1	H.56
2	Introduced by Representatives Till of Jericho and Brennan of Colchester
3	Referred to Committee on
4	Date:
5	Subject: Fish and wildlife; game; hunting; gun suppressors
6	Statement of purpose of bill as introduced: This bill proposes to authorize a
7	person to possess, carry, or use a gun suppressor while taking game with a gun
8	An act relating to the use of gun suppressors for hunting
9	It is hereby enacted by the General Assembly of the State of Vermont:
10	Sec. 1. 13 V.S.A. § 4010 is amended to read:
11	§ 4010. GUN SUPPRESSORS
12	(a) As used in this section:
13	(1) "Gun suppressor" means any device for silencing, muffling, or
14	diminishing the report of a portable firearm, including any combination of
15	parts, designed or redesigned, and intended for use in assembling or fabricating
16	a gun suppressor, and any part intended only for use in such assembly or
17	fabrication.
18	(2) "Sport shooting range" shall have the same meaning as used in 10
19	V.S.A. § 5227(a).

1	(b) A person shall not manufacture, make, or import a gun suppressor,
2	except for:
3	(1) a licensed manufacturer, as defined in 18 U.S.C. § 921, who is
4	registered as a manufacturer pursuant to 26 U.S.C. § 5802;
5	(2) a licensed importer, as defined in 18 U.S.C. § 921, who is registered
6	as an importer pursuant to 26 U.S.C. § 5802; or
7	(3) a person who makes a gun suppressor in compliance with the
8	requirements of 26 U.S.C. § 5822.
9	(c) A person shall not use a gun suppressor in the State, except for use by:
10	(1) a Level III certified law enforcement officer or Department of Fish
11	and Wildlife employee in connection with his or her duties and responsibilities
12	and in accordance with the policies and procedures of that officer's or
13	employee's agency or department;
14	(2) the Vermont National Guard in connection with its duties and
15	responsibilities;
16	(3) a licensed manufacturer or a licensed importer, as defined in 18
17	U.S.C. § 921, who is also registered as a manufacturer or an importer pursuant
18	to 26 U.S.C. § 5802, who in the ordinary course of his or her business as a
19	manufacturer or as an importer tests the operation of the gun suppressor; or
20	(4) a person lawfully using a sport shooting range; or
21	(5) a person taking game as authorized under 10 V.S.A. § 4701.

1	(d)(1) A person who violates subsection (b) of this section shall be fined
2	not less than \$500.00 for each offense.
3	(2) A person who violates subsection (c) of this section shall be fined
4	\$50.00 for each offense.
5	Sec. 2. 10 V.S.A. § 4701 is amended to read:
6	§ 4701. USE OF GUN, BOW AND ARROW, AND CROSSBOW; LEGAL
7	DAY; DOGS <u>; GUN SUPPRESSORS</u>
8	(a) Unless otherwise provided by statute, a person shall not take game
9	except with:
10	(1) a gun fired at arm's length;
11	(2) a bow and arrow; or
12	(3) a crossbow as authorized under section 4711 of this title or as
13	authorized by the rules of the Board.
14	(b) A person shall not take game between one-half hour after sunset and
15	one-half hour before sunrise unless otherwise provided by statute or by the
16	rules of the Board.
17	(c) A person may take game and fur-bearing animals during the open
18	season therefor, with the aid of a dog, unless otherwise prohibited by statute or
19	by the rules of the Board.
20	(d) A person taking game with a gun may possess, carry, or use a gun
21	suppressor in the act of taking game.

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1	Sec. 3. 10 V.S.A. § 4704 is amended to read:
2	§ 4704. USE OF MACHINE GUNS, <u>OR</u> AUTOLOADING RIFLES, AND
3	GUN SUPPRESSORS
4	(a) A person engaged in hunting for wild animals shall not use, carry, or
5	have in his or her possession:
6	(1) a machine gun of any kind or description; or
7	(2) an autoloading rifle with a magazine capacity of over six cartridges
8	except a .22 caliber rifle using rim fire cartridges; or
9	(3) a gun suppressor.
10	(b) As used in this section, "gun suppressor" means any device for
11	silencing, muffling, or diminishing the report of a portable firearm, including
12	any combination of parts, designed or redesigned, and intended for use in
13	assembling or fabricating a gun suppressor, and any part intended only for us
14	in such assembly or fabrication. [Repealed.]
15	Sec. 4. 10 V.S.A. § 4001 is amended to read:
16	§ 4001. DEFINITIONS
17	Words and phrases used in this part, unless otherwise provided, shall be
18	construed to mean as follows:
19	* * *

(9) Game: game birds or game quadrupeds, or both.

21

1	(10) Game birds: quail, partridge, woodcock, pheasant, plover of any
2	kind, Wilson snipe, other shore birds, rail, coot, gallinule, wild ducks, wild
3	geese, and wild turkey.
4	* * *
5	(15) Wild animals or wildlife: all animals, including birds, fish,
6	amphibians, and reptiles, other than domestic animals, domestic fowl, or
7	domestic pets.
8	* * *
9	(23) Take and taking: pursuing, shooting, hunting, killing, capturing,
10	trapping, snaring, and netting fish, birds, and quadrupeds and all lesser acts,
11	such as disturbing, harrying, worrying, or wounding or placing, setting,
12	drawing, or using any net or other device commonly used to take fish or wild
13	animals, whether they result in the taking or not; and shall include every
14	attempt to take and every act of assistance to every other person in taking or
15	attempting to take fish or wild animals, provided that when taking is allowed
16	by law, reference is had to taking by lawful means and in a lawful manner.
17	* * *
18	(41) Gun suppressor: any device for silencing, muffling, or diminishing
19	the report of a portable firearm, including any combination of parts, designed
20	or redesigned, and intended for use in assembling or fabricating a gun

suppressor, and any part intended only for use in such assembly or fabrication.

- 1 Sec. 5. EFFECTIVE DATE
- 2 This act shall take effect on July 1, 2019.