



963364

LEGISLATIVE ACTION

Senate

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House

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Floor: WD/2R

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03/03/2018 10:02 AM

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Senator Stewart moved the following:

1 **Senate Amendment to Amendment (234288) (with title**
2 **amendment)**

3
4 Between lines 16 and 17

5 insert:

6 Section 3. Intergovernmental analysis of firearms sales.-

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

8 (a) "Assault weapon" means:

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

11 2. A part or combination of parts that converts a firearm



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12 into an assault weapon, or any combination of parts from which
13 an assault weapon may be assembled if those parts are in the
14 possession or under the control of the same person.

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

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

20 (I) A folding or telescoping stock.

21 (II) A pistol grip that protrudes conspicuously beneath the
22 action of the weapon or any feature functioning as a protruding
23 grip that can be held by the nontrigger hand or a thumbhole
24 stock.

25 (III) A bayonet mount.

26 (IV) A flash suppressor or threaded barrel designed to
27 accommodate a flash suppressor.

28 (V) A grenade launcher.

29 (VI) A shroud that is attached to the barrel, or that
30 partially or completely encircles the barrel and allows the
31 bearer to hold the firearm with the nontrigger hand without
32 being burned, but excluding a slide that encloses the barrel.

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

35 (I) The capacity to accept an ammunition magazine that
36 attaches to the pistol at any location outside the pistol grip.

37 (II) A threaded barrel capable of accepting a barrel
38 extender, flash suppressor, forward handgrip, or silencer.

39 (III) A slide that encloses the barrel and that allows the
40 shooter to hold the firearm with the nontrigger hand without



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41 being burned.

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

44 (V) A semiautomatic version of an automatic firearm.

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

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

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

50 (I) A folding or telescoping stock.

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

53 (III) A thumbhole stock.

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

55 (V) An ability to accept a detachable magazine.

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

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

64 (b) "Detachable magazine" means an ammunition feeding
65 device that can be removed from a firearm without disassembly of
66 the firearm action.

67 (c) "Fixed magazine" means an ammunition feeding device
68 contained in, or permanently attached to, a firearm in such a
69 manner that the device cannot be removed without disassembly of



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70 the firearm action.

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

77 1. A feeding device that has been permanently altered so
78 that it cannot accommodate more than 7 rounds;

79 2. A .22 caliber tube ammunition feeding device; or

80 3. A tubular magazine that is contained in a lever-action
81 firearm.

82 (2) The Legislature finds that firearms sales and its nexus
83 with mental health constitutes a public crisis that necessitates
84 prudent, well-considered regulation. As such, the Department of
85 Law Enforcement shall, with the aid of appropriate state and
86 federal agencies, undertake an analysis of the need for new or
87 different regulation of the sale of firearms in this state. This
88 analysis must include input from local, state, and federal law
89 enforcement agencies; the Office of Safe Schools; and the
90 public. The analysis must evaluate the efficacy and necessity of
91 additional state and local laws, ordinances, or regulations
92 relating to the sale of firearms. To ensure consistent and
93 effective implementation, the Department of Law Enforcement
94 shall submit a report with conclusions and recommendations to
95 the Governor and the Legislature no later than January 1, 2019.
96 Until such time as the Legislature has the opportunity to review
97 and adopt such recommendations from the department, an assault
98 weapon, a detachable magazine, a fixed magazine, or a large-



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99 capacity magazine, as those terms are defined in this act, may
100 not be sold, distributed, transferred or conveyed, kept for
101 sale, offered, or exposed for sale.

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103 ===== T I T L E A M E N D M E N T =====

104 And the title is amended as follows:

105 Delete line 2374

106 and insert:

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