SPONSOR: Rep. Longhurst

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE AMENDMENT NO. 1
TO
HOUSE BILL NO. 450

AMEND House Bill No. 450 by deleting lines 127 through 134 and inserting in lieu thereof the following:

"a. A semiautomatic, centerfire rifle that can accept a detachable magazine and has at least 1 of the following:

1. A folding or telescoping stock.

2. Any grip of the weapon, including a pistol grip, a thumbhole stock, or any other stock, the use of which would allow an individual to grip the weapon, resulting in any finger on the trigger hand in addition to the trigger finger being directly below any portion of the action of the weapon when firing.

3. A forward pistol grip.

4. A flash suppressor.

5. A grenade launcher or flare launcher.

b. A semiautomatic, centerfire rifle that has an overall length of less than 30 inches.

c. A semiautomatic pistol that can accept a detachable magazine and has at least 1 of the following:

1. An ability to accept a detachable ammunition magazine that attaches at some location outside of the pistol grip.

2. A threaded barrel capable of accepting a flash suppressor, forward pistol grip or silencer.

3. A shroud that is attached to, or partially or completely encircles, the barrel and that permits the shooter to fire the firearm without being burned, except a slide that encloses the barrel.

4. A second hand grip.

d. A semiautomatic shotgun that has both of the following:

1. A folding or telescoping stock.

2. Any grip of the weapon, including a pistol grip, a thumbhole stock, or any other stock, the use of which would allow an individual to grip the weapon, resulting in any finger on the trigger hand in addition to the trigger finger being directly below any portion of the action of the weapon when firing.

e. A semiautomatic shotgun that has the ability to accept a detachable magazine.

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Released: 06/09/2022 11:28 AM

f. A shotgun with a revolving cylinder.

g. A semiautomatic pistol with a fixed magazine that can accept more than 17 rounds.

h. A semiautomatic, centerfire rifle that has a fixed magazine that can accept more than 17 rounds.".

FURTHER AMEND House Bill No. 350 by deleting lines 218 through 221 in their entirety and inserting in lieu thereof the following:

"(5) Ownership of an assault weapon may be transferred from the person owning the assault weapon to a member of that person's family, and it is lawful for the family member to possess the transferred assault weapon under paragraph (c)(3) of this section, if the transferor lawfully possessed the assault weapon and the family member to whom the assault weapon is transferred is otherwise lawfully permitted to possess it."

FURTHER AMEND House Bill No. 350 by deleting lines 222 and 223 and inserting in lieu thereof the following:

"(d) Penalty. – A violation of this section is a class D felony.".

FURTHER AMEND House Bill No. 350 by deleting lines 232 and 233 in their entirety and inserting in lieu thereof: "(b) In a prosecution under § 1466 of this title, it is an affirmative defense that the defendant was lawfully in possession or had completed a purchase of the assault weapon prior to [the effective date of this Act]. A".

FURTHER AMEND House Bill No. 350 by inserting after line 248 and before line 249, the following:

"(d) A person who inherits or receives a weapon from a family member that is lawfully possessed under § 1466(c)(3) of this title and lawfully transferred may apply for a certificate of possession within 60 days of taking possession of the weapon. To receive a certificate, the person must show that the transferor was lawfully in possession and that he/she is the lawful recipient of the transfer.".

SYNOPSIS

This amendment replaces the definition of copycat weapons with the factors used in the Connecticut assault weapons statute, as well as including semi-automatic rifles and handguns with a fixed magazine that can accept more than 17 rounds to accord with Senate Substitute No. 1 for Senate Bill No. 6.

It also clarifies circumstances when ownership may be transferred between family members and that ownership of an assault weapon prior to the effective date of this Act is an affirmative defense.

It provides a means for a person who receives a legacy weapon from a family member or through inheritance to apply for a certificate of possession and receive one upon a proper showing.

Finally, the amendment changes the penalty to a class D felony to align with other similar crimes.