

1998 SESSION

INTRODUCED

983163129

HOUSE BILL NO. 1260

Offered January 26, 1998

A BILL to amend the Code of Virginia by adding a section numbered 18.2-283.2, relating to possessing or carrying a dangerous weapon in local parks; penalty.

Patrons—Baskerville, Almand, Brink, Christian, Crittenden, Jones, J.C., Keating, McEachin, Moss, Puller, Scott, Van Landingham, Van Yahres, Watts and Williams

Referred to Committee on Militia and Police

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 or carrying dangerous weapons in locally owned parks; penalty.

Notwithstanding the provisions of § 15.2-915, the governing body of any county, city or town may, by ordinance, make it unlawful for any person to possess a dangerous weapon in a park owned by the locality or to transport a dangerous weapon into a park owned by the locality. An ordinance adopted pursuant to this section shall provide for appropriate exemptions for educational, instructional, theatrical and historical events. The ordinance shall not apply to public streets, roads or highways within the locality but may be made applicable to access roads and parking areas for the park which is subject to the ordinance.

Notice of the ordinance shall be posted at each public entrance to each park within the scope of the ordinance. A violation of the ordinance shall be made punishable as a Class 1 misdemeanor, and upon conviction, any weapon seized shall be disposed of as provided in subsection A of § 18.2-310.

For the purposes of this section, the term "dangerous weapon" means any gun or other weapon designed or intended to propel a missile or projectile of any kind; 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 any explosive, taser, stun weapon, knife or other weapon specified in subsection A of § 18.2-308.

No such ordinance shall apply to the following individuals who are carrying dangerous weapons: (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.

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