

1 S.209

2 Introduced by Senators Sears, Baruth, Campion, Bray, Chittenden, Gulick,  
3 Harrison, Lyons, McCormack, Watson, Weeks, White and  
4 Wrenner

5 Referred to committee on Judiciary

6 Date: January 3, 2024

7 Subject: Criminal procedures; firearms; unserialized firearms, frames, and  
8 receivers

9 Statement of purpose of bill as introduced: This bill proposes to prohibit the  
10 possession and transfer of unserialized firearms and unserialized firearms  
11 frames and receivers, also known as ghost guns. The bill establishes a process  
12 that permits Federal firearms dealers and licensees to print serial numbers on  
13 unserialized firearms and unserialized firearms frames and receivers. The bill  
14 also requires that proceedings against persons 14–21 years of age originate in  
15 the Criminal Division of the Superior Court if the person is charged with  
16 human trafficking, trafficking a regulated drug, carrying a firearm while  
17 committing a felony, or aggravated stalking.

18 ~~An act relating to prohibiting unserialized firearms and unserialized~~  
19 ~~firearms frames and receivers, and to juvenile offenses in the Criminal~~  
20 ~~Division~~

*An act relating to prohibiting unserialized firearms and unserialized  
firearms frames and receivers*

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

2 ~~Sec. 1. SHORT TITLE~~

3 ~~This act shall be known as the Vermont Ghost Guns Act.~~

4 Sec. 2. 13 V.S.A. chapter 85 is amended to read:

5 CHAPTER 85. WEAPONS

6 \* \* \*

7 Subchapter 4. Unserialized Firearms and Firearms Frames and Receivers

8 § 4081. DEFINITIONS

9 As used in this subchapter:

10 (1) “Federal firearms licensee” means a federally licensed firearm  
11 dealer, federally licensed firearm importer, and federally licensed firearm  
12 manufacturer.

13 (2) “Federally licensed firearm dealer” means a licensed dealer as  
14 defined in 18 U.S.C. § 921(a)(11).

15 (3) “Federally licensed firearm importer” means a licensed importer as  
16 defined in 18 U.S.C. § 921(a)(9).

17 (4) “Federally licensed firearm manufacturer” means a licensed  
18 manufacturer as defined in 18 U.S.C. § 921(a)(10).

19 (5) “Fire control component” means a component necessary for the  
20 firearm to initiate, complete, or continue the firing sequence, including any of

1 ~~the following: hammer, bolt, bolt carrier, breechblock, cylinder, trigger~~  
2 ~~mechanism, firing pin, striker, or slide rails.~~

3 (6) "Frame or receiver of a firearm" means a part of a firearm that,  
4 when the complete firearm is assembled, is visible from the exterior and  
5 provides housing or a structure designed to hold or integrate one or more fire  
6 control components, even if pins or other attachments are required to connect  
7 the fire control components. Any part of a firearm imprinted with a serial  
8 number is presumed to be a frame or receiver of a firearm unless the Federal  
9 Bureau of Alcohol, Tobacco, Firearms and Explosives makes an official  
10 determination otherwise or there is other reliable evidence to the contrary.

11 (7) "Three-dimensional printer" means a computer-aided manufacturing  
12 device capable of producing a three-dimensional object from a three-  
13 dimensional digital model through an additive manufacturing process that  
14 involves the layering of two-dimensional cross sections formed of a resin or  
15 similar material that are fused together to form a three-dimensional object.

16 (8) "Unfinished frame or receiver" means any forging, casting, printing,  
17 extrusion, machined body, or similar article that has reached a stage in  
18 manufacture when it may readily be completed, assembled, or converted to be  
19 used as the frame or receiver of a functional firearm or that is marketed or sold  
20 to the public to become or be used as the frame or receiver of a functional  
21 firearm once completed, assembled, or converted.

~~§ 4082. UNLAWFUL CONDUCT INVOLVING UNSERIALIZED~~

FIREARMS, FRAMES, AND RECEIVERS

~~(a)(1) A person shall not knowingly possess, transfer, or offer to transfer an unfinished frame or receiver unless the unfinished frame or receiver has been imprinted with a serial number by a federal firearms licensee pursuant to federal law or section 4083 of this title.~~

~~(2) This subsection does not apply to:~~

~~(A) a federal firearms licensee acting within the scope of the licensee's license; or~~

~~(B) temporary possession or transfer of an unfinished frame or receiver for the purpose of having it imprinted with a serial number pursuant to federal law or section 4083 of this title.~~

~~(b)(1) A person shall not knowingly possess, transfer, or offer to transfer a firearm or frame or receiver of a firearm that is not imprinted with a serial number by a federal firearms licensee pursuant to federal law or section 4083 of this title.~~

~~(2) This subsection does not apply to:~~

~~(A) a federal firearms licensee acting within the scope of the licensee's license, or~~

1 ~~(B) temporary possession or transfer of a firearm or frame or receiver~~  
2 of a firearm for the purpose of having it imprinted with a serial number  
3 pursuant to federal law or section 4083 of this title;

4 (C) an antique firearm as defined in subsection 4017(d) of this title;

5 (D) a firearm that has been rendered permanently inoperable; or

6 (E) a firearm that was manufactured before 1968.

7 (c)(1) A person shall not manufacture a firearm or frame or receiver of a  
8 firearm, including by a three-dimensional printer, that is not imprinted with a  
9 serial number by a federal firearms licensee pursuant to federal law or section  
10 4083 of this title.

11 (2) This section shall not apply to a federally licensed firearms  
12 manufacturer acting within the scope of the manufacturer's license.

13 (d)(1) A person who violates this section shall be

14 (A) for a first offense imprisoned for not more than one year or fined  
15 not more than \$500.00, or both;

16 (B) for a second offense imprisoned for not more than two years or  
17 fined not more than \$1,000.00, or both; and

18 (C) for a third or subsequent offense imprisoned for not more than  
19 three years or fined not more than \$2,000.00, or both.

1 ~~(2) A person who possesses an unserialized firearm in violation of this~~  
2 section while committing a felony shall be imprisoned for not more than five  
3 years or fined not more than \$5,000.00, or both.

4 § 4083. FEDERAL FIREARMS LICENSEES; AUTHORITY TO  
5 SERIALIZE FIREARMS, FRAMES, AND RECEIVERS

6 (a) A federal firearms licensee may imprint a serial number on an  
7 unserialized firearm or frame or receiver of a firearm pursuant to this section.

8 (b)(1) A firearm, frame, or receiver serialized pursuant to this section shall  
9 be imprinted with a serial number that begins with the licensee's abbreviated  
10 federal firearms license number, which is the first three and last five digits of  
11 the license number, and is followed by a hyphen that precedes a unique  
12 identification number. The serial number shall not be duplicated on any other  
13 firearm, frame, or receiver serialized by the licensee and shall be imprinted in  
14 a manner that complies with the requirements under federal law for affixing  
15 serial numbers to firearms, including that the serial number be at the minimum  
16 size and depth and not susceptible to being readily obliterated, altered, or  
17 removed.

18 (2) A licensee who serializes a firearm, frame, or receiver pursuant to  
19 this section shall make and retain records of the serialization that comply with  
20 the requirements under federal law for the sale of a firearm. In addition to any  
21 record required by federal law, the record shall include the date, name, age,

1 ~~and residence of any person to whom the item is transferred and the unique~~  
2 ~~serial number imprinted on the firearm, frame, or receiver.~~

3 ~~(c) Returning a firearm, frame, or receiver to a person after it has been~~  
4 ~~serialized pursuant to federal law or this section constitutes a transfer that~~  
5 ~~requires a background check of the transferee. A federal licensee who~~  
6 ~~serializes a firearm, frame, or receiver pursuant to this section shall conduct a~~  
7 ~~background check on the transferee pursuant to subsection 4019(c) of this title,~~  
8 ~~provided that if the transfer is denied, the licensee shall surrender the firearm,~~  
9 ~~frame, or receiver to a law enforcement agency.~~

10 ~~(d) A licensee who violates subsection (b) or (c) of this section shall be~~  
11 ~~imprisoned for not more than one year or fined not more than \$500.00, or~~  
12 ~~both.~~

13 Sec. 3. 33 V.S.A. § 5204 is amended to read:

14 § 5204. TRANSFER FROM FAMILY DIVISION OF THE SUPERIOR  
15 COURT

16 (a) After a petition has been filed alleging delinquency, upon motion of the  
17 State's Attorney and after hearing, the Family Division of the Superior Court  
18 may transfer jurisdiction of the proceeding to the Criminal Division of the  
19 Superior Court if the child had attained 16 years of age but not 19 years of age  
20 at the time the act was alleged to have occurred and the delinquent act set forth  
21 ~~in the petition is a felony not specified in subdivisions (1)–(12) of this~~

1 ~~subsection or if the child had attained 12 years of age but not 14 years of age~~  
2 at the time the act was alleged to have occurred, and if the delinquent act set  
3 forth in the petition was any of the following:

4 \* \* \*

5 (11) aggravated sexual assault as defined in 13 V.S.A. § 3253 and  
6 aggravated sexual assault of a child as defined in 13 V.S.A. § 3253a or an  
7 attempt to commit either of those offenses; or

8 (12) burglary into an occupied dwelling as defined in 13 V.S.A.  
9 § 1201(c) or an attempt to commit that offense;

10 (13) carrying a firearm while committing a felony in violation of  
11 13 V.S.A. § 4005;

12 (14) trafficking a regulated drug in violation of 18 V.S.A. chapter 84,  
13 subchapter 1;

14 (15) human trafficking or aggravated human trafficking in violation of  
15 13 V.S.A. § 2652 or 2653; or

16 (16) aggravated stalking as defined in 13 V.S.A. § 1063(a)(3).

17 Sec. 4. EFFECTIVE DATE

18 ~~This act shall take effect on January 1, 2024.~~

~~Sec. 1. 13 V.S.A. chapter 85 is amended to read:~~

~~CHAPTER 85. WEAPONS~~

~~\* \* \*~~

~~Subchapter 4. Unserialized Firearms and Firearms Frames and Receivers~~



§ 4081. SHORT TITLE

*This subchapter shall be known as the “Vermont Ghost Guns Act.”*

§ 4082. DEFINITIONS

*As used in this subchapter:*

*(1) “Federal firearms licensee” means a federally licensed firearm dealer, federally licensed firearm importer, and federally licensed firearm manufacturer.*

*(2) “Federally licensed firearm dealer” means a licensed dealer as defined in 18 U.S.C. § 921(a)(11).*

*(3) “Federally licensed firearm importer” means a licensed importer as defined in 18 U.S.C. § 921(a)(9).*

*(4) “Federally licensed firearm manufacturer” means a licensed manufacturer as defined in 18 U.S.C. § 921(a)(10).*

*(5) “Fire control component” means a component necessary for the firearm to initiate, complete, or continue the firing sequence, including any of the following: hammer, bolt, bolt carrier, breechblock, cylinder, trigger mechanism, firing pin, striker, or slide rails.*

*(6) “Frame or receiver of a firearm” means a part of a firearm that, when the complete firearm is assembled, is visible from the exterior and provides housing or a structure designed to hold or integrate one or more fire control components, even if pins or other attachments are required to connect the fire control components. Any part of a firearm imprinted with a serial number is presumed to be a frame or receiver of a firearm unless the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives makes an official determination otherwise or there is other reliable evidence to the contrary.*

*(7) “Three-dimensional printer” means a computer-aided manufacturing device capable of producing a three-dimensional object from a three-dimensional digital model through an additive manufacturing process that involves the layering of two-dimensional cross sections formed of a resin or similar material that are fused together to form a three-dimensional object.*

*(8) “Unfinished frame or receiver” means any forging, casting, printing, extrusion, machined body, or similar article that has reached a stage in manufacture when it may readily be completed, assembled, or converted to be used as the frame or receiver of a functional firearm or that is marketed or sold to the public to become or be used as the frame or receiver of a functional firearm once completed, assembled, or converted.*

~~(9) "Violent crime" has the same meaning as in section 4017 of this title.~~

~~§ 4083 UNLAWFUL CONDUCT INVOLVING UNSERIALIZED  
FIREARMS, FRAMES, AND RECEIVERS~~

~~(a)(1) A person shall not knowingly possess, transfer, or offer to transfer an unfinished frame or receiver unless the unfinished frame or receiver has been imprinted with a serial number by a federal firearms licensee pursuant to federal law or section 4084 of this title.~~

~~(2) This subsection shall not apply to:~~

~~(A) a federal firearms licensee acting within the scope of the licensee's license;~~

~~(B) temporary possession or transfer of an unfinished frame or receiver for the purpose of having it imprinted with a serial number pursuant to federal law or section 4084 of this title; or~~

~~(C) an unfinished frame or receiver transferred to or possessed by a law enforcement officer for legitimate law enforcement purposes.~~

~~(b)(1) A person shall not knowingly possess, transfer, or offer to transfer a firearm or frame or receiver of a firearm that is not imprinted with a serial number by a federal firearms licensee pursuant to federal law or section 4084 of this title.~~

~~(2) This subsection shall not apply to:~~

~~(A) a federal firearms licensee acting within the scope of the licensee's license;~~

~~(B) temporary possession or transfer of a firearm or frame or receiver of a firearm for the purpose of having it imprinted with a serial number pursuant to federal law or section 4084 of this title;~~

~~(C) an unserialized frame or receiver transferred to or possessed by a law enforcement officer for legitimate law enforcement purposes;~~

~~(D) an antique firearm as defined in subsection 4017(d) of this title;~~

~~(E) a firearm that has been rendered permanently inoperable; or~~

~~(F) a firearm that was manufactured before 1968.~~

~~(c)(1) A person shall not manufacture a firearm or frame or receiver of a firearm, including by a three-dimensional printer, that is not imprinted with a serial number by a federal firearms licensee pursuant to federal law or section 4084 of this title.~~

~~(2) This subsection shall not apply to a federally licensed firearms manufacturer acting within the scope of the manufacturer's license.~~

~~(c)(1) A person who manufactures a firearm or frame or receiver of a firearm, including by a three-dimensional printer, shall cause the firearm, frame, or receiver to be imprinted with a serial number by a federal firearms licensee pursuant to federal law or section 4084 of this title.~~

~~(2) This subsection shall not apply to:~~

~~(A) a federally licensed firearms manufacturer acting within the scope of the manufacturer's license; or~~

~~(B) temporary possession or transfer of a firearm or frame or receiver of a firearm for the purpose of having it imprinted with a serial number pursuant to federal law or section 4084 of this title.~~

~~(d)(1) A person who violates this section shall be:~~

~~(A) for a first offense, imprisoned for not more than one year or fined not more than \$500.00, or both;~~

~~(B) for a second offense, imprisoned for not more than two years or fined not more than \$1,000.00, or both; and~~

~~(C) for a third or subsequent offense, imprisoned for not more than three years or fined not more than \$2,000.00, or both.~~

~~(2) A person who uses an unserialized firearm while committing a violent crime shall be imprisoned for not more than five years or fined not more than \$5,000.00, or both.~~

§ 4084. FEDERAL FIREARMS LICENSEES; AUTHORITY TO SERIALIZE FIREARMS, FRAMES, AND RECEIVERS

~~(a) A federal firearms licensee may imprint a serial number on an unserialized firearm or frame or receiver of a firearm pursuant to this section.~~

~~(b)(1) A firearm, frame, or receiver serialized pursuant to this section shall be imprinted with a serial number that begins with the licensee's abbreviated federal firearms license number, which is the first three and last five digits of the license number, and is followed by a hyphen that precedes a unique identification number. The serial number shall not be duplicated on any other firearm, frame, or receiver serialized by the licensee and shall be imprinted in a manner that complies with the requirements under federal law for affixing serial numbers to firearms, including that the serial number be at the minimum size and depth and not susceptible to being readily obliterated, altered, or removed.~~

~~(2) A licensee who serializes a firearm, frame, or receiver pursuant to this section shall make and retain records of the serialization that comply with the requirements under federal law for the sale of a firearm. In addition to any record required by federal law, the record shall include the date, name, age, and residence of any person to whom the item is transferred and the unique serial number imprinted on the firearm, frame, or receiver.~~

~~(3) A licensee shall not be deemed a firearms manufacturer solely for serializing a firearm, frame, or receiver pursuant to this section.~~

~~(c) Returning a firearm, frame, or receiver to a person after it has been serialized pursuant to federal law or this section constitutes a transfer that requires a background check of the transferee. A federal licensee who serializes a firearm, frame, or receiver pursuant to this section shall conduct a background check on the transferee pursuant to subsection 4019(c) of this title, provided that if the transfer is denied, the licensee shall deliver the firearm, frame, or receiver to a law enforcement agency for disposition. The agency shall provide the licensee with a receipt on agency letterhead for the firearm, frame, or receiver.~~

~~(d) A licensee who violates subsection (b) or (c) of this section shall:~~

~~(1) for a first offense, be fined not more than \$2,500.00, and~~

~~(2) for a second or subsequent offense, be imprisoned for not more than one year or fined not more than \$2,500.00, or both.~~

~~Sec. 2. EFFECTIVE DATE~~

~~This act shall take effect on December 31, 2024.~~

~~Sec. 1. 13 V.S.A. chapter 85 is amended to read:~~

~~CHAPTER 85. WEAPONS~~

~~\* \* \*~~

~~Subchapter 4. Unserialized Firearms and Firearms Frames and Receivers~~

~~§ 4081. SHORT TITLE~~

~~This subchapter shall be known as the "Vermont Ghost Guns Act."~~

~~§ 4082. DEFINITIONS~~

~~As used in this subchapter:~~

~~(1) "Federal firearms licensee" means a federally licensed firearm dealer, federally licensed firearm importer, and federally licensed firearm manufacturer.~~

(2) “Federally licensed firearm dealer” means a licensed dealer as defined in 18 U.S.C. § 921(a)(11).

(3) “Federally licensed firearm importer” means a licensed importer as defined in 18 U.S.C. § 921(a)(9).

(4) “Federally licensed firearm manufacturer” means a licensed manufacturer as defined in 18 U.S.C. § 921(a)(10).

(5) “Fire control component” means a component necessary for the firearm to initiate, complete, or continue the firing sequence, including any of the following: hammer, bolt, bolt carrier, breechblock, cylinder, trigger mechanism, firing pin, striker, or slide rails.

(6) “Frame or receiver of a firearm” means a part of a firearm that, when the complete firearm is assembled, is visible from the exterior and provides housing or a structure designed to hold or integrate one or more fire control components, even if pins or other attachments are required to connect the fire control components. Any part of a firearm imprinted with a serial number is presumed to be a frame or receiver of a firearm unless the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives makes an official determination otherwise or there is other reliable evidence to the contrary.

(7) “Three-dimensional printer” means a computer-aided manufacturing device capable of producing a three-dimensional object from a three-dimensional digital model through an additive manufacturing process that involves the layering of two-dimensional cross sections formed of a resin or similar material that are fused together to form a three-dimensional object.

(8) “Unfinished frame or receiver” means any forging, casting, printing, extrusion, machined body, or similar article that has reached a stage in manufacture when it may readily be completed, assembled, or converted to be used as the frame or receiver of a functional firearm or that is marketed or sold to the public to become or be used as the frame or receiver of a functional firearm once completed, assembled, or converted.

(9) “Violent crime” has the same meaning as in section 4017 of this title.

§ 4083. UNLAWFUL CONDUCT INVOLVING UNSERIALIZED  
FIREARMS, FRAMES, AND RECEIVERS

(a)(1) A person shall not knowingly possess an unfinished frame or receiver unless the unfinished frame or receiver has been imprinted with a serial number by a federal firearms licensee pursuant to federal law or section 4084 of this title.

(2) A person shall not knowingly transfer or offer to transfer an unfinished frame or receiver unless the unfinished frame or receiver has been imprinted with a serial number by a federal firearms licensee pursuant to federal law or section 4084 of this title.

(3) This subsection shall not apply to:

(A) a federal firearms licensee acting within the scope of the licensee's license;

(B) possession or transfer of an unfinished frame or receiver for the purpose of having it imprinted with a serial number pursuant to federal law or section 4084 of this title; or

(C) an unfinished frame or receiver transferred to or possessed by a law enforcement officer for legitimate law enforcement purposes.

(b)(1) A person shall not knowingly possess a firearm or frame or receiver of a firearm that is not imprinted with a serial number by a federal firearms licensee pursuant to federal law or section 4084 of this title.

(2) A person shall not knowingly transfer or offer to transfer a firearm or frame or receiver of a firearm that is not imprinted with a serial number by a federal firearms licensee pursuant to federal law or section 4084 of this title.

(3) This subsection shall not apply to:

(A) a federal firearms licensee acting within the scope of the licensee's license;

(B) possession or transfer of a firearm or frame or receiver of a firearm for the purpose of having it imprinted with a serial number pursuant to federal law or section 4084 of this title;

(C) an unserialized frame or receiver transferred to or possessed by a law enforcement officer for legitimate law enforcement purposes;

(D) an antique firearm as defined in subsection 4017(d) of this title;

(E) a firearm that has been rendered permanently inoperable; or

(F) a firearm that was manufactured before 1968.

(c)(1) A person who manufactures a firearm or frame or receiver of a firearm, including by a three-dimensional printer, shall cause the firearm, frame, or receiver to be imprinted with a serial number by a federal firearms licensee pursuant to federal law or section 4084 of this title.

(2) This subsection shall not apply to:

(A) a federally licensed firearms manufacturer acting within the scope of the manufacturer's license; or

(B) possession or transfer of a firearm or frame or receiver of a firearm for the purpose of having it imprinted with a serial number pursuant to federal law or section 4084 of this title.

(d)(1) A person who violates subdivision (a)(1) or (b)(1) of this section shall be:

(A) for a first offense, assessed a civil penalty of not more than \$50.00;

(B) for a second offense, imprisoned for not more than two years or fined not more than \$1,000.00, or both; and

(C) for a third or subsequent offense, imprisoned for not more than three years or fined not more than \$2,000.00, or both.

(2) A person who violates subdivision (a)(2), (b)(2), or (c)(1) of this section shall be:

(A) for a first offense, imprisoned for not more than one year or fined not more than \$500.00, or both;

(B) for a second offense, imprisoned for not more than two years or fined not more than \$1,000.00, or both; and

(C) for a third or subsequent offense, imprisoned for not more than three years or fined not more than \$2,000.00, or both.

(3) A person who uses an unserialized firearm while committing a violent crime or while committing reckless endangerment in violation of section 1025 of this title shall be imprisoned for not more than five years or fined not more than \$5,000.00, or both.

§ 4084. FEDERAL FIREARMS LICENSEES; AUTHORITY TO  
SERIALIZE FIREARMS, FRAMES, AND RECEIVERS

(a) A federal firearms licensee may imprint a serial number on an unserialized firearm or frame or receiver of a firearm pursuant to this section.

(b)(1) A firearm, frame, or receiver serialized pursuant to this section shall be imprinted with a serial number that begins with the licensee's abbreviated federal firearms license number, which is the first three and last five digits of the license number, and is followed by a hyphen that precedes a unique identification number. The serial number shall not be duplicated on any other firearm, frame, or receiver serialized by the licensee and shall be imprinted in a manner that complies with the requirements under federal law for affixing



serial numbers to firearms, including that the serial number be at the minimum size and depth and not susceptible to being readily obliterated, altered, or removed.

(2) A licensee who serializes a firearm, frame, or receiver pursuant to this section shall make and retain records of the serialization that comply with the requirements under federal law for the sale of a firearm. In addition to any record required by federal law, the record shall include the date, name, age, and residence of any person to whom the item is transferred and the unique serial number imprinted on the firearm, frame, or receiver.

(3) A licensee shall not be deemed a firearms manufacturer solely for serializing a firearm, frame, or receiver pursuant to this section.

(c) Returning a firearm, frame, or receiver to a person after it has been serialized pursuant to federal law or this section constitutes a transfer that requires a background check of the transferee. A federal licensee who serializes a firearm, frame, or receiver pursuant to this section shall conduct a background check on the transferee pursuant to subsection 4019(c) of this title, provided that if the transfer is denied, the licensee shall deliver the firearm, frame, or receiver to a law enforcement agency for disposition. The agency shall provide the licensee with a receipt on agency letterhead for the firearm, frame, or receiver.

(d) A licensee who violates subsection (b) or (c) of this section shall:

(1) for a first offense, be fined not more than \$2,500.00; and

(2) for a second or subsequent offense, be imprisoned for not more than one year or fined not more than \$2,500.00, or both.

Sec. 2. 4 V.S.A. § 1102 is amended to read:

§ 1102. JUDICIAL BUREAU; JURISDICTION

\* \* \*

(33) Violations of 13 V.S.A. § 4083(a)(1) or (b)(1) relating to a first offense of possessing a firearm, frame or receiver of a firearm, or unfinished frame or receiver of a firearm that is not imprinted with a serial number.

\* \* \*

Sec. 3. 13 V.S.A. § 4019a is amended to read:

§ 4019a. FIREARMS TRANSFERS; WAITING PERIOD

(a) A person shall not transfer a firearm to another person until 72 hours after the licensed dealer facilitating the transfer is provided with a unique identification number for the transfer by the National Instant Criminal



*Background Check System (NICS) or seven business days have elapsed since the dealer contacted NICS to initiate the background check, whichever occurs first.*

*(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.*

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

*(d) As used in this section, "firearm" has the same meaning as in subsection 4017(d) of this title.*

*(e)(1) This section shall not apply to a firearms transfer at a gun show.*

*(2) As used in this subsection, "gun show" means a function sponsored by:*

*(A) a national, state, or local organization, devoted to the collection, competitive use, or other sporting use of firearms; or*

*(B) an organization or association that sponsors functions devoted to the collection, competitive use, or other sporting use of firearms in the community.*

*(3) This subsection shall be repealed on July 1, 2024.*

*(f) This section shall not apply to the return of a firearm, frame, or receiver to a person by a licensed dealer after the dealer has serialized it pursuant to federal law or section 4084 of this title if the dealer returns the firearm, frame, or receiver to the same person from whom it was received.*

*Sec. 4. 13 V.S.A. § 4027 is added to read:*

*§ 4027. POLLING PLACES; FIREARMS PROHIBITED*

*(a)(1) A person shall not knowingly possess a firearm at a polling place or on the walks leading to a building in which a polling place is located on an election day.*

*(2) The provisions of subdivision (1) of this subsection shall apply to the town clerk's office during any period when a board of civil authority has voted to permit early voting pursuant to 17 V.S.A. § 2546b(a)(1).*

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

*(c) This section shall not apply to:*

(1) a firearm carried for legitimate law enforcement purposes by a federal law enforcement officer or a law enforcement officer certified as a law enforcement officer by the Vermont Criminal Justice Council pursuant to 20 V.S.A. § 2358;

(2) a firearm carried by a person while performing the person's official duties as an employee of the United States; a department or agency of the United States; a state; or a department, agency, or political subdivision of a state if the person is authorized to carry a firearm as part of the person's official duties; or

(3) a firearm stored in a motor vehicle.

(d) Notice of the provisions of this section shall be posted conspicuously at each public entrance to each polling place.

(e) As used in this section:

(1) "Firearm" has the same meaning as in section 4017 of this title.

(2) "Polling place" means a place that a municipality has designated to the Secretary of State as a polling place pursuant to 17 V.S.A. § 2502(f).

Sec. 5. 17 V.S.A. § 2510 is added to read:

§ 2510. POLLING PLACES; FIREARMS PROHIBITED

(a)(1) A person shall not knowingly possess a firearm at a polling place or on the walks leading to a building in which a polling place is located on an election day.

(2) The provisions of subdivision (1) of this subsection shall apply to the town clerk's office during any period when a board of civil authority has voted to permit early voting pursuant to subdivision 2546b(a)(1) of this title.

(b) This section shall not apply to:

(1) a firearm carried for legitimate law enforcement purposes by a federal law enforcement officer or a law enforcement officer certified as a law enforcement officer by the Vermont Criminal Justice Council pursuant to 20 V.S.A. § 2358;

(2) a firearm carried by a person while performing the person's official duties as an employee of the United States; a department or agency of the United States; a state; or a department, agency, or political subdivision of a state if the person is authorized to carry a firearm as part of the person's official duties; or

(3) a firearm stored in a motor vehicle.

(c) Notice of the provisions of this section shall be posted conspicuously at each public entrance to each polling place.

(d) As used in this section:

(1) "Firearm" has the same meaning as in section 13 V.S.A. § 4017.

(2) "Polling place" means a place that a municipality has designated to the Secretary of State as a polling place pursuant to subsection 2502(f) of this title.

#### Sec. 6. REPORT; VERMONT CRIME RESEARCH GROUP

On or before January 1, 2026, the Vermont Statistical Analysis Center (SAC) shall report data on prosecutions under Sec. 1 of this act to the House and Senate Committees on Judiciary. The report shall include:

(1) the number of civil violations filed and adjudications obtained for violations of 13 V.S.A. § 4083(a)(1) or (b)(1) relating to possessing a firearm, frame or receiver of a firearm, or unfinished frame or receiver of a firearm that is not imprinted with a serial number;

(2) the number of criminal charges filed and convictions obtained for violations of 13 V.S.A. § 4083(a)(2), (b)(2), or (c)(1) relating to transferring, offering to transfer, or manufacturing a firearm, frame or receiver of a firearm, or unfinished frame or receiver of a firearm that is not imprinted with a serial number;

(3) the number of criminal charges filed and convictions obtained for violations of 13 V.S.A. § 4083(d)(3) relating to carrying an unserialized firearm while committing a violent crime or while committing reckless endangerment; and

(4) the number of criminal charges filed and convictions obtained for violations of 13 V.S.A. § 4084(b) or (c) relating to improper serialization or handling of a firearm or frame or receiver of a firearm by a federal firearms licensee.

#### Sec. 7. REPORT ON FIREARM IN MUNICIPAL BUILDINGS; VERMONT LEAGUE OF CITIES AND TOWNS

(a) On or before January 15, 2025, the Office of the Secretary of State, in consultation with the Vermont League of Cities and Towns, the Vermont Municipal Clerks and Treasurers Association, the Commissioner of Buildings and General Services, and the Sergeant at Arms, shall report to the House and Senate Committees on Judiciary, the House Committee on Government Operations and Military Affairs, and the Senate Committee on Government

Operations on options for prohibiting firearms in municipal and State government buildings, including the Vermont State House.

(b) The report required by this section shall include recommendations on the following topics:

(1) whether the preferable approach is:

(A) for the General Assembly to pass a statute prohibiting firearms in municipal buildings statewide; or

(B) for municipalities to be provided with the authority to decide whether to pass an ordinance prohibiting firearms in municipal buildings;

(2) whether a statewide prohibition should include a definition of the term "municipal building," and if so, what that definition should be; and

(3) which municipal buildings should be covered and which should not be covered by a prohibition on possessing firearms in municipal buildings.

(c) As used in this section, "firearm" has the same meaning as in 13 V.S.A. § 4017(d).

*Sec. 8. EFFECTIVE DATES*

(a) Secs. 1 and 2 of this act shall take effect on February 28, 2025.

(b) Secs. 3, 4, 5, 6, 7, and this section shall take effect on passage.