Legislative Action

Senator Stewart moved the following:

Senate Amendment to Amendment (318628) (with title amendment)

Between lines 16 and 17 insert:

Section 3. Intergovernmental analysis of firearms sales.—

(1) DEFINITIONS.—As used in this act, the term:

(a) “Assault weapon” means:

1. A selective-fire firearm capable of fully automatic, semiautomatic, or burst fire at the option of the user.

2. A part or combination of parts that converts a firearm
into an assault weapon, or any combination of parts from which an assault weapon may be assembled if those parts are in the possession or under the control of the same person.

3. A semiautomatic firearm not listed in this paragraph which meets the criteria of one of the following sub-subparagraphs:

   a. A semiautomatic rifle that has an ability to accept a detachable magazine and that has one or more of the following:

      (I) A folding or telescoping stock.
      (II) A pistol grip that protrudes conspicuously beneath the action of the weapon or any feature functioning as a protruding grip that can be held by the nontrigger hand or a thumbhole stock.
      (III) A bayonet mount.
      (IV) A flash suppressor or threaded barrel designed to accommodate a flash suppressor.
      (V) A grenade launcher.
      (VI) A shroud that is attached to the barrel, or that partially or completely encircles the barrel and allows the bearer to hold the firearm with the nontrigger hand without being burned, but excluding a slide that encloses the barrel.

   b. A semiautomatic pistol that has an ability to accept a detachable magazine and that has one or more of the following:

      (I) The capacity to accept an ammunition magazine that attaches to the pistol at any location outside the pistol grip.
      (II) A threaded barrel capable of accepting a barrel extender, flash suppressor, forward handgrip, or silencer.
      (III) A slide that encloses the barrel and that allows the shooter to hold the firearm with the nontrigger hand without
being burned.

(IV) A manufactured weight of 50 ounces or more when the pistol is unloaded.

(V) A semiautomatic version of an automatic firearm.

(VI) Any feature capable of functioning as a protruding grip that can be held by the nontrigger hand.

(VII) A folding, telescoping, or thumbhole stock.

c. A semiautomatic shotgun that has one or more of the following:

(I) A folding or telescoping stock.

(II) A pistol grip that protrudes conspicuously beneath the action of the weapon.

(III) A thumbhole stock.

(IV) A fixed-magazine capacity in excess of 5 rounds.

(V) An ability to accept a detachable magazine.

d. A semiautomatic pistol or a semiautomatic, centerfire, or rimfire rifle with a fixed magazine that has the capacity to accept more than 10 rounds of ammunition.

e. A part or combination of parts designed or intended to convert a firearm into an assault weapon, or any combination of parts from which an assault weapon may be assembled if those parts are in the possession or under the control of the same person.

(b) “Detachable magazine” means an ammunition feeding device that can be removed from a firearm without disassembly of the firearm action.

(c) “Fixed magazine” means an ammunition feeding device contained in, or permanently attached to, a firearm in such a manner that the device cannot be removed without disassembly of
the firearm action.

(d) “Large-capacity magazine” means any ammunition feeding device with the capacity to accept more than 7 rounds, or any conversion kit, part, or combination of parts from which such a device can be assembled if those parts are in the possession or under the control of the same person, but does not include any of the following:

1. A feeding device that has been permanently altered so that it cannot accommodate more than 7 rounds;
2. A .22 caliber tube ammunition feeding device; or
3. A tubular magazine that is contained in a lever-action firearm.

(2) The Legislature finds that firearms sales and its nexus with mental health constitutes a public crisis that necessitates prudent, well-considered regulation. As such, the Department of Law Enforcement shall, with the aid of appropriate state and federal agencies, undertake an analysis of the need for new or different regulation of the sale of firearms in this state. This analysis must include input from local, state, and federal law enforcement agencies; the Office of Safe Schools; and the public. The analysis must evaluate the efficacy and necessity of additional state and local laws, ordinances, or regulations relating to the sale of firearms. To ensure consistent and effective implementation, the Department of Law Enforcement shall submit a report with conclusions and recommendations to the Governor and the Legislature no later than January 1, 2019. Until such time as the Legislature has the opportunity to review and adopt such recommendations from the department, an assault weapon, a detachable magazine, a fixed magazine, or a large-
capacity magazine, as those terms are defined in this act, may not be sold, distributed, transferred or conveyed, kept for sale, offered, or exposed for sale.

And the title is amended as follows:

Delete line 2437

and insert:

title; providing legislative findings; defining terms; providing legislative intent; requiring the Department of Law Enforcement, with the aid of appropriate state and federal agencies, to analyze the need for changes in the regulation of firearms sales in this state; requiring the analysis to include input from specified persons; requiring the analysis to make certain evaluations; requiring the department to submit a report by a certain date to the Governor and the Legislature; prohibiting the sale, distribution, transfer or conveyance, or offering for sale of an assault weapon or certain types of magazines until the Legislature has the opportunity to review and adopt such recommendations from the department; amending