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H.56

Introduced by Representatives Till of Jericho and Brennan of Colchester

Referred to Committee on

Date:

Subject: Fish and wildlife; game; hunting; gun suppressors

Statement of purpose of bill as introduced: This bill proposes to authorize a person to possess, carry, or use a gun suppressor while taking game with a gun.

An act relating to the use of gun suppressors for hunting

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

Sec. 1. 13 V.S.A. § 4010 is amended to read:

§ 4010. GUN SUPPRESSORS

(a) As used in this section:

(1) “Gun suppressor” means any device for silencing, muffling, or diminishing the report of a portable firearm, including any combination of parts, designed 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.

(2) “Sport shooting range” shall have the same meaning as used in 10 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; GUN SUPPRESSORS

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.

1 Sec. 3. 10 V.S.A. § 4704 is amended to read:

2 § 4704. USE OF MACHINE GUNS; OR 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 use~~
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 * * *

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

1 Sec. 5. EFFECTIVE DATE

2 This act shall take effect on July 1, 2019.