

## 2004 SESSION

INTRODUCED

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### HOUSE BILL NO. 1247

Offered January 14, 2004

Prefiled January 14, 2004

*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, J.M., Ebbin, Plum and Sickles; Senators: Cuccinelli, Howell and Ticer

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.*

*Any person who, during 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 or (iii) a law of any other jurisdiction that is substantially similar to clauses (i) or (ii), knowingly and intentionally possesses or transports or carries about his person any firearm or knowingly and intentionally carries about his person hidden from common observation, any weapon described in subsection A of § 18.2-308, is guilty of 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.*

*A prosecution under this section shall not prohibit a prosecution under any other applicable law.*

**2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is \$39,507 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.**

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