

# 2009 SESSION

## SENATE SUBSTITUTE

091541228

### SENATE BILL NO. 1257

#### FLOOR AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by Senator Edwards

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 sales by unlicensed persons.*

*If requested to do so at a firearms show, as defined in § 54.1-4200, by a seller who is not a licensed firearms dealer, a person licensed to do business in Virginia as a dealer in firearms pursuant to 18 U.S.C. § 921 et seq. shall obtain a criminal history record check in compliance with § 18.2-308.2:2 and federal law to facilitate the sale of a firearm. In the event that the record check reveals that the prospective purchaser is prohibited from possessing, purchasing, or owning a firearm, under state or federal firearms law, the dealer shall so inform both parties of that fact and the transfer shall not take place. Any dealer who obtains a criminal history record check pursuant to this section may charge a reasonable fee for such service.*

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