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SENATE BILL NO. 668

Offered January 10, 2018

Prefiled January 10, 2018

A BILL to amend and reenact § 15.2-915 of the Code of Virginia, relating to localities; control of firearms on government property.

Patron—Deeds

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-915 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-915. Control of firearms; applicability to authorities and local governmental agencies.

A. ~~No~~ A locality shall may adopt or enforce any ordinance, resolution or motion, as permitted by § 15.2-1425, and ~~no~~ an authorized agent of such locality shall may take any an administrative action, governing the purchase, possession, transfer, ownership, carrying, storage or transporting of firearms, ammunition, or components or combination thereof other than those expressly authorized by statute. For purposes of this section, a statute that does not refer to firearms, ammunition, or components or combination thereof, shall not be construed to provide express authorization. in, or the carrying of firearms, ammunition, or components or combination thereof into, any building owned or used by such locality for governmental purposes.

Nothing in this section shall prohibit a locality from adopting workplace rules relating to terms and conditions of employment of the workforce. However, no locality shall adopt any workplace rule, other than for the purposes of a community services board or behavioral health authority as defined in § 37.2-100, that prevents an employee of that locality from storing at that locality's workplace a lawfully possessed firearm and ammunition in a locked private motor vehicle. Nothing in this section shall prohibit a law-enforcement officer, as defined in § 9.1-101, from acting within the scope of his duties.

The provisions of this section applicable to a locality shall also apply to any authority or to a local governmental entity, including a department or agency, but not including any local or regional jail, juvenile detention facility, or state-governed entity, department, or agency.

B. A locality may adopt or enforce any ordinance, resolution or motion, as permitted by § 15.2-1425, and an authorized agent of such locality may take an administrative action governing the possession of firearms, ammunition, or components or combination thereof in, or the carrying of firearms, ammunition, or components or combination thereof into, a park or recreation area owned or used by such locality for governmental purposes, provided that at each public entrance to such park or recreation area there is (i) at least one law-enforcement officer, as defined in § 9.1-101, or armed security officer, as defined in § 9.1-138; (ii) at least one metal detection device; and (iii) an inspection area where each person who enters the park or recreation area may have any bag, package, or other container that he is carrying inspected by a law-enforcement officer or armed security officer.

Any ordinance, resolution, or motion adopted pursuant to this subsection shall be posted at each public entrance to each park within the scope of the ordinance during the times when such ordinance, resolution, or motion is in effect.

Any local ordinance, resolution or motion adopted prior to the effective date of this act governing the purchase, possession, transfer, ownership, carrying or transporting of firearms, ammunition, or components or combination thereof, other than those expressly authorized by statute, is invalid.

C. In addition to any other relief provided, the court may award reasonable attorney fees, expenses, and court costs to any person, group, or entity that prevails in an action challenging (i) an ordinance, resolution, or motion as being in conflict with this section or (ii) an administrative action taken in bad faith as being in conflict with this section.

D. For purposes of this section, "workplace" means "workplace of the locality."

INTRODUCED

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