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SENATE BILL NO. 39**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the Senate Committee for Courts of Justice
on January 22, 2014)

(Patron Prior to Substitute—Senator Marsden)

A BILL to amend the Code of Virginia by adding a section numbered 54.1-4201.2, relating to firearm sales; criminal history record information checks.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 54.1-4201.2 as follows:

§ 54.1-4201.2. Duties of promoter; background checks.

A. A promoter shall make available at every firearms show held in the Commonwealth one or more Virginia dealers licensed pursuant to 18 U.S.C. § 921 et seq. to make determinations in accordance with the procedures set out in § 18.2-308.2:2 of whether a prospective purchaser or transferee is prohibited under state or federal law from possessing a firearm.

B. The promoter shall ensure that a notice that such determinations are available is prominently displayed at the show.

C. No person who sells or transfers a firearm at a firearms show after receiving a determination that the purchaser or transferee is not prohibited by state or federal law from possessing a firearm shall be liable for selling or transferring a firearm to a prohibited person.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 806 of the Acts of Assembly of 2013 requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is \$0 for periods of commitment to the custody of the Department of Juvenile Justice.

SENATE SUBSTITUTE

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