



General Assembly

January Session, 2011

Raised Bill No. 1094

LCO No. 3773

03773_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT BANNING LARGE CAPACITY AMMUNITION MAGAZINES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2011*) (a) As used in this section,
2 "large capacity magazine" means any detachable ammunition feeding
3 device with the capacity to accept more than ten rounds of
4 ammunition, but does not include: (1) A feeding device that has been
5 permanently altered so that it cannot accommodate more than ten
6 rounds, (2) a .22 caliber tube ammunition feeding device, or (3) a
7 tubular magazine that is contained in a lever-action firearm.

8 (b) Any person who possesses a large capacity magazine shall be
9 guilty of a class D felony.

10 (c) Any person who (1) prior to the effective date of this section,
11 lawfully possessed a large capacity magazine, and (2) not later than
12 ninety days after the effective date of this section, removes such
13 magazine from this state or surrenders such magazine to an organized
14 local police department or the Department of Public Safety for
15 destruction, shall not be subject to prosecution for a violation of
16 subsection (b) of this section.

17 (d) The provisions of subsection (b) of this section shall not apply to
18 the possession of a large capacity magazine by:

19 (1) Members or employees of organized local police departments,
20 the Department of Public Safety, the Department of Correction or the
21 military or naval forces of this state or of the United States for use in
22 the discharge of their official duties;

23 (2) A person, corporation or other entity that manufactures large
24 capacity magazines for persons specified in subdivision (1) of this
25 subsection or for export in accordance with federal regulations;

26 (3) Any person engaged in the business of selling or transferring
27 large capacity magazines in accordance with state and federal
28 regulations who possesses such magazines solely for the purpose of
29 such sale or transfer; or

30 (4) A gunsmith who possesses such large capacity magazine for the
31 purpose of maintenance, repair or modification.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2011</i>	New section

Statement of Purpose:

To prohibit the possession of certain ammunition feeding devices that accept more than ten rounds.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]