

VIRGINIA ACTS OF ASSEMBLY -- 2012 SESSION

CHAPTER 209

An Act to amend the Code of Virginia by adding a section numbered 30-34.2:2, relating to disposal of unclaimed firearms or other weapons by the Capitol Police.

[S 573]

Approved March 8, 2012

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 30-34.2:2 as follows:

§ 30-34.2:2. Disposal of unclaimed firearms or other weapons in possession of the Division of Capitol Police.

Subject to the provisions of § 19.2-386.29, the Division of Capitol Police may destroy unclaimed firearms and other weapons that have been in the possession of the Division for a period of more than 60 days. For the purposes of this section, "unclaimed firearms and other weapons" means any firearm or other weapon belonging to another that has been acquired by a law-enforcement officer pursuant to his duties, that is not needed in any criminal prosecution, that has not been claimed by its rightful owner, and that the State Treasurer has indicated will be declined if remitted under the Uniform Disposition of Unclaimed Property Act (§ 55-210.1 et seq.).

At the discretion of the chief of police or his designee, unclaimed firearms or other weapons may be destroyed by any means that renders the firearms or other weapons permanently inoperable. Prior to the destruction of such firearms or other weapons, the chief of police or his designee shall (i) make reasonable attempts to notify by mail the rightful owner of the property and (ii) obtain from the attorney for the Commonwealth of the jurisdiction from which the unclaimed item came into the possession of the Division of Capitol Police in writing a statement advising that the item is not needed in any criminal prosecution.