

SJM 202 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

Action Date: 02/14/18
Action: Be adopted and requesting referral to Rules.
Vote: 4-3-0-0
Yeas: 4 - Dembrow, Gelser, Prozanski, Wagner
Nays: 3 - Bentz, Linthicum, Thatcher
Fiscal: No fiscal impact
Revenue: No revenue impact
Prepared By: Channa Newell, Counsel

WHAT THE MEASURE DOES:

Urges Congress to define and regulate rapid fire enhancing accessories, such as bump stocks, in the same manner as fully automatic weapons. Urges Congress to enact legislation to expand the definition of "firearms" to include unfinished frames or receivers that can be converted to a fully functional firearm and to require background checks on sales of such partially completed firearms kits.

ISSUES DISCUSSED:

- Need for further state action on regulation of firearms
- Items that qualify as rapid fire enhancing accessories
- Determination of when a component of a firearm should require a background check

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Under state and federal law, a person who wishes to purchase a firearm must undergo a background check in order to buy a firearm. These background checks cover firearms that fire only once per trigger pull. Firearms that fire more than once per trigger pull are more tightly regulated. Manufacturing of new fully automatic firearms is prohibited under the Firearm Owners' Protection Act of 1986 and there is a heightened process for obtaining existing fully automatic firearms. After market devices are available, however, that significantly enhance the speed of trigger pulls on semi-automatic weapons, making them function like fully automatic firearms.

Additionally, partially completed firearm kits are available for sale without a background check. These firearm kits, sometimes called "ghost guns," can be assembled and finished by the purchaser, resulting in a firearm that does not have an engraved or stamped serial number.

Senate Joint Memorial 202 urges Congress to regulate rapid fire enhancing accessories in the same manner as fully automatic weapons. Additionally, the measure urges Congress to enact legislation that includes unfinished firearm kits within the definition of firearms and to require a background check prior to the purchase of an unfinished kit and a serial number to be added upon completion of the kit.