

1 H.559

2 Introduced by Representative LaLonde of South Burlington

3 Referred to Committee on

4 Date:

5 Subject: Public safety; criminal procedures; voluntary firearms licensing

6 Statement of purpose of bill as introduced: This bill proposes to establish a  
7 voluntary firearms licensing system in Vermont that permits a person to obtain  
8 a license from the Department of Public Safety to purchase a firearm. A  
9 person who has obtained a license is not subject to the 72-hour waiting period  
10 requirement when purchasing a firearm.

11 An act relating to a voluntary license to purchase firearms

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

13 Sec. 1. 20 V.S.A. chapter 147 is added to read:

14 CHAPTER 147. LICENSE FOR PURCHASE OF FIREARMS

15 § 2311. FIREARMS LICENSING AUTHORITY

16 The Department of Public Safety shall have authority to issue a license for a  
17 person to purchase a firearm. The Department shall issue licenses for persons  
18 to purchase firearms consistent with the requirements of this chapter.

1     § 2312. APPLICATION PROCEDURE; ISSUANCE

2           (a) A person may apply to the Department for a license to purchase a  
3     firearm on a form approved by the Department. The application shall include:

4           (1) a full physical description of the applicant;

5           (2) full information concerning the applicant's criminal record and  
6     relevant information concerning the applicant's mental health history;

7           (3) a set of the applicant's fingerprints;

8           (4) the names and contact information of the applicant's spouse,  
9     domestic partner, and any other adults who reside in the applicant's home; and

10          (5) the names of any minors who reside in the applicant's home.

11          (b) The Department shall request from the Vermont Crime Information  
12     Center, and the Center shall provide in response to the request, a copy of a  
13     fingerprint-based Vermont criminal history record, out-of-state criminal  
14     history record, and criminal history record from the Federal Bureau of  
15     Investigation for each license applicant. A request made under this subsection  
16     shall be accompanied by a release signed by the applicant on a form provided  
17     by the Vermont Crime Information Center, a set of the person's fingerprints,  
18     and a fee established by the Vermont Crime Information Center that shall  
19     reflect the cost of obtaining the record. The fee shall be paid by the applicant.

20          (c) Within 90 days after an application for a license to purchase a firearm is  
21     filed, the Department shall:

1           (1) approve the application and issue a license to purchase a firearm;

2           (2) issue a temporary eligibility certificate, which shall be valid until the

3 Department approves or denies the application; or

4           (3) deny the application and notify the applicant in writing of the reason  
5 for the denial.

6           (d) The Department shall issue a license to purchase a firearm to an  
7 applicant unless it determines that the applicant:

8           (1) is prohibited from possessing a firearm under 13 V.S.A. § 4017,  
9 18 U.S.C. § 922, or any other provision of State or federal law;

10           (2) has not successfully completed a firearms safety training course  
11 approved by the Commissioner;

12           (3) is the subject of an extreme risk protection order issued pursuant to  
13 13 V.S.A. § 4053;

14           (4) is the subject of a final relief from abuse order issued pursuant to  
15 15 V.S.A. § 1104;

16           (5) is the subject of a final order against stalking issued pursuant to  
17 12 V.S.A. § 5133; or

18           (6) would, if the applicant possessed a firearm, pose a risk of causing  
19 harm to themselves, to another person, or to the public.

20           (e) A license to purchase a firearm issued under this section shall be signed  
21 by the license holder and shall include:

1           (1) an identification number;

2           (2) the name, address, place and date of birth, height, weight, and eye  
3 color of the license holder; and

4           (3) a full-face photograph of the license holder.

5           (f) A license to purchase a firearm issued under this section shall be valid  
6 for two years after the date of issuance and may be renewed pursuant to  
7 section 2313 of this title.

8           (g) A person holding a license issued under this section shall notify the  
9 Department within two business days of any change in the person's address.  
10 The notification shall include the person's old and new address.

11 § 2313. LICENSE FEE; EXPIRATION AND RENEWAL

12           (a) The Department shall collect a fee of \$35.00 from each applicant for a  
13 license issued pursuant to section 2312 of this title or a renewal of a license  
14 issued pursuant to this section. Fees collected pursuant to this subsection shall  
15 be deposited in the General Fund and appropriated to the Department for  
16 purposes of supporting the firearms licensing program established by this  
17 chapter.

18           (b) A license issued pursuant to section 2312 of this title or a renewal of a  
19 license issued pursuant to this section shall expire two years after the date of  
20 issuance.

1       (c) The Department shall provide written notice to the license holder at  
2       least 90 days before the license expires. The notice shall include an  
3       application form for renewal of the license. An application for renewal of a  
4       license shall serve as a temporary license, which shall be valid until the  
5       Department approves or denies the renewal application. An application for  
6       renewal of a license shall be subject to the same application and issuance  
7       requirements as an original application for a license under section 2312 of this  
8       title.

9       § 2314. REVOCATION

10       (a) The Department shall revoke a license to purchase firearms issued  
11       under subsection 2312(c) of this title upon the occurrence of any event that  
12       would have disqualified the holder from being issued the license under  
13       subsection 2312(d) of this title. The Department shall immediately provide  
14       written notice of the revocation to the license holder.

15       (b) A license holder who fails to return the holder's license after receiving  
16       written notice of the license's revocation from the Department shall be  
17       imprisoned not more 30 days or fined not more than \$500.00, or both.

18       § 2315. DEFINITIONS

19       As used in this chapter:

20       (1) "Department" means the Department of Public Safety.

21       (2) "Firearm" has the same meaning as in 13 V.S.A. 4017(d).



1       Sec. 3. EFFECTIVE DATE

2       This act shall take effect on July 1, 2024.