

2017 SESSION

INTRODUCED

17103113D

HOUSE BILL NO. 2188

Offered January 11, 2017

Prefiled January 11, 2017

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 sale or transfer of a firearm; background check.

Patron—Boysko

Referred to Committee on Militia, Police and Public Safety

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 a firearm sold or transferred without a background check.

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 civil defendant sold or transferred such firearm to the person who committed the crime resulting in the injury to the person or property of another or wrongful death without obtaining verification from a licensed dealer in firearms that information on the prospective purchaser or transferee has been submitted for a criminal history record information check as set out in § 18.2-308.2:2 and that a determination has been received from the Department of State Police that the prospective purchaser or transferee is not prohibited under state or federal law from possessing a firearm.

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