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SENATE BILL NO. 245

Offered January 11, 2012

Prefiled January 10, 2012

A BILL to amend and reenact § 44-146.15 of the Code of Virginia, relating to emergency services and disasters; constitutional rights.

Patrons—Obenshain, Black and Garrett

Referred to Committee on General Laws and Technology

Be it enacted by the General Assembly of Virginia:**1. That § 44-146.15 of the Code of Virginia is amended and reenacted as follows:**

§ 44-146.15. Construction of chapter.

Nothing in this chapter is to be construed to:

(1) Limit, modify, or abridge the authority of the Governor to exercise any powers vested in him under other laws of this Commonwealth independent of, or in conjunction with, any provisions of this chapter;

(2) Interfere with dissemination of news or comment on public affairs; but any communications facility or organization, including, but not limited to, radio and television stations, wire services, and newspapers, may be required to transmit or print public service messages furnishing information or instructions in connection with actual or pending disaster;

(3) Empower the Governor, any political subdivision, or any other governmental authority to in any way limit *or prohibit* the rights of the people to keep and bear arms as guaranteed by Article I, Section 13 of the Constitution of Virginia or the Second Amendment of the Constitution of the United States, including the *otherwise* lawful possession, *carrying, transportation*, sale, or transfer of firearms except to the extent necessary to ensure public safety in any place or facility designated or used by the Governor, any political subdivision of the Commonwealth, or any other governmental entity as an emergency shelter or for the purpose of sheltering persons;

(4) Affect the jurisdiction or responsibilities of police forces, ~~fire-fighting~~ *firefighting* forces, units of the armed forces of the United States or any personnel thereof, when on active duty; but state, local and interjurisdictional agencies for emergency services shall place reliance upon such forces in the event of declared disasters; or

(5) Interfere with the course of conduct of a labor dispute except that actions otherwise authorized by this chapter or other laws may be taken when necessary to forestall or mitigate imminent or existing danger to public health or safety.

INTRODUCED

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