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**HOUSE BILL NO. 1285**

Offered January 9, 2008

Prefiled January 9, 2008

*A BILL to amend and reenact § 18.2-308.1:4 of the Code of Virginia, relating to protective orders; transport of firearms by certain law-enforcement officers.*

Patrons—Athey, Cosgrove, Gilbert, Lingamfelter and Sherwood

Referred to Committee on Militia, Police and Public Safety

**Be it enacted by the General Assembly of Virginia:**

**1. That § 18.2-308.1:4 of the Code of Virginia is amended and reenacted as follows:**

§ 18.2-308.1:4. Purchase or transportation of firearm by persons subject to protective orders; penalty.

A. It shall be unlawful for any person who is subject to (i) a protective order entered pursuant to §§ 16.1-253, 16.1-253.1, 16.1-253.4, 16.1-279.1, 19.2-152.8, 19.2-152.9, or § 19.2-152.10; (ii) an order issued pursuant to subsection B of § 20-103; (iii) an order entered pursuant to subsection D of § 18.2-60.3; or (iv) an order issued by a tribunal of another state, the United States or any of its territories, possessions or commonwealths, or the District of Columbia pursuant to a statute that is substantially similar to those cited in clauses (i), (ii), or (iii) to purchase or transport any firearm while the order is in effect. Any person with a concealed handgun permit shall be prohibited from carrying any concealed firearm, and shall surrender his permit to the court entering the order, for the duration of any protective order referred to herein. A violation of this section is a Class 1 misdemeanor.

B. *Nothing in this section shall be construed to prohibit a law-enforcement officer, subject to an order set forth in subsection A, from transporting a firearm while in the performance of official law-enforcement duties, so long as the sheriff or chief law-enforcement officer of the law-enforcement agency that employs the officer approves such transport.*

INTRODUCED

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