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**HOUSE BILL NO. 423**

Offered January 13, 2016

Prefiled January 7, 2016

A *BILL to amend the Code of Virginia by adding a section numbered 18.2-308.1:01, relating to possession of firearms in school zone; penalty.*

Patrons—Simon, Bagby, Bell, John J., Boysko, Carr, Hope, Kory, Krizek, Levine, Lindsey, McQuinn, Plum, Sullivan, Toscano and Watts

Referred to Committee on Militia, Police and Public Safety

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

**1. That the Code of Virginia is amended by adding a section numbered 18.2-308.1:01 as follows:**

**§ 18.2-308.1:01. Possession of firearm in school zones; penalty.**

*A. For purposes of this section:*

*"School" means any public, private, or religious elementary, middle, or high school, including buildings and grounds.*

*"School zone" means the area within a distance of 1,000 feet from a school.*

*B. An individual who knowingly possesses any firearm designed or intended to expel a projectile by action of an explosion of a combustible material while such individual is in a school zone is guilty of a Class 1 misdemeanor.*

*C. The provisions of this section shall not apply to an individual who possesses a firearm in a school zone if:*

*1. The individual is on private property that is not part of the school;*

*2. The individual possesses a valid concealed handgun permit and such firearm is concealed;*

*3. Such firearm is (i) unloaded and (ii) in a closed container or a locked firearms rack that is in or upon a motor vehicle;*

*4. The individual possesses such firearm as a part of (i) the school's curriculum or activities or (ii) any program sponsored or facilitated by either the school or any organization authorized by the school to conduct its programs on the school premises;*

*5. The individual possesses such firearm in accordance with a contract entered into between the school and the individual or the individual's employer;*

*6. The individual is a law-enforcement officer; or*

*7. The individual is an armed security officer, licensed pursuant to Article 4 (§ 9.1-138 et seq.) of Chapter 1 of Title 9.1, hired by a private or religious school for the protection of students and employees as authorized by the school.*

**2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is \$0 for periods of imprisonment in state adult correctional facilities and cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.**