

1 H.45

2 Introduced by Representatives Bluemle of Burlington, Stone of Burlington,  
3 Duke of Burlington, Headrick of Burlington, Hooper of  
4 Burlington, Kleppner of Burlington, Logan of Burlington, and  
5 Rachelson of Burlington

6 Referred to Committee on

7 Date:

8 Subject: Firearms; premises where alcohol served; possession prohibited

9 Statement of purpose of bill as introduced: This bill proposes to prohibit  
10 possession of firearms on premises where alcohol is licensed to be served and  
11 to require that notice of the prohibition be posted at each premises.

12 An act relating to prohibiting possession of firearms on premises where  
13 alcohol is licensed to be served

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

15 Sec. 1. 13 V.S.A. § 4028 is added to read:

16 § 4028. POSSESSION OF FIREARMS PROHIBITED ON PREMISES

17 LICENSED TO SERVE ALCOHOL

18 (a) A person shall not knowingly possess a firearm on premises where  
19 alcohol is licensed to be served.

1       (b) The owner or operator of a premises where alcohol is licensed to be  
2       served shall cause notice of the provisions of this section to be posted  
3       conspicuously at each public entrance to the premises.

4       (c)(1) A person who violates subsection (a) of this section shall be  
5       imprisoned for not more than one year or fined not more than \$1,000.00, or  
6       both.

7       (2) A person who violates subsection (b) of this section shall be fined  
8       not more than \$500.00.

9       (d) A permit or license to serve alcohol at a premises granted pursuant to  
10       Title 7 may be suspended or revoked by the control commissioners or the  
11       Board of Liquor and Lottery pursuant to chapter 9 of that title if a second or  
12       subsequent violation of subsection (a) or (b) of this section occurs at the  
13       premises.

14       (e) This section shall not apply to:

15               (1) premises used by the holder of a second-class license; or

16               (2) a firearm possessed by:

17                       (A) a federal law enforcement officer or a law enforcement officer  
18       certified as a law enforcement officer by the Vermont Criminal Justice  
19       Training Council pursuant to 20 V.S.A. § 2358, for legitimate law enforcement  
20       purposes;

1           (B) a law enforcement officer of another state who is authorized to  
2           carry a firearm by the officer’s state or local law enforcement agency and is  
3           carrying the firearm for legitimate law enforcement purposes;

4           (C) a member of the Vermont National Guard, of the National Guard  
5           of another state, or of the U.S. Armed Forces who is on duty and acting under  
6           state or federal orders; or

7           (D) the owner of the premises, provided the owner is not prohibited  
8           from possessing a firearm under state or federal law.

9           (e) As used in this section, “firearm” has the same meaning as in subsection  
10          4017(d) of this title.

11          Sec. 2. EFFECTIVE DATE

12          This act shall take effect on passage.