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HOUSE BILL NO. 424

Offered January 13, 2016

Prefiled January 7, 2016

A *BILL to amend the Code of Virginia by adding a section numbered 15.2-915.6, relating to possession of firearms in school zone; regulation by locality.*

Patrons—Simon, Murphy, Sullivan and Kory; Senators: Favola and Howell

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 15.2-915.6 as follows:

§ 15.2-915.6. Regulation of possession of firearms in school zones.

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 of a school.

B. Any locality may by ordinance prohibit an individual from knowingly possessing 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. Any penalty for an offense set forth in such ordinance shall not exceed a Class 1 misdemeanor.

C. Any ordinance adopted pursuant to subsection B shall not apply to an individual who possesses a firearm in a school zone:

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

2. Where the individual possesses a valid concealed handgun permit and such firearm is concealed;

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

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

6. Where the individual is a law-enforcement officer; or

7. Where 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.

D. Prosecution under the provisions of an ordinance adopted pursuant to subsection B shall not preclude prosecution under any other statute or ordinance.

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