

2009 SESSION

LEGISLATION NOT PREPARED BY DLS
SENATE SUBSTITUTE

099821216

SENATE BILL NO. 1257

FLOOR AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by Senator Cuccinelli

on January 29, 2009)

(Patron Prior to Substitute—Senator Marsh)

A BILL to amend the Code of Virginia by adding a section numbered 18.2-308.2:4, relating to sale of firearms; criminal history record checks.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 18.2-308.2:4 as follows:

§ 18.2-308.2:4. Criminal history record information checks for private sales at firearm shows.

At any firearms show, as defined in § 54.1-2400, a seller, who is not licensed as a firearms dealer pursuant to 18 U.S.C. § 923, may request of any police officer of the jurisdiction in which the firearms show is being operated, or of any Virginia State Police Officer, who may be on duty in the show area, to initiate a criminal history record check, as set out in § 18.2-308.2:2, on a prospective buyer. The officer shall, by telephone to the Firearm Transaction Center, initiate a criminal history record check, and make the result known to both the seller and the prospective buyer. If the record check reveals that the prospective buyer is prohibited from possessing or purchasing a firearm, the officer shall so inform both parties and the transfer shall not take place. If the results of a voluntary record check under the provisions of this section are not available within one hour, the seller and the prospective buyer may effect the transfer as otherwise allowed by law.

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