

1
2
3
4
5
6
7
8
9
10

11
12
13
14
15
16
17
18
19
20

S.259

Introduced by Senators Baruth, Ashe, Balint, Bray, Clarkson, Hardy, Hooker,
Ingram, Lyons, McCormack, Pearson, Perchlik, Pollina and
Sirotkin

Referred to Committee on

Date:

Subject: Crimes; weapons; semiautomatic assault weapons; prohibition on
possession at particular locations

Statement of purpose: This bill proposes to prohibit the possession of
semiautomatic assault weapons at certain specified locations.

An act relating to semiautomatic assault weapons

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

Sec. 1. 13 V.S.A. § 4023 is added to read

§ 4023. SEMIAUTOMATIC ASSAULT WEAPONS

(a) A person shall not possess a semiautomatic assault weapon at a
prohibited location.

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

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

1 (1) a federal law enforcement officer or a law enforcement officer
2 certified as a law enforcement officer by the Vermont Criminal Justice
3 Training Council pursuant to 20 V.S.A. § 2358, for legitimate law enforcement
4 purposes, whether the officer is on or off duty; or

5 (2) the United States or a department or agency of the United States, or
6 by any state or by a department, agency, or political subdivision of a state.

7 (d) As used in this section:

8 (1) “Prohibited location” means:

9 (A) A publicly owned building or office as defined in 18 V.S.A.
10 § 1741.

11 (B) A meeting of the Legislature or a legislative committee.

12 (C) A meeting of a public body as defined in 1 V.S.A. § 310.

13 (D) An office of a law enforcement agency as defined in 20 V.S.A.
14 § 2351a.

15 (E) A vehicle operated by a State, municipal, or nonprofit public
16 transit system.

17 (F) A polling place.

18 (G) A house of worship.

19 (H) A hospital as defined in 18 V.S.A. § 1902.

20 (I) A child care facility as defined in 18 V.S.A. § 3511.

21 (J) An airport.

1 (K) A public park, public beach, or public recreation center.

2 (L) A restaurant, bar, or cabaret licensed to serve alcohol.

3 (M) A theater, concert hall, auditorium, stadium, arena, or an outdoor
4 music concert or festival.

5 (N) A school, college, or professional athletic event not related to
6 firearms.

7 (O) A public demonstration. As used in this subdivision (1), “public
8 demonstration” means 25 or more persons gathered in a public location and
9 demonstrating, picketing, speechmaking, marching, holding a vigil, or
10 engaging in any other similar conduct that involves the communication or
11 expression of views or grievances and that has the effect, intent, or propensity
12 to attract a crowd of onlookers.

13 (P) A retailer as defined in 32 V.S.A. § 9711.

14 (2)(A) “Semiautomatic assault weapon” means:

15 (i) A semiautomatic rifle that has an ability to accept a detachable
16 magazine and has at least one of the following features:

17 (I) a folding or telescoping stock;

18 (II) a pistol grip that protrudes conspicuously beneath the
19 action of the weapon;

20 (III) a thumbhole stock;

1 (IV) a second handgrip or a protruding grip that can be held by
2 the non-trigger hand;

3 (V) a bayonet mount;

4 (VI) a flash suppressor, muzzle break, muzzle compensator, or
5 threaded barrel designed to accommodate a flash suppressor, muzzle break, or
6 muzzle compensator; or

7 (VII) a grenade launcher.

8 (ii) A semiautomatic pistol that has an ability to accept a
9 detachable magazine and has at least one of the following features:

10 (I) a folding or telescoping stock;

11 (II) a thumbhole stock;

12 (III) a second handgrip or a protruding grip that can be held by
13 the non-trigger hand;

14 (IV) capacity to accept an ammunition magazine that attaches
15 to the pistol outside the pistol grip;

16 (V) a threaded barrel capable of accepting a barrel extender,
17 flash suppressor, forward handgrip, or silencer;

18 (VI) a shroud that is attached to, or partially or completely
19 encircles, the barrel and that permits the shooter to hold the firearm with the
20 non-trigger hand without being burned;

1 (VII) a manufactured weight of 50 ounces or more when the
2 pistol is unloaded; or

3 (VIII) a semiautomatic version of an automatic firearm.

4 (iii) A semiautomatic shotgun that has at least two of the
5 following features:

6 (I) a folding or telescoping stock;

7 (II) a thumbhole stock;

8 (III) a second handgrip or a protruding grip that can be held by
9 the non-trigger hand; or

10 (IV) an ability to accept a detachable magazine.

11 (B) “Semiautomatic assault weapon” shall not include:

12 (i) a firearm that:

13 (I) is manually operated by bolt, pump, lever, or slide action;

14 (II) has been rendered permanently inoperable; or

15 (III) is an antique firearm as defined in section 4017 of this

16 title;

17 (ii) a semiautomatic rifle that cannot accept a detachable magazine

18 that holds more than five rounds of ammunition; or

19 (iii) a semiautomatic shotgun that cannot hold more than five

20 rounds of ammunition in a fixed or detachable magazine.

1 Sec. 2. EFFECTIVE DATE

2 This act shall take effect on July 1, 2020.