

2014 SESSION

HOUSE SUBSTITUTE

14104738D

HOUSE BILL NO. 43

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice
on February 3, 2014)

(Patron Prior to Substitute—Delegate Marshall, R.G.)

A *BILL to prevent agencies and political subdivisions of the Commonwealth from assisting in the enforcement of new restrictions on the right to keep and bear arms imposed under federal firearms laws.*

Be it enacted by the General Assembly of Virginia:

1. § 1. *Notwithstanding any provision of law to the contrary, no agency or political subdivision of the Commonwealth, as those terms are defined in § 8.01-385, or any employee or agent thereof acting in his official capacity, shall knowingly aid any employee or entity of the federal government of the United States (i) in any investigation, prosecution, detention, or arrest or participate in any search or seizure relating to any criminal, civil, or administrative restrictions on firearms, firearm magazines, ammunition, or components thereof based on any federal statute enacted or any executive order or regulation issued on or after December 1, 2013, or (ii) in the conduct of, or the enforcement of any requirement for, any background check related to any intrastate sale, loan, gift, or other transfer of a firearm between citizens of the Commonwealth who do not possess a federal firearms license under 18 U.S.C. § 923 if such aid would knowingly place any state agency, political subdivision, or employee of such agency or political subdivision in violation of the United States Constitution, the Constitution of Virginia, any provision of the Code of Virginia, any act of the General Assembly, or any regulation of the Virginia Administrative Code. However, nothing herein shall affect any investigation, prosecution, detention, or arrest or participation in any search or seizure based on any federal statute enacted or any executive order or regulation issued before December 1, 2013.*

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