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SENATE BILL NO. 425

Offered January 21, 2000

A BILL to amend the Code of Virginia by adding in Article 4 of Chapter 7 of Title 18.2 a section numbered 18.2-287.5, relating to possessing a dangerous weapon in certain county facilities; penalty.

Patrons—Howell, Byrne, Puller, Ticer and Whipple; Delegates: Almand, Amundson, Brink, Callahan, Darner, Devolites, Dillard, Hull, Moran, Plum, Scott, Van Landingham and Watts

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 4 of Chapter 7 of Title 18.2 a section numbered 18.2-287.5 as follows:

§ 18.2-287.5 Possession of a dangerous weapon in county building; ordinance.

Notwithstanding the provisions of § 15.2-915, the governing body of any county that has adopted the urban county executive form of government or the county manager plan of government may, by ordinance, make it unlawful for any person to possess a dangerous weapon upon the property, including buildings and grounds thereof, of any county-owned or -operated facility. An ordinance adopted pursuant to this section shall provide for appropriate exemptions for educational, instructional, theatrical and historical events. The ordinance shall not apply to public streets, roads or highways with the county, but may be made applicable to access roads and parking areas for the facilities which are subject to the ordinance.

Notice of the ordinance shall be posted at each public entrance to each facility within the scope of the ordinance. A violation of the ordinance shall be made punishable as a Class 1 misdemeanor, and upon conviction, any weapon seized shall be disposed of as provided in subsection A of § 18.2-310.

For the purposes of this section, the term "dangerous weapon" means any (i) gun or other weapon designed or intended to propel a missile or projectile of any kind; (ii) frame, receiver, muffler, silencer, missile, projectile or ammunition designed for use with any gun or other weapon designed or intended to propel a missile or projectile of any kind; or (iii) explosive, taser, stun weapon, knife or other weapon specified in subsection A of § 18.2-308.

No such ordinance shall apply to the following individuals who are carrying dangerous weapons: (i) any law-enforcement officer, as defined by § 9-169; (ii) any game warden, animal warden or deputy animal warden; (iii) any special police officer; or (iv) any magistrate, court officer or judge.

INTRODUCED

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