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## SENATE BILL NO. 806

Offered January 9, 1997

*A BILL to amend and reenact §§ 54.1-4200 and 54.1-4201 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 18.2-308.9, relating to sale of pneumatic weapons; penalty.*

Patrons—Maxwell and Miller, Y.B.; Delegates: Christian, Crittenden, Cunningham and Jones, D.C.

Referred to the Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 54.1-4200 and 54.1-4201 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 18.2-308.9 as follows:**

**§ 18.2-308.9. Sale of pneumatic weapons.**

*It shall be unlawful for any person, firm, partnership or corporation engaged in a retail business to sell any pneumatic gun or rifle in the course of that business without first obtaining a signed statement of responsibility from the purchaser. The statement of responsibility required by this section shall be signed by the adult purchaser or, if the purchaser or intended user is a minor, shall indicate the name of the minor and be signed by a parent or legal guardian of the minor. The statement shall advise the person signing that he may be held responsible for any injury or damage caused by the wrongful use of the weapon by any person. The statement shall be in a form prescribed by the Virginia State Police.*

*A violation of this section is punishable as a Class 2 misdemeanor for a first offense or a Class 1 misdemeanor for a second or subsequent offense.*

**§ 54.1-4200. Definitions.**

For the purpose of this chapter, unless the context requires a different meaning:

"Dealer in firearms" means (i) any person, firm, partnership, or corporation engaged in the business of selling, trading or transferring firearms at wholesale or retail; (ii) any person, firm, partnership, or corporation engaged in the business of making or fitting special barrels, stocks, or trigger mechanisms to firearms; or (iii) any person, firm, partnership, or corporation that is a pawnbroker. *For purposes of this definition, the term "firearm" includes a pneumatic gun or rifle.*

"Engaged in business" means as applied to a dealer in firearms a person, firm, partnership, or corporation that devotes time, attention, and labor to dealing in firearms as a regular course of trade or business with the principal objective of livelihood and profit through repetitive purchase or resale of firearms, but such term shall not involve a person who makes occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or who sells all or part of his personal collection of firearms.

"Firearms show" means any gathering or exhibition, open to the public, not occurring on the permanent premises of a dealer in firearms, conducted principally for the purposes of exchanging, selling or trading firearms as defined in § 18.2-308.2:2.

**§ 54.1-4201. Inspection of records.**

A. Every dealer in firearms shall keep at his place of business, for not less than a period of two years, the original consent form required to be completed by § 18.2-308.2:2 for each firearm sale *and the statement of responsibility required by § 18.2-308.9.*

B. Every dealer in firearms shall admit to his place of business during regular business hours the chief law-enforcement officer, or his designee, of the jurisdiction in which the dealer is located, or any law-enforcement official of the Commonwealth, and shall permit such law-enforcement officer, in the course of a bona fide criminal investigation, to examine and copy those records related to the acquisition or disposition of a particular firearm required by this section. This section shall not be construed to authorize the seizure of any records.

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