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HOUSE BILL NO. 1289

Offered January 22, 1996

A BILL to amend and reenact § 18.2-308.3 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 18.2-308.3:1, relating to prohibitions on large capacity ammunition feeding devices; penalty.

Patron—Shuler

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-308.3 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 18.2-308.3:1 as follows:

§ 18.2-308.3. Use or attempted use of restricted ammunition or large capacity 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. This definition shall not be construed to include shotgun shells or solid plastic bullets.

"Large capacity ammunition feeding device" means a magazine, belt, drum, feed strip or similar device manufactured after September 13, 1994, that has a capacity of, or that can be readily restored or converted to accept, more than ten rounds of ammunition; the term does not include an attached tubular device designed to accept, and capable of operation only with .22 caliber rimfire ammunition.

B. It shall be unlawful for any person to knowingly use or attempt to use restricted firearm ammunition or any large capacity ammunition feeding device 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.

§ 18.2-308.3:1. Prohibiting sale, etc., of large capacity ammunition feeding device.

Any person who sells, barter, gives or furnishes, or has in his possession with intent to sell, barter, give or furnish any large capacity ammunition feeding device, as defined in § 18.2-308.3, is guilty of a Class 6 felony.

2. That the provisions of this act may result in a net increase in periods of imprisonment in state correctional facilities. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is \$0.

INTRODUCED

HB1289