

BILL NO. 35-0250

Thirty-Fifth Legislature of the Virgin Islands

April 10, 2024

An Act amending title 23 Virgin Islands Code, chapter 5, by adding section 454b banning assault rifles in the Virgin Islands

PROPOSED BY: Senator Dwayne M. DeGraff

1 **WHEREAS**, assault rifles are military grade automatic weapons that accept detachable
2 magazines with other distinct characteristics;

3 **WHEREAS**, the number of mass shootings using assault rifles has increased
4 dramatically in the United States;

5 **WHEREAS**, assault rifles pose an increased threat to public safety due to their rapid fire
6 capabilities and the potential for mass casualties;

7 **WHEREAS**, the Virgin Islands seeks to protect its population from the potential of mass
8 shootings specifically in schools;

9 **WHEREAS**, the ban of assault rifles in the Virgin Islands will decrease the potential of
10 mass shootings;

1 **WHEREAS**, ten states in the United States have banned assault weapons;

2 **WHEREAS**, banning assault rifles enhance public safety by prohibiting the possession,
3 sale, and transfer of assault rifles in the Virgin Islands;

4 **WHEREAS**, there is federal legislation being proposed to ban assault weapons in the
5 United States; Now, Therefore,

6 *Be it enacted by the Legislature of the Virgin Islands:*

7 **SECTION 1.** Title 23 Virgin Islands Code, chapter 5 is amended as follows:

8 (a) by adding section 454b that reads:

9 “§ 454b. (a) It is unlawful for any person to own, possess, sell, or transfer any
10 assault rifle as defined in section 451(m) in the Virgin Islands.

11 (b) Anyone who violates this section is guilty of felony punishable by
12 imprisonment of not more than five years or a fine of not more than \$10,000, or both.

13 (c) Subsection (a) is not applicable to law enforcement and military personnel,
14 and persons who owned legally owned assault rifles before the enactment of this section.”

15 (b) subsection 451(m) is stricken and a new subsection (m) is added that reads:

16 “(m) Assault rifle means a military grade automatic rifle that accepts a
17 detachable magazine and has one or more of the following characteristics:

18 (1) a centerfire rifle with and overall length less than 30 inches;

19 (2) a folding or telescoping stock;

20 (3) a thumbhole stock;

21 (4) a second handgrip or protruding grip that can be held by the non-
22 trigger hand;

- 1 (5) a flash suppressor;
- 2 (6) a bayonet mount;
- 3 (7) a grenade launcher;
- 4 (8) a shroud that partially or completely encircles the barrel; or
- 5 (9) a threaded barrel capable of accepting a barrel extender, flash
- 6 suppressor, forward hand grip or silencer.”

7 **SECTION 2.** Not later than 180 days after the effective date of this act, all persons
8 exempt under the provisions of section 1 of this act must register their assault rifles with the
9 Virgin Islands Police Department.

10 **BILL SUMMARY**

11 This bill makes it illegal to own, possess, sell, or transfer any assault rifles in the Virgin
12 Islands except for military and law enforcement personnel and persons who owned assault rifles
13 prior to the ban. Violation of the ban carries criminal penalties.

14 **BR23-0125/March 19, 2024/CBM**