

16103093D

SENATE BILL NO. 95

Offered January 13, 2016

Prefiled December 22, 2015

A BILL to amend the Code of Virginia by adding in Article 3 of Chapter 3 of Title 8.01 a section numbered 8.01-44.8, relating to civil liability for negligent gun storage.

Patron—Marsden

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 3 of Chapter 3 of Title 8.01 a section numbered 8.01-44.8 as follows:

§ 8.01-44.8. Action for injury resulting from negligent storage of firearms; commission of crime.

A person may be held civilly liable for injury to the person or property of another or for wrongful death resulting from the use of a firearm in the commission of a crime if it can be shown by clear and convincing evidence that the firearm came into the possession of the person who committed the crime resulting in the injury to the person or property of another or wrongful death because of the failure of the civil defendant to adequately secure the firearm from theft or unauthorized possession.

INTRODUCED

SB95