

2002 SESSION

INTRODUCED

025258928

HOUSE BILL NO. 1016

Offered January 9, 2002

Prefiled January 9, 2002

A *BILL* to amend the Code of Virginia by adding a section numbered 18.2-308.1:6, relating to possession of firearms following certain criminal convictions; penalty.

Patrons—Scott, Almand, Brink, Dillard, Hull, Plum, Van Landingham and Watts

Referred to Committee on Militia, Police and Public Safety

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 18.2-308.1:6 as follows:

§ 18.2-308.1:6. Possession of firearms following certain criminal convictions; penalty.

It shall be unlawful for any person to knowingly and intentionally possess or transport any firearm or to knowingly and intentionally carry about his person, any weapon described in subsection A of § 18.2-308, for a period of five years following a conviction for:

(i) stalking in violation of § 18.2-60.3,

(ii) sexual battery in violation of § 18.2-67.4,

(iii) assault and battery of a family or household member in violation of § 18.2-57.2, that results in serious bodily injury, or

(iv) a law of any other jurisdiction that is substantially similar to (i), (ii) or (iii).

A violation of this section shall be punishable as a Class 6 felony. Any firearm or any concealed weapon possessed, transported or carried in violation of this section shall be forfeited to the Commonwealth and disposed of as provided in § 18.2-310.

The provisions of subsection C of § 18.2-308.2 regarding petitioning a circuit court for a permit to carry or possess a firearm shall apply, *mutatis mutandis*, to a person subject to the prohibitions hereunder.

2. That the provisions of this act may result in a net increase in periods of imprisonment or confinement. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities and is \$0 for periods of commitment to the custody of the Department of Juvenile Justice.

INTRODUCED

HB1016