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SENATE BILL NO. 864

Senate Amendments in [] - January 23, 2013

A *BILL to amend and reenact § 18.2-308.1:4 of the Code of Virginia, relating to transportation and possession of firearms; persons subject to certain emergency protective orders; penalty.*

Patron Prior to Engrossment—Senator Favola

Referred to Committee for Courts of Justice**Be it enacted by the General Assembly of Virginia:****1. That § 18.2-308.1:4 of the Code of Virginia is amended and reenacted as follows:****§ 18.2-308.1:4. Purchase or transportation of firearm by persons subject to protective orders; penalty.**

~~It shall be unlawful for any~~ A. No person who is subject to (i) a protective order entered pursuant to § 16.1-253.1, 16.1-253.4, 16.1-278.2, 16.1-279.1, 19.2-152.8, 19.2-152.9, or 19.2-152.10; (ii) an order issued pursuant to subsection B of § 20-103; (iii) an order entered pursuant to subsection D of § 18.2-60.3; (iv) a preliminary protective order entered pursuant to subsection F of § 16.1-253 where a petition alleging abuse or neglect has been filed; or (v) an order issued by a tribunal of another state, the United States or any of its territories, possessions or commonwealths, or the District of Columbia pursuant to a statute that is substantially similar to those cited in clauses (i), (ii), (iii), or (iv) ~~to~~ [*who has been served with the protective order*] may purchase or transport any firearm while ~~the~~ *such* order is in effect. Any person with a concealed handgun permit shall be prohibited from carrying any concealed firearm, and shall surrender his permit to the court entering the order, for the duration of any protective order referred to herein. ~~A violation of this section is a Class 1 misdemeanor.~~

B. No person who is [~~the subject of~~ *subject to*] an emergency protective order issued pursuant to the requirements of subsection C of § 18.2-57.2 [*who has been served with the protective order*] may physically possess a firearm while in the residence of the alleged victim or transport a firearm while *such* order is in effect.

C. A violation of this section is a Class 1 misdemeanor.

ENGROSSED

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