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SENATE BILL NO. 1250

Offered January 12, 2011

Prefiled January 12, 2011

A *BILL to amend the Code of Virginia by adding a section numbered 2.2-601.1, relating to regulation of firearms by state entities.*

Patrons—Vogel; Delegates: Cole and Poindexter

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 2.2-601.1 as follows:

§ 2.2-601.1. Regulation of firearms by state agencies prohibited.

A. Notwithstanding any provision of law to the contrary, no department, agency, authority, board, commission, council, or other state entity shall adopt or enforce any rule or regulation, as defined in § 2.2-4001, or policy nor shall any appointee, employee, or agent of any such entity take any administrative action governing the purchase, possession, transfer, ownership, carrying, storage, or transporting of firearms, ammunition, or components or combinations thereof other than those expressly authorized by statute. For purposes of this section, a statute that does not refer to firearms, ammunition, or components or combinations thereof shall not be construed to provide express authority.

B. Nothing in this section shall prohibit a law-enforcement officer, as defined in § 9.1-101, from acting within the scope of his duties.

C. This section shall not apply to the rules, regulations, policies, or administrative actions of a state, local, or regional correctional facility or facilities operated by the Department of Behavioral Health and Developmental Services.

D. Any rule, regulation, or policy adopted by a state entity prior to July 1, 2011, governing the purchase, possession, transfer, ownership, carrying, storage, or transportation of firearms, ammunition, or components or combinations thereof, other than those rules, regulations, or policies expressly authorized by statute, is invalid.

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