

2009 SESSION

INTRODUCED

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SENATE BILL NO. 1053

Offered January 14, 2009

Prefiled January 13, 2009

A *BILL to amend the Code of Virginia by adding a section numbered 15.2-915.5, relating to the possession of dangerous weapons in government facilities.*

Patrons—Whipple; Delegates: Brink and Englin

Referred to Committee on Local Government

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 15.2-915.5 as follows:

§ 15.2-915.5. Authority to restrict dangerous weapons in government facilities.

Notwithstanding the provisions of § 15.2-915, the governing body of any locality may, by ordinance, make it unlawful for any person to possess a dangerous weapon upon the property, including buildings and grounds thereof, of any facility that is owned or leased by that locality and used by it for governmental purposes. Any such ordinance shall provide for appropriate exceptions for educational, instructional, theatrical, and historical events. The ordinance may apply to the access roads and parking areas for those facilities, but shall not apply to public streets, roads, or highways. Notice of the ordinance shall be posted at each public entrance of every county, city, or town facility that is within the scope of the ordinance. A violation of the ordinance shall be punishable as a Class 1 misdemeanor, and upon conviction, any weapon seized shall be disposed of in accordance with § 19.2-386.29.

For the purposes of this section, the term "dangerous weapon" means (i) any gun or other weapon designed or intended to propel a missile or projectile of any kind; (ii) any 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) any 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 a dangerous weapon: (a) any law-enforcement officer, as defined by § 9.1-101; (b) any game warden, animal warden, or deputy animal warden; (c) any special police officer; or (d) any magistrate, court officer, or judge.

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