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S.22

Introduced by Senators Baruth, Clarkson, and Hardy

Referred to Committee on

Date:

Subject: Criminal procedures; firearms; waiting periods; safe storage

Statement of purpose of bill as introduced: This bill proposes to: (1) require a 48-hour waiting period for all firearms sales and (2) require that, when a firearm is not in a person's immediate possession or control, the firearm must be locked in a safe storage depository or rendered incapable of being fired.

An act relating to firearms

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

Sec. 1. 13 V.S.A. § 4019a is added to read:

§ 4019a. FIREARMS TRANSFERS; WAITING PERIOD

(a) A person shall not transfer a firearm to another person until 48 hours after the completion of the background check required by 18 U.S.C. § 922(s) or section 4019 of this title.

(b) A person who transfers a firearm to another person in violation of subsection (a) of this section shall be imprisoned not more than one year or fined not more than \$500.00, or both.

1 (c) This section shall not apply to a firearms transfer that does not require a
2 background check under 18 U.S.C. § 922(s) or section 4019 of this title.

3 Sec. 2. 13 V.S.A. § 4023 is added to read:

4 § 4023. SAFE STORAGE

5 (a) A person shall not store or otherwise leave a firearm outside his or her
6 immediate possession or control without having first securely locked the
7 firearm in a safe storage depository or, by use of a tamper-resistant mechanical
8 lock gun lock or other device appropriate to that weapon, rendered it incapable
9 of being fired.

10 (b) A person who violates this section shall be imprisoned for not more
11 than one year or fined not more than \$500.00, or both.

12 (c) As used in this section:

13 (1) “Firearm” shall have the same meaning as in subsection 4017(d)
14 of this title.

15 (2) “Safe storage depository” shall mean a safe or other secure container
16 that, when locked, is incapable of being opened without the key, combination,
17 or other unlocking mechanism so as to prevent an unauthorized person from
18 obtaining access to the weapon.

19 Sec. 3. EFFECTIVE DATE

20 This act shall take effect on passage.