

1 H.288

2 Introduced by Representative Mrowicki of Putney

3 Referred to Committee on

4 Date:

5 Subject: Criminal procedures; firearms; background check

6 Statement of purpose of bill as introduced: This bill proposes to prohibit
7 firearms transfers until after the National Instant Criminal Background Check
8 System (NICS) has affirmatively provided notice that the transfer may
9 proceed, removing the option of permitting the transfer to proceed if NICS has
10 not provided notification of a failed background check within 3 business days.

11 An act relating to background checks for firearms sales

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

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

14 § 4019a. FIREARMS TRANSFERS; COMPLETION OF BACKGROUND

15 CHECK REQUIRED

16 (a)(1) A person shall not transfer a firearm to another person until after the
17 completion of the background check required by 18 U.S.C. § 922(t) or section
18 4019 of this title.

19 (2) As used in this subsection, “completion of the background check”
20 means the national instant criminal background check system affirmatively

1 notifying the licensee pursuant to 18 U.S.C. § 922(t)(2) that the transfer may
2 proceed.

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

6 (c) This section shall not apply to a firearm transfer that does not require a
7 background check under 18 U.S.C. § 922(t) or section 4019 of this title.

8 Sec. 2. EFFECTIVE DATE

9 This act shall take effect on passage.