

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 18.2-308.1 of the Code of Virginia, relating to prohibition against*
3 *firearms on school property.*

4 [H 1427]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 18.2-308.1 of the Code of Virginia is amended and reenacted as follows:**

8 § 18.2-308.1. Possession of firearm, stun weapon, or other weapon on school property prohibited.

9 If any person has in his possession any (i) stun weapon or taser as defined in this section or (ii)
10 weapon, other than a firearm, designated in subsection A of § 18.2-308 upon (i) the property of any
11 public, private or parochial elementary, middle or high school, including buildings and grounds, (ii) that
12 portion of any property open to the public used for school-sponsored functions or extracurricular
13 activities while such functions or activities are taking place, or (iii) any school bus owned or operated
14 by any such school, he shall be guilty of a Class 1 misdemeanor. If any person has in his possession
15 any firearm designed or intended to propel a missile of any kind while such person is upon (i) any
16 public, private or parochial elementary, middle or high school, including buildings and grounds, (ii) that
17 portion of any property open to the public used for school-sponsored functions or extracurricular
18 activities while such functions or activities are taking place, or (iii) any school bus owned or operated
19 by any such school, he shall be guilty of a Class 6 felony.

20 The exemptions set out in § 18.2-308 shall apply, mutatis mutandis, to the provisions of this section.
21 The provisions of this section shall not apply to persons who possess such weapon or weapons as a part
22 of the curriculum or other programs sponsored by the school or any organization permitted by the
23 school to use its premises or to any law-enforcement officer while engaged in his duties as such. In
24 addition, this section shall not apply to possession of an unloaded firearm which is in a closed container
25 *in or upon a motor vehicle* or an unloaded shotgun or rifle in a firearms rack in or upon a motor
26 vehicle.

27 As used in this section:

28 "Stun weapon" means any mechanism that is (i) designed to emit an electronic, magnetic, or other
29 type of charge that exceeds the equivalency of a five milliamp sixty hertz shock and (ii) used for the
30 purpose of temporarily incapacitating a person; and

31 "Taser" means any mechanism that is (i) designed to emit an electronic, magnetic, or other type of
32 charge or shock through the use of a projectile and (ii) used for the purpose of temporarily
33 incapacitating a person.

ENROLLED

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