

2013 SESSION

LEGISLATION NOT PREPARED BY DLS  
INTRODUCED

13103748D

SENATE BILL NO. 1232

Offered January 9, 2013

Prefiled January 9, 2013

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

Patron—Ebbin

Referred to Committee for Courts of Justice

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 check required to sell firearm; penalty.*

No person shall transfer a firearm unless he has obtained verification from a licensed dealer in firearms that information on the prospective purchaser or transferee has been submitted for a criminal history record information check as set out in § 18.2-308.2:2 and that a determination has been received from the Department of State Police that the prospective purchaser or transferee is not prohibited under state or federal law from possessing a firearm. The Department of State Police shall provide a means by which sellers may obtain from designated licensed dealers the approval or denial of firearm transfer requests based on criminal history record information checks. The processes established shall conform to the provisions of § 18.2-308.2:2, and the definitions and provisions of § 18.2-308.2:2 regarding criminal history record information checks shall apply to this section mutatis mutandis. The designated dealer shall collect and disseminate the fees prescribed in § 18.2-308.2:2 as required by that section. The dealer may charge and retain an additional fee not to exceed \$15 for obtaining criminal history record information checks on behalf of sellers.

Any person who willfully and intentionally sells, rents, trades, or transfers a firearm to a person without obtaining verification in accordance with this section is guilty of a Class 1 misdemeanor.

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