



SPONSOR: Sen. Lawson & Rep. Spiegelman
Sens. Hocker, Pettyjohn, Wilson; Reps. Hilovsky, Morris,
Vanderwende

DELAWARE STATE SENATE
152nd GENERAL ASSEMBLY

SENATE BILL NO. 228

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEMIAUTOMATIC PISTOLS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 1465, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1465. Definitions related to assault weapons.

(6) "Copycat weapon" means any of 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, centerfire 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.

- 23 2. Any grip of the weapon, including a pistol grip, a thumbhole stock, or any other stock, the use of which
24 would allow an individual to grip the weapon, resulting in any finger on the trigger hand in addition to the trigger
25 finger being directly below any portion of the action of the weapon when firing.
- 26 e. A semiautomatic shotgun that has the ability to accept a detachable magazine.
- 27 f. A shotgun with a revolving cylinder.
- 28 g. A semiautomatic pistol with a fixed magazine that can accept more than 17 rounds.
- 29 h. A semiautomatic, centerfire rifle that has a fixed magazine that can accept more than 17 rounds.

SYNOPSIS

This act changes the definition of "copycat weapon" so that small caliber rimfire pistols which are primarily or solely used in competitive target shooting are not made unlawful. to purchase, own, possess, or transfer. This change would make this section of the Delaware Code consistent with the stated intent of the General Assembly in 11 Delaware Code, Section 1464, which states that it is not the intent of the General Assembly to place restrictions on the use of firearms which are primarily designed and intended for legitimate sports or recreational purposes. Currently, the definition of "copycat weapon" that is in the code renders numerous common and popular target pistols unlawful.

Author: Senator Lawson