

(H.B. 251)

(No. 89)

(Approved August 26, 2005)

AN ACT

To amend subsection (E) of Section 2.02 of Act No. 404 of September 11, 2000, known as the “Puerto Rico Weapons Act,” in order to provide the reduction of the number of days set forth for a licensee to file a certification issued by an authorized official of a gun club authorized in Puerto Rico indicating that the petitioner has passed a course as to the correct and safe way to use and handle firearms pursuant to this Act and to reduce the number of days established for the extension provided.

STATEMENT OF MOTIVES

The “Puerto Rico Weapons Act” now in effect regulates, among other things, all matters related to the possession and use of firearms ammunition in order to control and/or eradicate the criminal activity of the last two decades, product of the accelerated illegal traffic of controlled substances which, in turn has generated the proliferation of the illegal traffic of firearms.

The aforesaid Act regulates the handling of firearms in order to ensure that this is done responsibly and at the same time it warns delinquents of the serious consequences of incurring criminal acts using firearms. It at the same time provides orientation and guidance to the citizens as to the legal means

of obtaining a firearm and the consequences of failing to comply with the provisions of said Act in that respect.

Subsection (E) of Section 2.02 of the “Puerto Rico Weapons Act,” now in effect, grants the licensee sixty (60) days after receiving his/her weapons license, extendable to sixty (60) additional days, so that the latter may file with the General Headquarters of the Puerto Rico Police a certification issued by an authorized official of a gun club authorized in Puerto Rico, indicating that he/she has passed a course as to the correct and safe way to use and handle firearms pursuant to this Act. Should said person fail to act as provided, he/she shall incur an administrative fault and be subject to the payment of the fine established.

This Legislature believes that the term granted for filing the aforementioned certification is very long since it allows a person to possess and/or carry a firearm without being duly trained in the handling of said firearm with the safety required. We are convinced that it is more than reasonable to grant a term of forty-five (45) days, extendable to thirty (30) additional days if so requested within the original term, for the licensee to file said certification.

It is very dangerous and risky to allow that a person untrained in the handling of firearms be authorized to possess said weapon for such a prolonged period of time. The number of fatal accidents registered in Puerto Rico as a result of negligence in the incorrect use and handling of firearms is dramatic and is the cause of innocent persons losing their lives. This Legislature is responsible for ensuring that necessary and convenient measures are taken to prevent disastrous results for our society. In this sense, we believe that this legislation shall contribute to making licensees more

responsible and conscious as to the importance of timely training in the handling of weapons.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.-Subsection (E) of Section 2.02 of Act No. 404 of September 11, 2000, is hereby amended to read as follows:

“Weapons License

- (A) ...
 - (1) ...
 - (2) ...
 - (3) ...
 - (4) ...
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 - (6) ...
 - (7) ...
 - (8) ...
 - (9) ...
 - (10) ...
 - (11) ...
 - (12) ...
 - (13) ...
- (B) ...
- (C) ...
- (D) ...
 - (1) ...
 - (2) ...
 - (3) ...
 - (4) ...

(5) ...

(6) ...

(7) ...

(E) Within the term of forty-five (45) days from the date the Weapons License is received, which may be extended for thirty (30) additional days if requested within the original term, any licensee shall file a certification issued by an authorized official of a gun club authorized in Puerto Rico, if he/she has not filed it before with the Puerto Rico Police General Headquarters, personally or by certified mail with acknowledgement of receipt, to the effect that the petitioner has approved a course in the correct and safe use and handling of firearms pursuant to this Act. If the applicant fails to do so, he/she shall incur an administrative fault of one hundred (100) dollars for each month in arrears, for up to a maximum of six (6) months, at the end of which the license shall be revoked and seized, as well as any weapon and ammunition the petitioner has acquired. For these purposes, the Superintendent shall authorize the purchase of up to a maximum of five hundred (500) rounds of ammunition in addition to those allowed by this Act. Said ammunition shall have to be used completely by the petitioner during the training for certification. The provisions of this paragraph

shall not impair the provisions of clause (7) of the above paragraph.

(F) ...
...
...
...
...
...”

Section 2.-This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 89 (H.B. 251) of the 1st Session of the 15th Legislature of Puerto Rico:

AN ACT to amend subsection (E) of Section 2.02 of Act No. 404 of September 11, 2000, known as the “Puerto Rico Weapons Act,” in order to provide the reduction of the number of days set forth for a licensee to file a certification issued by an authorized official of a gun club authorized in Puerto Rico indicating that the petitioner has passed a course as to the correct and safe way to use and handle firearms pursuant to this Act and to reduce the number of days established for the extension provided,

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 15th of November of 2005.

Francisco J. Domenech
Director