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SENATE BILL NO. 138**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the Senate Committee for Courts of Justice

on February 7, 1996)

(Patron Prior to Substitute—Senator Gartlan)

A BILL to amend and reenact § 18.2-309 of the Code of Virginia, relating to furnishing weapons to minors; penalty.

Be it enacted by the General Assembly of Virginia:**1. That § 18.2-309 of the Code of Virginia is amended and reenacted as follows:**

§ 18.2-309. Furnishing certain weapons to minors; penalty.

A. If any person sells, barter, gives or furnishes, or causes to be sold, bartered, given or furnished, to any minor a dirk, switchblade knife or bowie knife, having good cause to believe him to be a minor, such person shall be guilty of a Class 1 misdemeanor.

B. If any person sells, barter, gives or furnishes, or causes to be sold, bartered, given or furnished, to any minor a handgun, having good cause to believe him to be a minor, such person shall be guilty of a Class 6 felony.

C. If any person sells or barter, or causes to be sold or bartered a handgun to a person he knows is a minor, he shall be guilty of a Class 6 felony and upon conviction, shall be sentenced to a minimum, mandatory term of confinement of one year, which shall not be suspended.

D. ~~This subsection~~ Subsections B and C shall not apply to any transfer made between family members or for the purpose of engaging in a sporting event or activity.

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 for this bill as introduced was \$53,940.

SENATE SUBSTITUTE

SB138S1