

2004 SESSION

INTRODUCED

040010324

HOUSE BILL NO. 530

Offered January 14, 2004

Prefiled January 13, 2004

A BILL to amend and reenact § 15.2-915 of the Code of Virginia, relating to control of firearms; applicability to authorities and local governmental agencies.

Patrons—Hogan, McDonnell and Cole

Referred to Committee on Militia, Police and Public Safety

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-915 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-915. Control of firearms; applicability to authorities and local governmental agencies.

~~From and after January 1, 1987, no~~ No locality shall adopt any ordinance, resolution or motion, as permitted by § 15.2-1425, and no agent of such locality shall take any administrative action, governing the purchase, possession, transfer, ownership, carrying or transporting of firearms, ammunition, or components or combination thereof other than those expressly authorized by statute. *Neither shall any ordinance, resolution, motion or administrative action in effect prior to July 1, 2004, which governs the purchase, possession, transfer, ownership, carrying or transporting of firearms, ammunition, or components or combination thereof, be enforceable or remain in effect on and after July 1, 2004.* For purposes of this section, a statute that does not refer to firearms, ammunition, or components or combination thereof, shall not be construed to provide express authorization.

~~Nothing in this section shall affect the validity or invalidity of any ordinance, resolution or motion adopted prior to January 1, 1987.~~ Nothing in this section shall prohibit a locality from adopting workplace rules relating to terms and conditions of employment of the workforce. Nothing in this section shall prohibit a law-enforcement officer, as defined in § 9.1-101 from acting within the scope of his duties. No person may be prosecuted or convicted of a violation of any ordinance regulating the possession, carrying, or transportation of a firearm if he is (i) possessing, carrying, or transporting the firearm without violating any provision of Title 18.2 and he has a valid concealed handgun permit issued pursuant to § 18.2-308 or (ii) otherwise transporting the firearm in a lawful manner.

The provisions of this section applicable to a locality shall also apply to any authority or to a local governmental entity, including a department or agency, but not including any local or regional jail or juvenile detention facility.

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