Vermont Federation of Sportsmen's Clubs
Testimony on H.606
Senate Judiciary 4/3/2026

Section 1 – Amend 13 VSA § 2501
We have no objection to this section.

As a point of consideration however, we foresee a situation where the State could prosecute a criminal who steals a firearm under the proposed amendment to 13 VSA § 2501, while at the same time the State could also possibly prosecute the victim of that theft under 13 VSA § 4024 (Negligent firearms storage).

We suggest that an amendment be considered for 13 VSA § 2501, with suggested verbiage being:

> *(c) Charging a person under this section will disallow the victim of the theft from being prosecuted under 13 VSA § 4024.*

Section 2 – Amend 13 VSA § 4017
We have no objection to this section.

Section 3 – Amend 13 VSA § 4017a
In reviewing the new sections (5)(A) and (5)(B), we see that these sections conform to existing Federal Law as specified in 18 USC § 922(g). Likewise, the first part of (5)(C) also parallels 922(g).

We are concerned however over the 2nd part of (5)(C) which states "*or a nonhospitalization order issued by the court pursuant to 18 VSA § 7617(b)(3).*"

18 USC 922(g)(4) bars possession by individuals who are "adjudicated as having a mental defect or who has been committed to a mental institution." Historically, both the ATF and federal courts interpret "committed" to mean formal involuntary commitment, not "nonhospitalization" or "outpatient therapy." Further, firearm

prohibitions for prohibited people focus on people who are dangerous or confused, not people who are allowed to live in the community who may be under treatment.

In testimony yesterday, the phrase “dangerous to themselves or others” was used several times in relation to this section, but that phrase would not apply to someone who a court decided was a candidate for nonhospitalization treatment.

If in fact there was a concern that a person was at risk of doing harm to themselves or others, then the appropriate course of action would be an Extreme Risk Protection Order.

We strongly suggest that the 2nd part of (5)(C) which states “*or a nonhospitalization order issued by the court pursuant to 18 VSA § 7617(b)(3)*” be struck.

If that were done, we would have no further objection to this section.

Section 4 – Amend 13 VSA § 4022
We have no objection to this section.

Firearm Relinquishment Amendment – Amend 20 VSA § 2307
In the interests of full disclosure, I was invited to serve as a Consultant to the Firearm Relinquishment Study Group. I provided written testimony and was invited to participate and speak to the group once.

After giving input, and as is usually the case with firearms bills, while the VTFSC was given a copy of the proposed language this past Tuesday – our input was never sought on the language that is now being proposed.

As we understand it, the Final Report was delivered in November. Early in the session we noted H.571, but it was only in Short Form. At some point after that, and while H.606 was being worked on in House Judiciary, we were provided with a full version of H.571. We were told that H.571 would likely be amended into H.606 by that committee.

In reviewing the version I was provided with, I immediately contacted Chair LaLonde because the submitted bill had missed a substantial part of "relinquishment" in that neither the Report, nor the newly minted bill, addressed ERPO. This occurred despite my written testimony to the Study Committee and my specifically mentioning that both DV and ERPO should be addressed when I was asked to speak to the Committee.

I believe it is for that reason that this amendment did not make it into the discussion of H.606, and I have to ask the question: If the need for this bill/amendment was so dire, how did it miss one entire section of law relating to relinquishment, and where was it across the earlier part of this session such that it could have been at least somewhat vetted?

We do understand and agree that there needs to be a uniform process to handle the relinquishment of firearms.

We also understand that with the recent change to temporary RFAs, which now allow for an ex parte defendant to be required to relinquish their firearms, coupled with recent changes to DV Forms which are now very heavily focused on whether or not the defendant has firearms or not, will increase the number of firearms that are forced to be relinquished.

We understand that most LE do not have the facilities to store firearms, and that there is a reliance on FFLs to take up the storage burden, with 8 currently FFLS of the 345 FFLS registered in VT with the ATF.

As an aside here, there were 3,200 RFA petitions filed in 2024. Of those, 1,069 were dismissed, leaving 2,131 where Temporary Orders were granted. While not all of those 2,131 defendants all had firearms, that could potentially be 2,131 relinquishments.

Of those 2,131 Temporary Orders that may have resulted in relinquishments, over ½ apparently should not have had their firearms relinquished.

When 20 VSA 2307 became law, the VTFSC heavily participated in its creation, and one of the things we were insistent about was that beyond LE and FFLs being able to store relinquished firearms, there must be a third-party alternative.

In current law, a 3rd party could become involved as early as the temporary hearing. That has now been removed, in favor of forcing a sperate hearing for the 3rd party, something that can only cause delays and further burden the court's docket.

Further: While both LE and FFLs have been given immunity, there is no immunity for a third party.

We are not aware, and we ask the AG's Office for clarification, as to any data on whether 3rd party storage has had any difficulties that would require a separate hearing.

It is a fact that all firearms have value; that some firearms are very expensive with expensive attachments like scopes; that many firearms have intrinsic emotional value because it was a father's or grandfather's firearm. For someone like me, who is a moderate collector, someone coming to my house to pick up firearms that I am ordered to be relinquish would face a daunting task. It would not be appropriate to stack firearms without cases or padding into the trunk or back seat of a cruiser.

And what would be done with gun safes that are locked?

What would be done when there is a discrepancy between the purported victim and the accused over who owns what weapon, or do we err on the side of caution and take all of them – leaving the purported victim defenseless?

Per current Guidelines on the DPS Firearm Relinquishment page, it speaks to how the sale of firearms should proceed, with the owner getting any leftover money after all storage fees are settled. This amendment changes that: Allowing LE or the FFL to retain all proceeds - again with no provision for a 3rd party.

In regard to the 8 FFLs listed as storage sites on the DPS webpage, I tried to contact each yesterday. 1 will absolutely no longer do this due to being sued for

handling firearms in a DV case that was ultimately dismissed. 1 FFL was out of business. 2 did not answer their phone. 2 of the FFLs were shops with a sole proprietor, and both had limited storage available – 1 stated that he could not handle storage for someone with more than 10 long guns.

Ideally, the State should look to build or create a firearm storage facility, but as that would be a fiscal expenditure that we likely cannot afford for the near term, a very viable alternative would be to actively promote 3rd party storage, NOT discourage it.

The VTFSC stands ready to help assist in correcting this possible bill, but the complete mishandling of a 3rd party solution across numerous sections of this bill, in addition to other problems – some of which we simple have not had time to fully outline, will require a great deal of time, and possibly another working group to fix.

We oppose this amendment as not providing the best solution to a very complex problem.

We further request that the Defender General's Office be allowed to review this amendment (as well as the Guns in Bars amendment, should that stay alive), and we further respectfully request that we bring in a knowledgeable FFL like Henry Parro, as well as consider asking the NSSF to give testimony, which is an organization that represents the gun industry and FFLs.

Page 2, Line 16 – we believe it should reference subdivision (1), not (2).

Ban Firearms in Establishments that Sell Liquor Amendment
As of last evening, I was unable to find the amendment that was proposed by Senator Baruth for no guns where alcohol is served.

We believe, however, that such a bill would be patterned after what was proposed in the Charter Change for Burlington. As we know, a previous attempt to change the Charter of Burlington to accommodate a "No Guns in Bars" ordinance failed to

pass a number of years ago, and when it was recently revived this last session in S.131, it appears to have failed again.

Such a law would be a “sensitive place” statute, and we would be strongly opposed.

As a side note here, you should be aware of H.45, a bill submitted very early last session, that called for creating a law which would ban guns in bars statewide. For the record, that bill was so highly valued that it was never introduced into House Judiciary, and we conjecture that this was because it clearly created a sensitive place.

We all know that the United States Supreme Court (SCOTUS) has opined that there are indeed sensitive places and they even listed several: Courts, Legislatures and Polling Places.

We believe that SCOTUS specifically listed those places because in each: The Government provided security. Courts and Legislatures have onsite police, and historically: Sheriffs guarded polling places.

In the absence of Government provided security, or security provided by another source utilizing screening equipment, performing bag checks and having the requisite security guards: Citizens coming and going to a place designated as a sensitive place where firearms are not allowed have no protection at all.

We believe we understand that, with the noted exception of the 2 fairly recent shootings in Burlington that happened outside of bars, we are not aware of any other shootings that occurred in Vermont bars.

A No Guns in Bars statute would affect more than bars. It would affect restaurants and hotels, but it would possibly make exceptions for other venues that serve alcohol – such as weddings and parties. Should such a bill use the term “premise,” according to the definition of “premise” I find in statute, that would extend to parking lots.

Consider a young woman that worked in a bar at Burlington, and as she carries home her tips from that night: She has no means to defend herself in a city that is experiencing violent crime.

Consider a father who has opted to use his constitutional right to carry a firearm for the defense of himself and family, and he wishes to take his family out to a restaurant for a meal with none of them drinking alcohol. Does he lose his right to defense when no other means of defense is provided, not only in the restaurant but also as they come and go?

Consider a businessman who services an ATM at an establishment that serves alcohol and who routinely carries thousands of dollars and also carries a firearm for self-defense. What is he supposed to do, leave the firearm in his vehicle?

If this amendment is to be accepted into this bill, the VTFSC respectfully requests that we be given a chance to review the language and then be given the opportunity to provide further pointed testimony against it.

In summary, we oppose such an amendment/bill, and we believe we understand that our Governor has already indicated that he would veto such a bill if it ever made it to his desk.