

19101996D

HOUSE BILL NO. 2027

Offered January 9, 2019

Prefiled January 7, 2019

A *BILL to amend the Code of Virginia by adding a section numbered 8.01-44.01, relating to action against parents for minor knowingly possessing a firearm on school property; civil liability.*

Patron—Murphy

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 a section numbered 8.01-44.01 as follows:****§ 8.01-44.01. Civil action against parent for minor knowingly possessing a firearm on school property.**

A. As used in this section, "school property" means (i) the property of any public, private, or religious elementary, middle, or high school, including buildings and grounds; (ii) any property open to the public and then exclusively used for school-sponsored functions or extracurricular activities while such functions or activities are taking place; or (iii) any school bus owned or operated by any such school.

B. The parent, guardian, legal custodian, or other person standing in loco parentis of a minor may be held civilly liable for injury to the person or property of another or for wrongful death resulting from the minor knowingly possessing a firearm on school property if it can be shown by clear and convincing evidence that the minor came into possession of such firearm because of the failure of the civil defendant to reasonably secure the firearm.

C. Any recovery from the parent, guardian, legal custodian, or other person standing in loco parentis of such minor shall not preclude full recovery from such minor except to the amount of recovery from such parent, guardian, legal custodian, or other person standing in loco parentis.

D. The provisions of this statute shall be in addition to, and not in lieu of, any other law imposing upon a parent liability for the acts of his minor child.

INTRODUCED

HB2027