

HOUSE AMENDMENTS TO A-ENGROSSED HOUSE BILL 2005

By JOINT COMMITTEE ON WAYS AND MEANS

April 10

1 On page 3 of the printed A-engrossed bill, delete lines 25 through 45.

2 On page 4, delete line 1 and insert:

3 **“SECTION 4. (1)(a) A person may not knowingly offer for sale, sell or transfer a firearm**
4 **unless the firearm has been imprinted with a serial number by a federally licensed firearm**
5 **manufacturer, importer or dealer, or a gunsmith with a federal firearms license, in accord-**
6 **ance with federal law.**

7 **“(b) A person may not knowingly possess a firearm unless the firearm has been im-**
8 **printed with a serial number by a federally licensed firearm manufacturer, importer or**
9 **dealer, or a gunsmith with a federal firearms license, in accordance with federal law.**

10 **“(2) This section does not apply to:**

11 **“(a) Antique firearms;**

12 **“(b) Firearms manufactured prior to October 22, 1968;**

13 **“(c) Firearms rendered permanently inoperable;**

14 **“(d) The sale, offer to sell, or transfer of a firearm to, or possession of a firearm by, a**
15 **person licensed as a firearm manufacturer, importer or dealer under 18 U.S.C. 923; or**

16 **“(e) A gunsmith taking possession of a firearm for the purpose of imprinting the firearm**
17 **with a serial number in accordance with federal law.**

18 **“(3)(a) A violation of subsection (1)(a) of this section constitutes a Class B violation.**

19 **“(b) Notwithstanding paragraph (a) of this subsection, a violation of subsection (1)(a) of**
20 **this section is a Class A misdemeanor if, at the time of the offense, the person has a prior**
21 **conviction under this section or section 3 or 5 of this 2023 Act.**

22 **“(c) Notwithstanding paragraphs (a) and (b) of this subsection, a violation of subsection**
23 **(1)(a) of this section is a Class B felony if, at the time of the offense, the person has two or**
24 **more prior convictions under this section or section 3 or 5 of this 2023 Act.**

25 **“(d) A violation of subsection (1)(b) of this section occurring before September 1, 2024,**
26 **does not constitute an offense.**

27 **“(4) A person convicted of any offense under this section shall forfeit the firearm.**

28 **“(5) As used in this section, ‘prior conviction’ includes a conviction for a violation of-**
29 **fense.”.**

30 On page 15, after line 35, insert:

31 **“SECTION 16. Section 4 of this 2023 Act is amended to read:**

32 **“Sec. 4. [(1)(a)] (1) A person may not knowingly possess, offer for sale, sell or transfer a firearm**
33 **unless the firearm has been imprinted with a serial number by a federally licensed firearm man-**
34 **ufacturer, importer or dealer, or a gunsmith with a federal firearms license, in accordance with**
35 **federal law.**

1 “(b) A person may not knowingly possess a firearm unless the firearm has been imprinted with
2 a serial number by a federally licensed firearm manufacturer, importer or dealer, or a gunsmith with
3 a federal firearms license, in accordance with federal law.]

4 “(2) This section does not apply to:

5 “(a) Antique firearms;

6 “(b) Firearms manufactured prior to October 22, 1968;

7 “(c) Firearms rendered permanently inoperable;

8 “(d) The sale, offer to sell, or transfer of a firearm to, or possession of a firearm by, a person
9 licensed as a firearm manufacturer, importer or dealer under 18 U.S.C. 923; or

10 “(e) A gunsmith taking possession of a firearm for the purpose of imprinting the firearm with a
11 serial number in accordance with federal law.

12 “(3)(a) A violation of subsection [(1)(a)] (1) of this section constitutes a Class B violation.

13 “(b) Notwithstanding paragraph (a) of this subsection, a violation of subsection [(1)(a)] (1) of this
14 section is a Class A misdemeanor if, at the time of the offense, the person has a prior conviction
15 under this section or section 3 or 5 of this 2023 Act.

16 “(c) Notwithstanding paragraphs (a) and (b) of this subsection, a violation of subsection [(1)(a)]
17 (1) of this section is a Class B felony if, at the time of the offense, the person has two or more prior
18 convictions under this section or section 3 or 5 of this 2023 Act.

19 “[(d) A violation of subsection (1)(b) of this section occurring before September 1, 2024, does not
20 constitute an offense.]

21 “(4) A person convicted of any offense under this section shall forfeit the firearm.

22 “(5) As used in this section, ‘prior conviction’ includes a conviction for a violation offense.”.

23 In line 36, delete “16” and insert “17”.

24 On page 16, delete lines 28 through 32 and insert:

25 “**SECTION 18. (1) The amendments to section 4 of this 2023 Act by section 16 of this 2023**
26 **Act become operative on September 1, 2024.**

27 “**(2) The amendments to section 5 of this 2023 Act by section 17 of this 2023 Act become**
28 **operative on September 1, 2024.**

29 “**SECTION 19. In addition to and not in lieu of any other appropriation, there is appro-**
30 **priated to the Department of State Police, for the biennium beginning July 1, 2023, out of the**
31 **General Fund, the amount of \$356,816, for implementation of the provisions of this 2023 Act.**

32 “**SECTION 20. This 2023 Act being necessary for the immediate preservation of the public**
33 **peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect**
34 **on its passage.”.**