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H.582

Introduced by Representatives Mrowicki of Putney, Berbeco of Winooski,  
Carpenter of Hyde Park, Goldman of Rockingham, and  
Krasnow of South Burlington

Referred to Committee on

Date:

Subject: Crimes; firearms; semiautomatic assault weapons

Statement of purpose of bill as introduced: This bill proposes to prohibit  
possession of semiautomatic assault weapons.

An act relating to prohibiting possession of semiautomatic assault weapons

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

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

§ 4027. POSSESSION OF SEMIAUTOMATIC ASSAULT WEAPONS

PROHIBITED

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

(b) A person who violates this section shall be imprisoned for not more  
than one year or fined not more than \$500.00, 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 Council  
3           pursuant to 20 V.S.A. § 2358 for legitimate law enforcement purposes,  
4           whether the officer is on or off duty; or

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

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

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

10           (i) a folding or telescoping stock;

11           (ii) a pistol grip that protrudes conspicuously beneath the action of  
12           the weapon;

13           (iii) a thumbhole stock;

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

16           (v) a bayonet mount;

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

20           (vii) a grenade launcher;

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

3           (i) a folding or telescoping stock;

4           (ii) a thumbhole stock;

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

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

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

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

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

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

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

19           (i) a folding or telescoping stock;

20           (ii) a thumbhole stock;

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

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

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

5                    (2) "Semiautomatic assault weapon" does not include:

6                    (A) a firearm that:

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

8                    (ii) has been rendered permanently inoperable; or

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

10                   (B) a semiautomatic rifle that cannot accept a detachable magazine  
11 that holds more than five rounds of ammunition; or

12                   (C) a semiautomatic shotgun that cannot hold more than five rounds  
13 of ammunition in a fixed or detachable magazine.

14                   Sec. 2. EFFECTIVE DATE

15                   This act shall take effect on passage.