8/5/22 20:30

16104347D

1

2

3

4

5

6

7 8

9 10

11

12

13 14

15

16

17 18

19

20 21

22

23

24

25

26

27

29

30

31

32 33

34

35

36

37

38

39

40

41 42

43

44

45

46

47

48 49

50 51

53

54

55 56

57

SENATE BILL NO. 713

Offered January 21, 2016

A BILL to amend and reenact § 18.2-308.014 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 18.2-308.014:1, relating to establishing the Concealed Carry Reciprocity Advisory Commission.

Patron—Hanger

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-308.014 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 18.2-308.014:1 as follows:

§ 18.2-308.014. Reciprocity.

A. A valid concealed handgun or concealed weapon permit or license issued by another state shall authorize the holder of such permit or license who is at least 21 years of age to carry a concealed handgun in the Commonwealth, provided (i) the issuing authority provides the means for instantaneous verification of the validity of all such permits or licenses issued within that state, accessible 24 hours a day, and (ii) except for the age of the permit or license holder and the type of weapon authorized to be carried, the requirements and qualifications of that state's law are adequate to prevent possession of a permit or license by persons who would be denied a permit in the Commonwealth under this article. The Superintendent of State Police shall (a), in consultation with the Office of the Attorney General determine, evaluate whether states meet the requirements and qualifications of this subsection, (b) maintain a registry of such and make a report of his evaluation with accompanying recommendations to the Concealed Carry Reciprocity Advisory Commission established in § 18.2-308.014:1. The Concealed Carry Reciprocity Advisory Commission shall review the evaluation, and, if it concurs with the recommendation, shall direct the Superintendent of State Police to add the state to the registry of recognized states maintained by the Superintendent of State Police on the Virginia Criminal Information Network (VCIN), and (e) make the registry which shall be available to law-enforcement officers for investigative purposes. The Superintendent of the State Police, in consultation with the Office of the Attorney General, may also shall, with the approval of the Concealed Carry Reciprocity Advisory Commission, enter into agreements for reciprocal recognition with any state qualifying for recognition under this subsection. No reciprocity agreements shall be entered into or rescinded without the approval of the Concealed Carry Reciprocity Advisory Commission.

B. Notwithstanding the provisions of subsection A, until December 31, 2016, the Superintendent of State Police shall recognize any valid concealed handgun or concealed weapon permit or license issued by another state where such state's permit or license was, as of December 31, 2015, recognized by the Superintendent of State Police as authorizing the holder of such permit or license to carry a concealed handgun in the Commonwealth.

C. A valid concealed handgun permit issued by Maryland shall be valid in the Commonwealth, provided (i) the holder of the permit is licensed in Maryland to perform duties substantially similar to those performed by Virginia branch pilots licensed pursuant to Chapter 9 (§ 54.1-900 et seq.) of Title 54.1 and is performing such duties while in the Commonwealth, and (ii) the holder of the permit is 21 years of age or older.

C. D. For the purposes of participation in concealed handgun reciprocity agreements with other jurisdictions, the official government-issued law-enforcement identification card issued to an active-duty law-enforcement officer in the Commonwealth who is exempt from obtaining a concealed handgun permit under this article shall be deemed a concealed handgun permit.

§ 18.2-308.014:1. Concealed Carry Reciprocity Advisory Commission.

A. The Concealed Carry Reciprocity Advisory Commission (the Commission) is established in the legislative branch of state government. The Commission shall consist of six legislative members, to be appointed as follows: two members of the Senate to be appointed by the Senate Committee on Rules and four members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates. Legislative members shall serve terms coincident with their terms of office and may be

The Commission shall elect a chairman and vice-chairman from among its membership. A majority of the members shall constitute a quorum. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.

SB713 2 of 2

B. Legislative members of the Commission shall receive such compensation as provided in § 30-19.12 and shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Compensation to members of the General Assembly for attendance at official meetings of the Commission shall be paid by the offices of the Clerk of the Senate or Clerk of the House of Delegates, as applicable.

C. The Commission shall review the requirements for concealed carry permits in the Commonwealth and in other states, identify similarities and differences between the laws of the Commonwealth and those of other states, analyze the importance of requirements and qualifications in the Commonwealth and in other states, work with other states to resolve issues pertaining to any differences, and evaluate provisions that could impact the safety of the citizens and law-enforcement personnel of the Commonwealth. The Commission shall review the laws of each state whose valid concealed handgun or concealed weapon permit or license was, as of December 31, 2015, recognized as authorizing the holder of such permit or license to carry a concealed handgun in the Commonwealth to determine the status of a valid concealed handgun permit issued in the Commonwealth in such other state. The Commission shall direct the Superintendent of State Police to enter into agreements for reciprocal recognition if it determines that such an agreement is required to establish reciprocity with such other states and it determines that the state qualifies for recognition. The Commission shall direct the Superintendent of State Police to rescind any agreements for reciprocal recognition if it determines that a state does not qualify for reciprocal recognition.

D. Administrative staff support shall be provided by the Office of the Clerk of the Senate or the Office of the Clerk of the House of Delegates as may be appropriate for the house in which the chairman of the Commission serves. The Division of Legislative Services shall provide legal, research, policy analysis, and other services as requested by the Commission.

The Superintendent of State Police and all agencies of the Commonwealth shall provide assistance to the Commission, upon request.

E. No later than December 1, 2016, the Commission shall submit a report to the General Assembly regarding the requirements and qualifications for receiving a concealed handgun permit in Virginia as compared to other states and making recommendations for recognizing states where the laws are adequate to prevent possession of a permit or license by persons who would be denied a permit under the laws of the Commonwealth and for establishing or rescinding reciprocal agreements.