



SPONSOR: Rep. Mitchell

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE AMENDMENT NO. 3
TO
SENATE SUBSTITUTE NO. 1
FOR
SENATE BILL NO. 6
AS AMENDED BY
SENATE AMENDMENT NO. 1, HOUSE AMENDMENT NO. 1
AND HOUSE AMENDMENT NO. 2

AMEND Senate Substitute No. 1 for Senate Bill No. 6 as Amended by Senate Amendment No. 1, House Amendment No. 1, and House Amendment No. 2 by adding after line 11 and before line 12 the following:

“c. For purposes of this subsection, the presence of a removable floor plate in an ammunition feeding device that is not capable of accepting more than 17 rounds of ammunition shall not, without more, be sufficient evidence that the ammunition feeding device can readily be converted to hold more than 17 rounds of ammunition.”

FURTHER AMEND Senate Substitute No. 1 for Senate Bill No. 6 as Amended by Senate Amendment No. 1, House Amendment No. 1, and House Amendment No. 2 on line 14 by deleting “class E felony.” as it appears therein and inserting in lieu thereof the following: “class E felony; class B misdemeanor; or civil violation.”.

FURTHER AMEND Senate Substitute No. 1 for Senate Bill No. 6 as Amended by Senate Amendment No. 1, House Amendment No. 1, and House Amendment No. 2 by deleting line 17 and 18 in their entirety and inserting in lieu thereof the following:

“(b)(1) A violation of this section which is a first offense which only involves possession of a large capacity magazine is a civil penalty of \$100.

(2) A second violation of this section which only involves possession of a large capacity magazine is a class B misdemeanor.

(3) All other violations of this section, including a subsequent offense involving only possession of a large-capacity magazine are a class E felony.

(4) A large-capacity magazine is subject to forfeiture for a violation of this section.

(5) The Superior Court has exclusive jurisdiction over violations under subsections (b)(2) and (b)(3) of this section.”

21 FURTHER AMEND Senate Substitute No. 1 for Senate Bill No. 6 as Amended by Senate Amendment No. 1, House
22 Amendment No. 1, and House Amendment No. 2 by adding after line 29 and before line 30 the following:

23 “(7) A large-capacity magazine that a person has rendered permanently inoperable or has permanently modified
24 to accept 17 rounds of ammunition or less.”

25 FURTHER AMEND Senate Substitute No. 1 for Senate Bill No. 6 as Amended by Senate Amendment No. 1, House
26 Amendment No. 1, and House Amendment No. 2 by deleting lines 40 and 41 in their entirety and inserting in lieu thereof the
27 following:

28 “Department, or a local law-enforcement agency participating in the program, in exchange for a compensation in
29 the amount of the market rate for each large-capacity magazine.”.

SYNOPSIS

This amendment changes the penalty for a first-time violation involving only possession of a large-capacity magazine to a civil violation involving a \$100 fee, and a second violation involving only possession, is a class B misdemeanor. All other violations, including a subsequent offense for possession of a large-capacity magazine, remain a class E felony. This amendment also clarifies that the presence of a removable floor plate in an ammunition feeding device that is not capable of accepting more than 17 rounds of ammunition is not, without more, sufficient evidence that the ammunition feeding device can readily be converted to hold more than 17 rounds of ammunition. This amendment also clarifies that it is not a violation of § 1466 of Title 11 if a resident renders a large-capacity magazine permanently inoperable or permanently modifies the magazine to accept 17 rounds of ammunition or less. Finally, this amendment changes the compensation program from \$10 for each large-capacity magazine to the market rate for each large-capacity magazine.