

2021 SPECIAL SESSION I

SENATE SUBSTITUTE

21103907D

SENATE BILL NO. 1381

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on the Judiciary

on January 27, 2021)

(Patron Prior to Substitute—Senator Ebbin)

A BILL to amend the Code of Virginia by adding a section numbered 18.2-283.2, relating to possessing or transporting a weapon within Capitol Square or into building owned or leased by the Commonwealth; penalty.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 18.2-283.2 as follows:

§ 18.2-283.2. Possessing or transporting a weapon within Capitol Square or into a building owned or leased by the Commonwealth; penalty.

A. For the purposes of this section, "Capitol Square" means the grounds and the interior of all buildings in that area in the City of Richmond bounded by Bank, Governor, Broad, and Ninth Streets.

B. It is unlawful for any person to possess or transport any (i) firearm or other weapon designed or intended to propel a missile or projectile of any kind; (ii) frame, receiver, muffler, silencer, missile, projectile, or ammunition designed for use with a dangerous weapon; or (iii) other dangerous weapon, including explosives, stun weapons as defined in § 18.2-308.1, and those weapons specified in subsection A of § 18.2-308 within (a) Capitol Square or (b) any building (1) owned or leased by the Commonwealth or any agency thereof and (2) where employees of the Commonwealth or agency thereof are regularly present for the purpose of performing their official duties.

C. A violation of this section is punishable as a Class 1 misdemeanor. Any weapon or item possessed or transported in violation of this section shall be subject to seizure by a law-enforcement officer and forfeited to the Commonwealth and disposed of as provided in § 19.2-386.28.

D. The provisions of this section shall not apply to any law-enforcement officer as defined in § 9.1-101, State Police officer retired from the Department of State Police, conservator of the peace, magistrate, court officer, judge, county or city treasurer, commissioner or deputy commissioner of the Virginia Workers' Compensation Commission, authorized security personnel, bail bondsman as defined in § 9.1-185, bail enforcement agent as defined in § 9.1-186, or active military personnel while such persons are in the conduct of such person's official duties. Additionally, any person who uses a knife or blade customarily in his trade may lawfully possess such knife or blade while in the conduct of such person's official duties within Capitol Square or any buildings owned or leased by the Commonwealth or any agency thereof.

E. Notice of the provisions of this section shall be posted conspicuously at each public entrance to the grounds of Capitol Square and each building owned or leased by the Commonwealth or any agency thereof and no person shall be convicted of an offense under subsection B if such notice is not so posted at such public entrance or such building, unless such person had actual notice of the prohibitions in subsection B.

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 of the Code of Virginia, 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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