

CONFIDENTIAL
LEGISLATIVE BILL REVIEW FORM: 2016

Bill Number: H.775 Name of Bill: An act relating to the possession and transfer of firearms

Agency/Dept: DPS/VCIC Author of Bill Jeffrey Wallin
Review: _____

Date of Bill Review: 2/8/2016 Related Bills and Key Players: _____

Status of Bill: (check one)

☒ Upon Introduction ☐ As passed by 1st body ☐ As passed by both bodies

Recommended Position:

☐ Support ☐ Oppose ☒ Remain Neutral ☐ Support with modifications identified in # 8 below

Analysis of Bill

1. Summary of bill and issue it addresses. *Describe what the bill is intended to accomplish and why.*

This bill would require private sales of firearms to be brokered by an authorized firearms dealer (FFL) with exceptions allowed for immediate family members, the United States Military, and Law Enforcement agencies acting within their duties. While not explicitly stated this would require submission of the intended purchaser's information to the National Instant Background Check System (NICS) to determine eligibility.

2. Is there a need for this bill? *Please explain why or why not.*

From the perspective of VCIC there is no current requirement for these types of firearm purchases/transfers to be vetted through the National Instant Background Check System (NICS).

3. What are likely to be the fiscal and programmatic implications of this bill for this Department?

The likely impacts are minimal at this time as the Department does not directly process criminal record checks for firearm purchases. Rather, these are processed by the NICS section of the Federal Bureau of Investigation (FBI). There might be a small increase in research requests revived from the NICS section (required in some instances when the FBI cannot make a clear determination of eligibility) but the expected volume would be low.

4. What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?

It can be expected that minimal impacts would be felt by other departments of state government given their limited interaction with the NICS process.

5. What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it? (for example, public, municipalities, organizations, business, regulated entities, etc)

The two largest stakeholders would be the firearm selling public and FFLs. While the process for conducting a NICS check is reasonably streamlined it would represent an additional step and it is unknown how willing FFLs would be to engage in this process.

6. Other Stakeholders:

6.1 Who else is likely to support the proposal and why?

Gun restriction advocates, domestic violence advocates, school violence advocates.

6.2 Who else is likely to oppose the proposal and why?

Gun rights activists.

Please return this bill review as a Microsoft Word or PDF document to Jahala.Dudley@vermont.gov and Jessica Mishaan@vermont.gov

7. Rationale for recommendation: *Justify recommendation stated above.*

As the processing of NICS checks is not completed by the VCIC there is little projected impact on workload.

8. Specific modifications that would be needed to recommend support of this bill: *Not meant to rewrite bill, but rather, an opportunity to identify simple modifications that would change recommended position.*

9. Will this bill create a new board or commission AND/OR add or remove appointees to an existing one? If so, which one and how many?

Secretary/Commissioner has reviewed this document



Date: 2/12/16