiautomatic assault weapons.

9 An act relating to prohibiting possession of semiautomatic assault weapons

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

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

12 § 4027. POSSESSION OF SEMIAUTOMATIC ASSAULT WEAPONS

13 PROHIBITED

14 (a) A person shall not possess a semiautomatic assault weapon.

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

17 (c) This section shall not apply to any semiautomatic assault weapon
18 possessed by:

19 (1) a federal law enforcement officer or a law enforcement officer
20 certified as a law enforcement officer by the Vermont Criminal Justice Council

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

3 (2) an active member of the Vermont National Guard, the National
4 Guard of another state, or the U.S. Armed Forces.

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

6 (A) a semiautomatic rifle that has the ability to accept a detachable
7 magazine and has at least one of the following features:

8 (i) a folding or telescoping stock;

9 (ii) a pistol grip that protrudes conspicuously beneath the action of
10 the weapon;

11 (iii) a thumbhole stock;

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

14 (v) a bayonet mount;

15 (vi) a flash suppressor, muzzle break, muzzle compensator, or
16 threaded barrel designed to accommodate a flash suppressor, muzzle break, or
17 muzzle compensator; or

18 (vii) a grenade launcher;

19 (B) a semiautomatic pistol that has the ability to accept a detachable
20 magazine and has at least one of the following features:

21 (i) a folding or telescoping stock;

1 (ii) a thumbhole stock;

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

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

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

8 (vi) a shroud that is attached to, or partially or completely
9 encircles, the barrel and that permits the shooter to hold the firearm with the
10 nontrigger hand without being burned;

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

13 (viii) a semiautomatic version of an automatic firearm; or

14 (C) a semiautomatic shotgun that has at least one of the following
15 features:

16 (i) a folding or telescoping stock;

17 (ii) a thumbhole stock;

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

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

21 (v) the ability to accept a detachable magazine.

1 (2) “Semiautomatic assault weapon” does not include:

2 (A) a firearm that:

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

4 (ii) has been rendered permanently inoperable; or

5 (iii) is an antique firearm as defined in section 4017 of this title;

6 (B) a semiautomatic rifle that cannot accept a detachable magazine

7 that holds more than five rounds of ammunition; or

8 (C) a semiautomatic shotgun that cannot hold more than five rounds

9 of ammunition in a fixed or detachable magazine.

10 Sec. 2. EFFECTIVE DATE

11 This act shall take effect on passage.