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HOUSE BILL NO. 705

Offered January 11, 2006

Prefiled January 10, 2006

A BILL to amend and reenact §§ 15.2-915, 15.2-1113, and 15.2-1209 of the Code of Virginia and to repeal §§ 15.2-1113.1 and 15.2-1210 of the Code of Virginia, relating to local regulation; hunting and discharge of firearms.

 Patron—Hogan

Referred to Committee on Militia, Police and Public Safety

Be it enacted by the General Assembly of Virginia:

1. That §§ 15.2-915, 15.2-1113, and 15.2-1209 of the Code of Virginia are amended and reenacted as follows:

§ 15.2-915. Control of firearms; applicability to authorities and local governmental agencies.

A. No locality shall adopt or enforce any ordinance, resolution or motion, as permitted by § 15.2-1425, and no agent of such locality shall take any administrative action, governing *hunting*, or the purchase, possession, transfer, ownership, carrying, storage, *discharge* or transporting of firearms, ammunition, or components or combination thereof other than those expressly authorized by statute. For purposes of this section, a statute that does not refer to *hunting*, firearms, ammunition, or components or combination thereof, shall not be construed to provide express authorization.

Nothing in this section shall prohibit a locality from adopting workplace rules relating to terms and conditions of employment of the workforce. Nothing in this section shall prohibit a law-enforcement officer, as defined in § 9.1-101 from acting within the scope of his duties.

The provisions of this section applicable to a locality shall also apply to any authority or to a local governmental entity, including a department or agency, but not including any local or regional jail or juvenile detention facility.

B. Any local ordinance, resolution or motion adopted prior to the effective date of this act governing the purchase, possession, transfer, ownership, carrying or transporting of firearms, ammunition, or components or combination thereof, other than those expressly authorized by statute, is invalid.

§ 15.2-1113. Dangerous, etc., business or employment; transportation of offensive substances; explosive or inflammable substances; fireworks.

A municipal corporation may regulate or prohibit the conduct of any dangerous, offensive or unhealthful business, trade or employment; the transportation of any offensive substance; the manufacture, storage, transportation, possession and use of any explosive or inflammable substance; and the use and exhibition of fireworks ~~and the discharge of firearms~~. A municipal corporation may also require the maintenance of safety devices on storage equipment for such substances or items.

~~Any municipal corporation that regulates or prohibits the discharge of firearms shall provide an exemption for the killing of deer pursuant to § 29.1-529. Such exemption shall apply on land of at least five acres that is zoned for agricultural use.~~

§ 15.2-1209. Prohibiting outdoor shooting of arrows from bows in certain areas.

Any county may prohibit the outdoor shooting of ~~firearms or~~ arrows from bows in any areas of the county which are in the opinion of the governing body so heavily populated as to make such conduct dangerous to the inhabitants thereof.

For purposes of this section, "bow" includes all compound bows, crossbows, longbows and recurve bows having a peak draw weight of 10 pounds or more. The term "bow" does not include bows that have a peak draw of less than 10 pounds or that are designed or intended to be used principally as toys. The term "arrow" means a shaft-like projectile intended to be shot from a bow.

Any county that prohibits the outdoor shooting of ~~firearms or~~ arrows from bows shall provide an exemption for the killing of deer pursuant to § 29.1-529. ~~Such exemption for the shooting of firearms shall apply on land of at least five acres that is zoned for agricultural use. Such~~ *The exemption for the shooting of arrows from bows shall apply on land of at least two acres that is zoned for agricultural use.*

2. That §§ 15.2-1113.1 and 15.2-1210 of the Code of Virginia are repealed.

INTRODUCED

HB705