

BILL NO. 36-0144

Thirty-Sixth Legislature of the Virgin Islands

August 26, 2025

An act amending title 14 Virgin Islands Code, chapter 113 to define and prohibit assault rifles, ban suppressors and silencers, and requiring safety training for licensed rifles and shotgun holders; prohibiting large-capacity magazines and preventing the illegal sales of firearms, firearm accessories and ammunition

PROPOSED BY: Senator Clifford A. Joseph, Sr.

1 **WHEREAS**, the Legislature of the Virgin Islands finds that public safety in the Territory
2 is threatened due to the proliferation of firearms designed for military or tactical use that are
3 capable of delivering rifle-caliber firepower from concealable platforms;

4 **WHEREAS**, firearms such as the Sig Sauer MCX pistol, the Daniel Defense DDM4
5 PDW, CCMG Dissent MK4, Smith & Wesson M&P 15 and similarly configured weapons pose
6 a distinct threat to law enforcement and the public, particularly due to their concealability,
7 armor-piercing potential, and compatibility with suppressors, rifle scopes, and military-grade
8 accessories; and

9 **WHEREAS**, these weapons serve no legitimate civilian purpose for self-defense or sport
10 and are commonly used in criminal activity. Accordingly, their possession and use present an
11 unacceptable risk to public safety and must be prohibited; Now, therefore

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Title 14 Virgin Islands Code, Chapter 113 is amended by adding the following new section 2253a:

“§2253a. Tactical Pistol-Style Firearms and Variants

(1) Definitions

As used in this section-

(a) “ammunition feeding device” means a magazine, box, drum, tube, belt, feed strip or device that is capable of holding ammunition to be fed continuously and directly therefrom into a semi-automatic firearm. It does not include an attached tubular device which is capable of holding only .22 caliber rimfire ammunition.

(b) “detachable magazine” means an ammunition feeding device that attaches to a firearm, and which can be removed without disassembly of the firearm, including an ammunition feeding device that may be readily removed from a firearm with the use of a bullet, cartridge, accessory, or other tool, or any other object that functions as a tool.

(c) “federally licensed firearm dealer” means a person who holds a valid federal firearm dealers license pursuant to 18 U.S.C. § 923(a).

(d) “firearm accessory” means an attachment or device designed or adapted to be inserted into, affixed onto, or used in conjunction with a firearm, and which is designed, intended, or functions to alter or enhance the firing capabilities of a firearm, the lethality of the firearm, or a shooter’s ability to hold and use a firearm.

(e) “fixed magazine” means an ammunition feeding device that is permanently fixed to the firearm in such a manner that it cannot be removed without disassembly of the firearm, or contained in and not removable from a firearm, or that is otherwise not a detachable

magazine, but does not include an attached tubular device designed to accept, and capable of operating only with .22 caliber rimfire ammunition.

(f) “folding or telescoping stock” means a stock that folds, telescopes, detaches or otherwise operates to reduce the length, size, or any other dimension, or otherwise enhances the concealability of a firearm.

(g) “forward grip” means the grip or handle located forward of the trigger.

(h) “grenade launcher” means a device designed to fire, launch or propel a grenade.

(i) “pistol caliber variant” means a semi-automatic firearm originally manufactured as a pistol that otherwise meets the definition of a prohibited firearm, but is chambered only in a pistol cartridge.

(j) “pistol grip” means a well-defined handle, similar to that found on a handgun, that protrudes conspicuously beneath the action of the weapon, and which permits the firearm to be held and fired with one hand.

(k) “semi-automatic” means a firearm which fires a single projectile for each single pull of the trigger and is self-reloading or automatically chambers a round, cartridge, or bullet.

(l) “similar weapon” means any firearm that is substantially similar in function, configuration, or tactical capability to the Sig Sauer MCX pistol, the Daniel Defense DDM PDW, or any variant thereof; or any firearm meeting the description in subsection (2)(a) regardless of name, model or manufacturer.

(m) “Threaded barrel” means threads on the muzzle end of a barrel and shall include, but not be limited to, any barrel on which a flash suppressor, muzzle brake or silencer has been attached.

(2) Prohibited Firearms

(a) “Prohibited Firearms” means any firearm that:

1. was originally manufactured or designed as a pistol;

2. is chambered in a rifle-caliber cartridge, including but not limited to .300 AAC

Blackout, 5.56mm NATO, .223 Remington or 7.62x39mm ammunition;

3. has a barrel length of less than sixteen (16) inches; and

4. incorporates one or more of the following features:

(i) an arm brace, stabilizing brace, or buffer tube system designed to be shouldered;

(ii) a rail-mounted foregrip or hand stop;

(iii) a muzzle device such as a flash suppressor or suppressor-ready thread;

(iv) a mounting system capable of accepting military-grade optics, rifle scopes, or other rifle-style aiming devices.

(3) Prohibitions and Penalties

No person shall manufacture, sell, offer to sell, transfer, or purchase a prohibited firearm, except as otherwise authorized under this section. Any person convicted of violating this subsection shall be imprisoned for not more than ten years, or by a fine up to ten thousand dollars, and the prohibited firearm shall be subject to forfeiture.

(4) Mandatory Surrender

(a) Any person in possession of a prohibited firearm or similar weapon on the effective date of this section shall, within 90 days:

(1) surrender the firearm to the Virgin Islands Police Department (“VIPD”) for destruction; or

(2) transfer the firearm off-island through a federally licensed firearms dealer;
and

(3) surrender any firearm license issued for the firearm to VIPD for immediate revocation.

(b) No compensation shall be owed to persons who surrender firearms or licenses.

(c) The following limited exceptions to subsection (a) of this section shall apply:

(1) A person who lawfully possesses a prohibited firearm may sell, offer to sell, or transfer the prohibited firearm to a federally licensed firearm dealer, or to an individual outside the state who may lawfully possess such weapon.

(2) A federally licensed firearm dealer may sell, offer to sell, or transfer a prohibited firearm to another federally licensed firearm dealer, or to a law enforcement entity identified in subsection (c)(3) of this section, or to an individual outside the state who may lawfully possess such weapon.

(3) A law enforcement agency, acting under authority of the United States or the territorial government may import or purchase a prohibited firearm and may lawfully sell, offer to sell, or transfer a prohibited firearm to a federally licensed firearm dealer or to an authorized law enforcement agency.

(5) Limited Exception for Pistol-Caliber Variants

(a) A Pistol-Caliber Variant may be registered and possessed only for home protection or authorized use at a licensed shooting range.

(b) Transportation of such firearms is prohibited except as expressly authorized by law.

(6) Persons Excepted

This section shall not apply to:

(a) Law enforcement officers acting within the scope of their duties;

(b) Members of the United States Armed Forces or National Guard in active service or training.

(7) Promulgation of Regulations

The Commissioner of Police shall promulgate regulations within 60 days of the effective date of this section including:

1. Procedures for surrender and off-island transfer of firearms;

2. Certification of inoperability;

3. Registration standards for Pistol-Caliber Variants.

SECTION 2. Title 14 Virgin Islands Code, chapter 113 is amended by adding the following new sections 2253b and 2259:

“§2253b. Prohibition on Suppressors and Silencers

(a) It shall be unlawful for any person to possess, manufacture, import, transfer, transport, sell, offer for sale, or use any firearm suppressor or silencer in the Virgin Islands.

(b) For purposes of this section, a “suppressor” or “silencer” means any device for silencing, muffling, or diminishing the report of a portable firearm, including the frame or receiver of any such device, and any part intended for use in assembling or fabricating such a device.

(c) This section shall not apply to Law Enforcement Officers or agents of the United States Government acting within the scope of official duties; or members of the United States Armed Forces or National Guard in connection with lawful military activities.

(d) ATF Authorization Not Recognized

(1) Notwithstanding any federal authorization, including a tax stamp or registration with the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”), no

1 person shall possess a suppressor or silencer in the Virgin Islands, except as permitted
2 under subsection (c).

3 (2) Any such device found in the Territory shall be deemed contraband and
4 subject to immediate seizure and destruction.

5 (e) Penalty Violation of this section shall constitute a felony and shall be punishable
6 by imprisonment for not more than five years; or a fine not exceeding twenty-five thousand
7 dollars or both.

8 §2259. Large-capacity magazines prohibited

9 (a) For purposes of this section, the term “large-capacity ammunition magazine”
10 means any magazine, belt, box, drum, tube, or similar device which is capable of holding more
11 than ten rounds of ammunition.

12 (b) Whoever, unless otherwise authorized by law, has, possesses, bears, transports,
13 transfers, imports, carries either actually or constructively, or has under his proximate control,
14 a large-capacity ammunition magazine, loaded or unloaded, shall be imprisoned not less than
15 one nor more than five years.

16 (c) Whoever possesses a large-capacity ammunition magazine, loaded or unloaded, in
17 connection with a firearm of the same caliber that is licensed in the Virgin Islands, for the first
18 offense, shall be subject to a civil fine of \$1,000 only. The magazine shall be forfeited to the
19 VIPD for destruction.

20 (d) Subsections (b) and (c) shall not apply to—

21 (1) A sworn peace officer whether on or off duty; a sworn federal law
22 enforcement officer who is authorized to carry a firearm in the course and scope of his
23 duties; or a sworn peace officer who retired in good standing;

(2) Members of the Armed Forces of the United States or the National Guard, while on duty or traveling to or from an authorized place of duty.

(e) Any person who does not lawfully possess a large-capacity magazine shall, prior to January 1, 2026 do the following:

(1) Remove the large-capacity magazine from the Territory, pursuant to the VIPD regulations;

(2) Sell the large-capacity magazine to a licensed firearms dealer; or

(3) Surrender the large-capacity magazine to the Virgin Islands Police Department for destruction.

SECTION 3. Title 23 Virgin Islands Code, chapter 5 is amended as follows:

(a) Section 451, subsection (f) is amended by inserting, “which is designed to, or may readily be converted or restored to expel a projectile,” after “composition”;

(b) Adding the following new subsection 454b :

“§ 454b. Safety Training Requirement for Possession of Rifles and Shotguns

(a) Any person who applies for the registration, licensing, or lawful possession of a rifle or shotgun under this chapter must complete a certified firearms safety course approved by the VIPD, which includes instruction in:

(1) the safe handling, loading, and storage of rifles and shotguns;

(2) firearm maintenance and secure transportation;

(3) lawful use of force and applicable local firearm laws;

(4) range safety and marksmanship fundamentals.

(b) The firearms safety course must be taught by a certified instructor recognized by the VIPD and shall include both classroom instruction and live-fire qualification.

(c) This requirement shall apply to:

1 (1) All new applicants who do not currently possess a valid firearm license under
2 this chapter;

3 (2) All individuals seeking to acquire, possess, or use a rifle or shotgun for
4 purposes of home protection, sporting use, or recreational shooting.

5 (d) Any person who, as of the effective date of this section, holds a valid firearm license
6 issued under this chapter and lawfully possesses a rifle or shotgun shall not be required to
7 complete the safety course as a condition of continued possession.

8 (1) Completion of the certified safety course shall be required upon license
9 renewal, transfer, or upgrade involving rifles or shotguns.

10 (2) The VIPD may require completion of the course for individuals involved in
11 negligent or unsafe firearm use, even if licensed.

12 (e) Individuals who possess a valid hunting license with proof of completion of a
13 hunter's education course within the past five years may petition for an exemption from the
14 training requirement, subject to VIPD approval.

15 (f) The VIPD shall promulgate regulations for the approval of training courses and
16 instructors, maintain a list of certified courses, and provide public notice of course availability.

17 (g) Failure to complete the required training shall be grounds for denial or revocation
18 of any rifle or shotgun license or registration.

19 (c) Section 466 is amended in the following instances:

20 (1) In subsection (a), insert “, firearm accessories” after “firearms” in the first
21 line.

(2) In subsection (b), insert “or firearm accessories” after “ammunition”; and insert “that is of the same caliber or gauge of the firearm described in the firearms license or registration certificate.” after “license”.

(3) In subsection (c), insert “firearm, firearm accessories, or” after “sell”; and add item 3: “(3) The firearm accessories to be purchased or transferred must be of the same caliber or gauge of the firearm described in the firearms license or registration certificate.

(4) Add the following new subsection (e):

“(e) Any parts of a firearm that can change the ballistic identity of the firearm must be sold and recorded through a licensed Federal Firearms Licensed holder and that information must be given to the Virgin Islands Police within 48 hours. These parts include the barrel, firing pin, extractor, ejector, and Bolt Carrier Group (BCG). Any violation of this section shall result in a misdemeanor charge for the first offense and any subsequent offenses shall result in punishment pursuant to section 484 of this chapter.

SECTION 4. Effective Date

This act shall take effect 15 days after enactment.

BILL SUMMARY

This bill amends title 14, Virgin Islands Code, chapter 113 to define and prohibit assault rifles, ban suppressors and silencers, and require safety training for licensed rifles and shotgun holders. The bill further amends title 14 Virgin Islands Code, chapter 113 to prohibit large-capacity magazines and prevent the illegal sales of firearms, firearm accessories and ammunition to help reduce and prevent the proliferation of assault rifles in the territory. Section 3 of the bill amends Title 23, Virgin Islands Code chapter 5 to require safety training for the

- 1 possession of rifles and shotguns and added the sale of firearm accessories to section 466, which
- 2 prohibits the sales of weapons and ammunition without licenses.

3 **BR25-0706/August 4, 2025/NS**