

2017 SESSION

SENATE SUBSTITUTE

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SENATE BILL NO. 1444

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Finance
on January 31, 2017)

(Patron Prior to Substitute—Senator Chafin)

A BILL to amend and reenact § 18.2-308.3 of the Code of Virginia, relating to restricted ammunition; use or attempted use in the commission of a crime; penalty.

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-308.3 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-308.3. Use or attempted use of restricted ammunition in commission or attempted commission of crimes prohibited; penalty.

A. When used in this section:

"Restricted firearm ammunition" applies to bullets, projectiles or other types of ammunition that are: (i) coated with or contain, in whole or in part, polytetrafluorethylene or a similar product, (ii) commonly known as "KTW" bullets or "French Arcanes," or (iii) any cartridges containing bullets coated with a plastic substance with other than lead or lead alloy cores, jacketed bullets with other than lead or lead alloy cores, or cartridges of which the bullet itself is wholly comprised of a metal or metal alloy other than lead means any ammunition that has been banned or prohibited from commercial sale by the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives or under federal law. This definition shall not be construed to include shotgun shells or solid plastic bullets.

B. It shall be unlawful for any person to knowingly use or attempt to use restricted firearm ammunition while committing or attempting to commit a crime. Violation of this section shall constitute a separate and distinct felony and any person found guilty thereof shall be guilty of a Class 5 felony.

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 is \$0 for periods of imprisonment in state adult correctional facilities and cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

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