

1

S.209

2 An act relating to prohibiting unserialized firearms and unserialized  
3 firearms frames and receivers

4 The House proposes to the Senate to amend the bill by striking out all after

5 the enacting clause and inserting in lieu thereof the following:

6 Sec. 1. 13 V.S.A. chapter 85 is amended to read:

7 CHAPTER 85. WEAPONS

8 \* \* \*

9 Subchapter 4. Unserialized Firearms and Firearms Frames and Receivers

10 § 4081. SHORT TITLE

11 This subchapter shall be known as the “Vermont Ghost Guns Act.”

12 § 4082. DEFINITIONS

13 As used in this subchapter:

14 (1) “Federal firearms licensee” means a federally licensed firearm  
15 dealer, federally licensed firearm importer, and federally licensed firearm  
16 manufacturer.

17 (2) “Federally licensed firearm dealer” means a licensed dealer as  
18 defined in 18 U.S.C. § 921(a)(11).

19 (3) “Federally licensed firearm importer” means a licensed importer as  
20 defined in 18 U.S.C. § 921(a)(9).

1           (4) “Federally licensed firearm manufacturer” means a licensed  
2 manufacturer as defined in 18 U.S.C. § 921(a)(10).

3           (5) “Fire control component” means a component necessary for the  
4 firearm to initiate, complete, or continue the firing sequence, including any of  
5 the following: hammer, bolt, bolt carrier, breechblock, cylinder, trigger  
6 mechanism, firing pin, striker, or slide rails.

7           (6) “Frame or receiver of a firearm” means a part of a firearm that, when  
8 the complete firearm is assembled, is visible from the exterior and provides  
9 housing or a structure designed to hold or integrate one or more fire control  
10 components, even if pins or other attachments are required to connect the fire  
11 control components. Any part of a firearm imprinted with a serial number is  
12 presumed to be a frame or receiver of a firearm unless the Federal Bureau of  
13 Alcohol, Tobacco, Firearms and Explosives makes an official determination  
14 otherwise or there is other reliable evidence to the contrary.

15           (7) “Three-dimensional printer” means a computer-aided manufacturing  
16 device capable of producing a three-dimensional object from a three-  
17 dimensional digital model through an additive manufacturing process that  
18 involves the layering of two-dimensional cross sections formed of a resin or  
19 similar material that are fused together to form a three-dimensional object.

20           (8) “Unfinished frame or receiver” means any forging, casting, printing,  
21 extrusion, machined body, or similar article that has reached a stage in

1 manufacture when it may readily be completed, assembled, or converted to be  
2 used as the frame or receiver of a functional firearm or that is marketed or sold  
3 to the public to become or be used as the frame or receiver of a functional  
4 firearm once completed, assembled, or converted.

5 (9) “Violent crime” has the same meaning as in section 4017 of this  
6 title.

7 § 4083. UNLAWFUL CONDUCT INVOLVING UNSERIALIZED  
8 FIREARMS, FRAMES, AND RECEIVERS

9 (a)(1) A person shall not knowingly possess an unfinished frame or  
10 receiver unless the unfinished frame or receiver has been imprinted with a  
11 serial number by a federal firearms licensee pursuant to federal law or section  
12 4084 of this title.

13 (2) A person shall not knowingly transfer or offer to transfer an  
14 unfinished frame or receiver unless the unfinished frame or receiver has been  
15 imprinted with a serial number by a federal firearms licensee pursuant to  
16 federal law or section 4084 of this title.

17 (3) This subsection shall not apply to:

18 (A) a federal firearms licensee acting within the scope of the  
19 licensee’s license;

1           (B) possession or transfer of an unfinished frame or receiver for the  
2 purpose of having it imprinted with a serial number pursuant to federal law or  
3 section 4084 of this title; or

4           (C) an unfinished frame or receiver transferred to or possessed by a  
5 law enforcement officer for legitimate law enforcement purposes.

6           (b)(1) A person shall not knowingly possess a firearm or frame or receiver  
7 of a firearm that is not imprinted with a serial number by a federal firearms  
8 licensee pursuant to federal law or section 4084 of this title.

9           (2) A person shall not knowingly transfer or offer to transfer a firearm or  
10 frame or receiver of a firearm that is not imprinted with a serial number by a  
11 federal firearms licensee pursuant to federal law or section 4084 of this title.

12           (3) This subsection shall not apply to:

13           (A) a federal firearms licensee acting within the scope of the  
14 licensee's license;

15           (B) possession or transfer of a firearm or frame or receiver of a  
16 firearm for the purpose of having it imprinted with a serial number pursuant to  
17 federal law or section 4084 of this title;

18           (C) an unserialized frame or receiver transferred to or possessed by a  
19 law enforcement officer for legitimate law enforcement purposes;

20           (D) an antique firearm as defined in subsection 4017(d) of this title;

21           (E) a firearm that has been rendered permanently inoperable; or

1           (F) a firearm that was manufactured before 1968.

2           (c)(1) A person who manufactures a firearm or frame or receiver of a  
3 firearm, including by a three-dimensional printer, shall cause the firearm,  
4 frame, or receiver to be imprinted with a serial number by a federal firearms  
5 licensee pursuant to federal law or section 4084 of this title.

6           (2) This subsection shall not apply to:

7           (A) a federally licensed firearms manufacturer acting within the  
8 scope of the manufacturer's license; or

9           (B) possession or transfer of a firearm or frame or receiver of a  
10 firearm for the purpose of having it imprinted with a serial number pursuant to  
11 federal law or section 4084 of this title.

12           (d)(1) A person who violates subdivision (a)(1) or (b)(1) of this section  
13 shall be:

14           (A) for a first offense, assessed a civil penalty of not more than  
15 \$50.00;

16           (B) for a second offense, assessed a civil penalty of not more than  
17 \$250.00; and

18           (C) for a third or subsequent offense, assessed a civil penalty of not  
19 more than \$500.00.

20           (2) A person who violates subdivision (a)(2), (b)(2), or (c)(1) of this  
21 section shall be:

1           (A) for a first offense, imprisoned for not more than one year or fined  
2 not more than \$500.00, or both;

3           (B) for a second offense, imprisoned for not more than two years or  
4 fined not more than \$1,000.00, or both; and

5           (C) for a third or subsequent offense, imprisoned for not more than  
6 three years or fined not more than \$2,000.00, or both.

7           (3) A person who carries an unserialized firearm while committing a  
8 violent crime, or while committing reckless endangerment in violation of  
9 section 1025 of this title, shall be imprisoned for not more than five years or  
10 fined not more than \$5,000.00, or both.

11 § 4084. FEDERAL FIREARMS LICENSEES; AUTHORITY TO  
12 SERIALIZE FIREARMS, FRAMES, AND RECEIVERS

13           (a)(1) A federal firearms licensee may imprint a serial number on, or cause  
14 a serial number to be imprinted on, an unserialized firearm or frame or receiver  
15 of a firearm pursuant to this section.

16           (2) A licensee who causes a serial number to be imprinted on an  
17 unserialized firearm or frame or receiver of a firearm pursuant to subdivision

18 (1) of this subsection shall:

19           (A) ensure that the firearm, frame, or receiver remains in the custody  
20 and control of the licensee and is returned to the licensee immediately after it is  
21 serialized; and

1           (B) otherwise comply with the requirements of this section.

2           (b)(1) A firearm, frame, or receiver serialized pursuant to this section shall  
3 be imprinted with a serial number that begins with the licensee's abbreviated  
4 federal firearms license number, which is the first three and last five digits of  
5 the license number, and is followed by a hyphen that precedes a unique  
6 identification number. The serial number shall not be duplicated on any other  
7 firearm, frame, or receiver serialized by the licensee and shall be imprinted in a  
8 manner that complies with the requirements under federal law for affixing  
9 serial numbers to firearms, including that the serial number be at the minimum  
10 size and depth and not susceptible to being readily obliterated, altered, or  
11 removed.

12           (2) A licensee who serializes or causes to be serialized a firearm, frame,  
13 or receiver pursuant to this section shall make and retain records of the  
14 serialization that comply with the requirements under federal law for the sale  
15 of a firearm. In addition to any record required by federal law, the record shall  
16 include the date, name, age, and residence of any person to whom the item is  
17 transferred and the unique serial number imprinted on the firearm, frame, or  
18 receiver.

19           (3) A licensee shall not be deemed a firearms manufacturer solely for  
20 serializing a firearm, frame, or receiver pursuant to this section.





1 Sec. 3. 13 V.S.A. § 4019a is amended to read:

2 § 4019a. FIREARMS TRANSFERS; WAITING PERIOD

3 (a) A person shall not transfer a firearm to another person until 72 hours  
4 after the licensed dealer facilitating the transfer is provided with a unique  
5 identification number for the transfer by the National Instant Criminal  
6 Background Check System (NICS) or seven business days have elapsed since  
7 the dealer contacted NICS to initiate the background check, whichever occurs  
8 first.

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

12 (c) This section shall not apply to a firearm transfer that does not require a  
13 background check under 18 U.S.C. § 922(t) or section 4019 of this title.

14 (d) As used in this section, “firearm” has the same meaning as in  
15 subsection 4017(d) of this title.

16 (e)(1) This section shall not apply to a firearms transfer at a gun show.

17 (2) As used in this subsection, “gun show” means a function sponsored  
18 by:

19 (A) a national, state, or local organization, devoted to the collection,  
20 competitive use, or other sporting use of firearms; or

1 (B) an organization or association that sponsors functions devoted to  
2 the collection, competitive use, or other sporting use of firearms in the  
3 community.

4 (3) This subsection shall be repealed on ~~July 1, 2024~~ July 1, 2025.

5 (f) This section shall not apply to the return of a firearm, frame, or receiver  
6 to a person by a licensed dealer after the dealer has serialized it pursuant to  
7 federal law or section 4084 of this title if the dealer returns the firearm, frame,  
8 or receiver to the same person from whom it was received.

9 Sec. 4. 13 V.S.A. § 4027 is added to read:

10 § 4027. POLLING PLACES; WEAPONS PROHIBITED

11 (a)(1) A person shall not knowingly possess a firearm or a dangerous or  
12 deadly weapon at a polling place, or on the walks leading to a building in  
13 which a polling place is located, on an election day.

14 (2) The provisions of subdivision (1) of this subsection shall apply to the  
15 town clerk's office during any period when a board of civil authority has voted  
16 to permit early voting pursuant to 17 V.S.A. § 2546b(a)(1).

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

19 (c) This section shall not apply to:

20 (1) a firearm or a dangerous or deadly weapon carried for legitimate law  
21 enforcement purposes by a federal law enforcement officer or a law

1 enforcement officer certified as a law enforcement officer by the Vermont  
2 Criminal Justice Council pursuant to 20 V.S.A. § 2358;

3 (2) a firearm or a dangerous or deadly weapon carried by a person while  
4 performing the person’s official duties as an employee of the United States; a  
5 department or agency of the United States; a state; or a department, agency, or  
6 political subdivision of a state, if the person is authorized to carry a firearm or  
7 a dangerous or deadly weapon as part of the person’s official duties; or

8 (3) a firearm or a dangerous or deadly weapon stored in a motor vehicle.

9 (d) Notice of the provisions of this section shall be posted conspicuously at  
10 each public entrance to each polling place.

11 (e) As used in this section:

12 (1) “Dangerous or deadly weapon” has the same meaning as in section  
13 4016 of this title.

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

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

17 Sec. 5. 17 V.S.A. § 2510 is added to read:

18 § 2510. POLLING PLACES; WEAPONS PROHIBITED

19 (a)(1) A person shall not knowingly possess a firearm or a dangerous or  
20 deadly weapon at a polling place, or on the walks leading to a building in  
21 which a polling place is located, on an election day.

1           (2) The provisions of subdivision (1) of this subsection shall apply to the  
2 town clerk’s office during any period when a board of civil authority has voted  
3 to permit early voting pursuant to subdivision 2546b(a)(1) of this title.

4           (b) This section shall not apply to:

5           (1) a firearm or a dangerous or deadly weapon carried for legitimate law  
6 enforcement purposes by a federal law enforcement officer or a law  
7 enforcement officer certified as a law enforcement officer by the Vermont  
8 Criminal Justice Council pursuant to 20 V.S.A. § 2358;

9           (2) a firearm or a dangerous or deadly weapon carried by a person while  
10 performing the person’s official duties as an employee of the United States; a  
11 department or agency of the United States; a state; or a department, agency, or  
12 political subdivision of a state, if the person is authorized to carry a firearm or  
13 a dangerous or deadly weapon as part of the person’s official duties; or

14           (3) a firearm or a dangerous or deadly weapon stored in a motor vehicle.

15           (c) Notice of the provisions of this section shall be posted conspicuously at  
16 each public entrance to each polling place.

17           (d) As used in this section:

18           (1) “Dangerous or deadly weapon” has the same meaning as in 13  
19 V.S.A. § 4016.

20           (2) “Firearm” has the same meaning as in section 13 V.S.A. § 4017.

1           (3) “Polling place” means a place that a municipality has designated to  
2 the Secretary of State as a polling place pursuant to subsection 2502(f) of this  
3 title.

4 Sec. 6. REPORT; VERMONT STATISTICAL ANALYSIS CENTER (SAC)

5           On or before January 1, 2026, the Vermont Statistical Analysis Center  
6 (SAC) shall report data on prosecutions under Sec. 1 of this act to the House  
7 and Senate Committees on Judiciary. The report shall include:

8           (1) the number of civil violations filed and adjudications obtained for  
9 violations of 13 V.S.A. § 4083(a)(1) or (b)(1) relating to possessing a firearm,  
10 frame or receiver of a firearm, or unfinished frame or receiver of a firearm that  
11 is not imprinted with a serial number;

12           (2) the number of criminal charges filed and convictions obtained for  
13 violations of 13 V.S.A. § 4083(a)(2), (b)(2), or (c)(1) relating to transferring,  
14 offering to transfer, or manufacturing a firearm, frame or receiver of a firearm,  
15 or unfinished frame or receiver of a firearm that is not imprinted with a serial  
16 number;

17           (3) the number of criminal charges filed and convictions obtained for  
18 violations of 13 V.S.A. § 4083(d)(3) relating to carrying an unserialized  
19 firearm while committing a violent crime, or while committing reckless  
20 endangerment; and

1           (4) the number of criminal charges filed and convictions obtained for  
2 violations of 13 V.S.A. § 4084(b) or (c) relating to improper serialization or  
3 handling of a firearm or frame or receiver of a firearm by a federal firearms  
4 licensee.

5 Sec. 7. REPORT ON FIREARMS IN MUNICIPAL BUILDINGS;

6           VERMONT LEAGUE OF CITIES AND TOWNS

7           (a) On or before January 15, 2025, the Office of the Secretary of State, in  
8 consultation with the Vermont League of Cities and Towns and the Vermont  
9 Municipal Clerks and Treasurers Association, shall report to the House and  
10 Senate Committees on Judiciary, the House Committee on Government  
11 Operations and Military Affairs, and the Senate Committee on Government  
12 Operations on options for prohibiting firearms in municipal buildings.

13           (b) The report required by this section shall include recommendations on  
14 the following topics:

15           (1) whether the preferable approach is:

16           (A) for the General Assembly to pass a statute prohibiting firearms in  
17 municipal buildings statewide; or

18           (B) for municipalities to be provided with the authority to decide  
19 whether to pass an ordinance prohibiting firearms in municipal buildings;

20           (2) whether a statewide prohibition should include a definition of the  
21 term “municipal building,” and if so, what that definition should be; and

1           (3) which municipal buildings should be covered and which should not  
2 be covered by a prohibition on possessing firearms in municipal buildings.

3           (c) As used in this section, “firearm” has the same meaning as in 13 V.S.A.  
4 § 4017(d).

5 Sec. 8. EFFECTIVE DATES

6           (a) Secs. 1 and 2 of this act shall take effect on February 28, 2025.

7           (b) Secs. 3, 4, 5, 6, 7, and this section shall take effect on passage.