



SPONSOR: Rep. D. Short

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE AMENDMENT NO. 2
TO
HOUSE BILL NO. 125

AMEND House Bill No. 125 by inserting after line 51 and before line 52 the following:

“(e) Any person who possesses an unfinished firearm frame or receiver with no serial number must do all of the following within 90 days after [the Act’s enactment into law]:

1. Bring the unfinished firearm frame or receiver with no serial number to a licensed firearm dealer in Delaware pursuant to Chapter 9 of Title 24 and 18 U.S.C. § 921 et seq. who shall do all of the following:

a. Subject the person possessing the unfinished firearm or receiver with no serial number to a criminal history background check pursuant to the terms of § 1448 of Title 11.

b. If the record check reveals that the person possessing the unfinished firearm frame or receiver with no serial is not a person prohibited from possessing or owning a firearm pursuant to § 1448 of Title 11, the licensed firearm dealer shall provide a serial number for the unfinished firearm frame or receiver.

c. If the record check reveals that the person possessing the unfinished firearm frame or receiver with no serial is a person prohibited from possessing or owning a firearm pursuant to § 1448 of Title 11, the licensed firearm dealer shall so inform the person.

d. Maintain a record of all criminal history background checks under this section in accordance with § 904 of Title 24 and of the serial numbers provided for unfinished firearm or receiver.

2. Any person provided with a serial number for the unfinished firearm frame or receiver shall have 10 days to affix the serial number to the unfinished firearm frame or receiver.

(f) In any prosecution under this section, it is a defense that the defendant fully complied with subsection (e) of this section.”.

SYNOPSIS

This amendment provides a mechanism for persons who lawfully own or possess an unfinished firearm frame or receiver with no serial number prior to the effective date of House Bill 125 to retain possession and ownership.