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SENATE BILL NO. 763

Offered January 8, 1997

A BILL to amend the Code of Virginia by adding a section numbered 18.2-283.2, relating to possessing a dangerous weapon in a publicly owned community or recreation center; penalty.

Patrons—Gartlan, Howell, Saslaw, Ticer, Waddell and Woods; Delegates: Albo, Almand, Connally, Hull, Keating, Lovelace, Plum, Puller, Rust, Scott, Van Landingham and Watts

Referred to the 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 18.2-283.2 as follows:**

§ 18.2-283.2. Possessing dangerous weapons in a publicly owned community or recreation center; penalty.

Notwithstanding the provisions of § 15.1-29.15, the governing body of any county that has adopted the urban county executive form of government may, by ordinance, make it unlawful for any person to possess a dangerous weapon upon the property, including buildings and grounds of any publicly owned or publicly operated recreation or community center facility. Notice of any such ordinance shall be posted at each public entrance to each such county facility that is within the scope of the ordinance. A violation of such an ordinance shall be punishable as no more than a Class 1 misdemeanor, and upon conviction, any weapon seized shall be disposed of in accordance with § 15.1-133.01.

For the purposes of this section, the term "dangerous weapon" means: (i) any gun or other weapon designed or intended to propel a missile or projectile of any kind; (ii) any frame, receiver, muffler, silencer, missile, projectile or ammunition designed for use with any gun or other weapon designed or intended to propel a missile or projectile of any kind; or (iii) any explosive, taser, stun weapon, knife or other weapon specified in subsection A of § 18.2-308, except that this term does not include a pocket knife with a blade of less than 2.5 inches in length.

The exemptions set out in § 18.2-308 shall apply, mutatis mutandis, to the provisions of any ordinance adopted pursuant to this section. No such ordinance shall apply to the following individuals who are carrying dangerous weapons while conducting official business: (i) any law-enforcement officer, as defined by § 9-169; (ii) any game warden, animal warden or deputy animal warden; (iii) any special police officer; or (iv) any magistrate, court officer or judge.

INTRODUCED

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