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HOUSE BILL NO. 1015

Offered January 8, 2014

Prefiled January 8, 2014

A BILL to amend and reenact § 18.2-119 of the Code of Virginia, relating to trespass; signs prohibiting firearms.

Patron—Berg

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-119 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-119. Trespass after having been forbidden to do so; penalties.

If any person without authority of law goes upon or remains upon the lands, buildings or premises of another, or any portion or area thereof, after having been forbidden to do so, either orally or in writing, by the owner, lessee, custodian, or the agent of any such person, or other person lawfully in charge thereof, or after having been forbidden to do so by a sign or signs posted by or at the direction of such persons or the agent of any such person or by the holder of any easement or other right-of-way authorized by the instrument creating such interest to post such signs on such lands, structures, premises or portion or area thereof at a place or places where it or they may be reasonably seen, or if any person, whether he is the owner, tenant or otherwise entitled to the use of such land, building or premises, goes upon, or remains upon such land, building or premises after having been prohibited from doing so by a court of competent jurisdiction by an order issued pursuant to §§ 16.1-253, 16.1-253.1, 16.1-253.4, 16.1-278.2 through 16.1-278.6, 16.1-278.8, 16.1-278.14, 16.1-278.15, 16.1-279.1, 19.2-152.8, 19.2-152.9 or § 19.2-152.10 or an ex parte order issued pursuant to § 20-103, and after having been served with such order, he ~~shall be~~ *is* guilty of a Class 1 misdemeanor. This section shall not be construed to affect in any way the provisions of §§ 18.2-132 through 18.2-136.

In the case of signs prohibiting the carrying of a firearm or a particular type of firearm, a nonresidential building shall not be considered to be posted no trespassing pursuant to this section unless such signs prohibiting the carrying of a firearm or a particular type of firearm in the building (i) have been posted where they may reasonably be seen at all entrances to the building or to the part of the building to which the restriction applies, (ii) state the nature of the prohibition in conspicuous type, and (iii) have dimensions of at least five inches by seven inches.

INTRODUCED

HB1015