

16103301D

SENATE BILL NO. 479

Offered January 13, 2016

Prefiled January 12, 2016

A *BILL to amend and reenact §§ 18.2-287.01, 18.2-287.4, 18.2-308, as it is currently effective, 18.2-308.1, and 22.1-277.07 of the Code of Virginia; to amend the Code of Virginia by adding in Article 6.1 of Chapter 7 of Title 18.2 a section numbered 18.2-308.016; and to repeal § 18.2-308, as it shall become effective, of the Code of Virginia, relating to retired law-enforcement officers; concealed handguns.*

Patrons—Carrico and Cosgrove

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That §§ 18.2-287.01, 18.2-287.4, 18.2-308, as it is currently effective, 18.2-308.1, and 22.1-277.07 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Article 6.1 of Chapter 7 of Title 18.2 a section numbered 18.2-308.016 as follows:

§ 18.2-287.01. Carrying weapon in air carrier airport terminal.

It shall be unlawful for any person to possess or transport into any air carrier airport terminal in the Commonwealth any (i) gun or other weapon designed or intended to propel a missile or projectile of any kind, (ii) frame, receiver, muffler, silencer, missile, projectile or ammunition designed for use with a dangerous weapon, and (iii) any other dangerous weapon, including explosives, stun weapons as defined in § 18.2-308.1, and those weapons specified in subsection A of § 18.2-308. Any such weapon shall be subject to seizure by a law-enforcement officer. A violation of this section is punishable as a Class 1 misdemeanor. Any weapon possessed or transported in violation of this section shall be forfeited to the Commonwealth and disposed of as provided in § 19.2-386.28.

The provisions of this section shall not apply to any police officer, sheriff, law-enforcement agent or official, ~~or~~ conservation police officer, ~~or~~ conservator of the peace employed by the air carrier airport, *or retired law-enforcement officer qualified pursuant to subsection C of § 18.2-308.016*, nor shall the provisions of this section apply to any passenger of an airline who, to the extent otherwise permitted by law, transports a lawful firearm, weapon, or ammunition into or out of an air carrier airport terminal for the sole purposes, respectively, of (i) presenting such firearm, weapon, or ammunition to U.S. Customs agents in advance of an international flight, in order to comply with federal law, (ii) checking such firearm, weapon, or ammunition with his luggage, or (iii) retrieving such firearm, weapon, or ammunition from the baggage claim area.

Any other statute, rule, regulation, or ordinance specifically addressing the possession or transportation of weapons in any airport in the Commonwealth shall be invalid, and this section shall control.

§ 18.2-287.4. Carrying loaded firearms in public areas prohibited; penalty.

It shall be unlawful for any person to carry a loaded (a) semi-automatic center-fire rifle or pistol that expels single or multiple projectiles by action of an explosion of a combustible material and is equipped at the time of the offense with a magazine that will hold more than 20 rounds of ammunition or designed by the manufacturer to accommodate a silencer or equipped with a folding stock or (b) shotgun with a magazine that will hold more than seven rounds of the longest ammunition for which it is chambered on or about his person on any public street, road, alley, sidewalk, public right-of-way, or in any public park or any other place of whatever nature that is open to the public in the Cities of Alexandria, Chesapeake, Fairfax, Falls Church, Newport News, Norfolk, Richmond, or Virginia Beach or in the Counties of Arlington, Fairfax, Henrico, Loudoun, or Prince William.

The provisions of this section shall not apply to law-enforcement officers, licensed security guards, military personnel in the performance of their lawful duties, or any person having a valid concealed handgun permit or to any person actually engaged in lawful hunting or lawful recreational shooting activities at an established shooting range or shooting contest. Any person violating the provisions of this section shall be guilty of a Class 1 misdemeanor.

The exemptions set forth in § §§ 18.2-308 *and* 18.2-308.016 shall apply, mutatis mutandis, to the provisions of this section.

§ 18.2-308. (Effective until July 1, 2018) Carrying concealed weapons; exceptions; penalty.

A. If any person carries about his person, hidden from common observation, (i) any pistol, revolver, or other weapon designed or intended to propel a missile of any kind by action of an explosion of any combustible material; (ii) any dirk, bowie knife, switchblade knife, ballistic knife, machete, razor,

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59 slingshot, spring stick, metal knucks, or blackjack; (iii) any flailing instrument consisting of two or more
60 rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun
61 chahka, nun chuck, nunchaku, shuriken, or fighting chain; (iv) any disc, of whatever configuration,
62 having at least two points or pointed blades which is designed to be thrown or propelled and which may
63 be known as a throwing star or oriental dart; or (v) any weapon of like kind as those enumerated in this
64 subsection, he is guilty of a Class 1 misdemeanor. A second violation of this section or a conviction
65 under this section subsequent to any conviction under any substantially similar ordinance of any county,
66 city, or town shall be punishable as a Class 6 felony, and a third or subsequent such violation shall be
67 punishable as a Class 5 felony. For the purpose of this section, a weapon shall be deemed to be hidden
68 from common observation when it is observable but is of such deceptive appearance as to disguise the
69 weapon's true nature. It shall be an affirmative defense to a violation of clause (i) regarding a handgun,
70 that a person had been issued, at the time of the offense, a valid concealed handgun permit.

71 B. This section shall not apply to any person while in his own place of abode or the curtilage
72 thereof.

73 C. Except as provided in subsection A of § 18.2-308.012, this section shall not apply to:

74 1. Any person while in his own place of business;

75 2. Any law-enforcement officer, *or retired law-enforcement officer pursuant to § 18.2-308.016*,
76 wherever such law-enforcement officer may travel in the Commonwealth;

77 3. Any person who is at, or going to or from, an established shooting range, provided that the
78 weapons are unloaded and securely wrapped while being transported;

79 4. Any regularly enrolled member of a weapons collecting organization who is at, or going to or
80 from, a bona fide weapons exhibition, provided that the weapons are unloaded and securely wrapped
81 while being transported;

82 5. Any person carrying such weapons between his place of abode and a place of purchase or repair,
83 provided the weapons are unloaded and securely wrapped while being transported;

84 6. Any person actually engaged in lawful hunting, as authorized by the Board of Game and Inland
85 Fisheries, under inclement weather conditions necessitating temporary protection of his firearm from
86 those conditions, provided that possession of a handgun while engaged in lawful hunting shall not be
87 construed as hunting with a handgun if the person hunting is carrying a valid concealed handgun permit;

88 7. Any State Police officer retired from the Department of State Police; any officer retired from the
89 Division of Capitol Police; any local law-enforcement officer, auxiliary police officer or animal control
90 officer retired from a police department or sheriff's office within the Commonwealth; any special agent
91 retired from the State Corporation Commission or the Alcoholic Beverage Control Board; any
92 conservation police officer retired from the Department of Game and Inland Fisheries; any Virginia
93 Marine Police officer retired from the Law Enforcement Division of the Virginia Marine Resources
94 Commission; any campus police officer appointed under Chapter 17 (§ 23-232 et seq.) of Title 23 retired
95 from a campus police department; any retired member of the enforcement division of the Department of
96 Motor Vehicles appointed pursuant to § 46.2-217, and any retired investigator of the security division of
97 the Virginia Lottery; other than an officer or agent terminated for cause; (i) with a service-related
98 disability; (ii) following at least 15 years of service with any such law-enforcement agency, board or any
99 combination thereof; (iii) who has reached 55 years of age; or (iv) who is on long-term leave from such
100 law-enforcement agency or board due to a service-related injury; provided such officer carries with him
101 written proof of consultation with and favorable review of the need to carry a concealed handgun issued
102 by the chief law-enforcement officer of the last such agency from which the officer retired or the agency
103 that employs the officer or, in the case of special agents, issued by the State Corporation Commission or
104 the Alcoholic Beverage Control Board. A copy of the proof of consultation and favorable review shall
105 be forwarded by the chief or the Board to the Department of State Police for entry into the Virginia
106 Criminal Information Network. The chief law-enforcement officer shall not without cause withhold such
107 written proof if the retired law-enforcement officer otherwise meets the requirements of this section. An
108 officer set forth in clause (iv) who receives written proof of consultation to carry a concealed handgun
109 shall surrender such proof of consultation upon return to work or upon termination of employment with
110 the law-enforcement agency. Notice of the surrender shall be forwarded to the Department of State
111 Police for entry into the Virginia Criminal Information Network. However, if such officer retires on
112 disability because of the service-related injury, and would be eligible under clause (i) for written proof
113 of consultation to carry a concealed handgun, he may retain the previously issued written proof of
114 consultation. A retired law-enforcement officer who receives proof of consultation and favorable review
115 pursuant to this subdivision is authorized to carry a concealed handgun in the same manner as a
116 law-enforcement officer authorized to carry a concealed handgun pursuant to subdivision 2;

117 7a. Any person who is eligible for retirement with at least 20 years of service with a
118 law-enforcement agency or board mentioned in subdivision 7 who has resigned in good standing from
119 such law-enforcement agency or board to accept a position covered by a retirement system that is
120 authorized under Title 51-1, provided such person carries with him written proof of consultation with

and favorable review of the need to carry a concealed handgun issued by the chief law-enforcement officer of the agency from which he resigned or, in the case of special agents, issued by the State Corporation Commission or the Alcoholic Beverage Control Board. A copy of the proof of consultation and favorable review shall be forwarded by the chief, Board or Commission to the Department of State Police for entry into the Virginia Criminal Information Network. The chief law-enforcement officer shall not without cause withhold such written proof if the law-enforcement officer otherwise meets the requirements of this section.

For purposes of applying the reciprocity provisions of § 18.2-308.014, any person granted the privilege to carry a concealed handgun pursuant to subdivision 7 or this subdivision, while carrying the proof of consultation and favorable review required, shall be deemed to have been issued a concealed handgun permit.

For purposes of complying with the federal Law Enforcement Officers Safety Act of 2004, a retired or resigned law-enforcement officer who receives proof of consultation and review pursuant to subdivision 7 or this subdivision shall have the opportunity to annually participate, at the retired or resigned law-enforcement officer's expense, in the same training and testing to carry firearms as is required of active law-enforcement officers in the Commonwealth. If such retired or resigned law-enforcement officer meets the training and qualification standards, the chief law-enforcement officer shall issue the retired or resigned officer certification, valid one year from the date of issuance, indicating that the retired or resigned officer has met the standards of the agency to carry a firearm;

8. Any State Police officer who is a member of the organized reserve forces of any of the armed services of the United States or National Guard, while such officer is called to active military duty, provided such officer carries with him written proof of consultation with and favorable review of the need to carry a concealed handgun issued by the Superintendent of State Police. The proof of consultation and favorable review shall be valid as long as the officer is on active military duty and shall expire when the officer returns to active law-enforcement duty. The issuance of the proof of consultation and favorable review shall be entered into the Virginia Criminal Information Network. The Superintendent of State Police shall not without cause withhold such written proof if the officer is in good standing and is qualified to carry a weapon while on active law-enforcement duty.

For purposes of applying the reciprocity provisions of § 18.2-308.014, any person granted the privilege to carry a concealed handgun pursuant to this subdivision, while carrying the proof of consultation and favorable review required, shall be deemed to have been issued a concealed handgun permit;

9. Any attorney for the Commonwealth or assistant attorney for the Commonwealth, wherever such attorney may travel in the Commonwealth;

~~10.~~ 8. Any person who may lawfully possess a firearm and is carrying a handgun while in a personal, private motor vehicle or vessel and such handgun is secured in a container or compartment in the vehicle or vessel; and

~~11.~~ 9. Any enrolled participant of a firearms training course who is at, or going to or from, a training location, provided that the weapons are unloaded and securely wrapped while being transported.

D. This section shall also not apply to any of the following individuals while in the discharge of their official duties, or while in transit to or from such duties:

1. Carriers of the United States mail;
2. Officers or guards of any state correctional institution;
3. Conservators of the peace, except that an attorney for the Commonwealth or assistant attorney for the Commonwealth may carry a concealed handgun pursuant to subdivision C 9 7. However, the following conservators of the peace shall not be permitted to carry a concealed handgun without obtaining a permit as provided in this article: (i) notaries public; (ii) registrars; (iii) drivers, operators or other persons in charge of any motor vehicle carrier of passengers for hire; or (iv) commissioners in chancery;

4. Noncustodial employees of the Department of Corrections designated to carry weapons by the Director of the Department of Corrections pursuant to § 53.1-29; and

5. Harbormaster of the City of Hopewell.

§ 18.2-308.016. Retired law-enforcement officers; carrying a concealed handgun.

A. Except as provided in subsection A of § 18.2-308.012, § 18.2-308 shall not apply to:

1. Any State Police officer retired from the Department of State Police, any officer retired from the Division of Capitol Police, any local law-enforcement officer, auxiliary police officer or animal control officer retired from a police department or sheriff's office within the Commonwealth, any special agent retired from the State Corporation Commission or the Virginia Alcoholic Beverage Control Board, any conservation police officer retired from the Department of Game and Inland Fisheries, any Virginia Marine Police officer retired from the Law Enforcement Division of the Virginia Marine Resources Commission, any campus police officer appointed under Chapter 17 (§ 23-232 et seq.) of Title 23 retired

182 from a campus police department, any retired member of the enforcement division of the Department of
183 Motor Vehicles appointed pursuant to § 46.2-217, and any retired investigator of the security division of
184 the Virginia Lottery, other than an officer or agent terminated for cause, (i) with a service-related
185 disability; (ii) following at least 15 years of service with any such law-enforcement agency, commission,
186 board, or any combination thereof; (iii) who has reached 55 years of age; or (iv) who is on long-term
187 leave from such law-enforcement agency or board due to a service-related injury, provided such officer
188 carries with him written proof of consultation with and favorable review of the need to carry a
189 concealed handgun issued by the chief law-enforcement officer of the last such agency from which the
190 officer retired or the agency that employs the officer or, in the case of special agents, issued by the
191 State Corporation Commission or the Virginia Alcoholic Beverage Control Board. A copy of the proof
192 of consultation and favorable review shall be forwarded by the chief, Commission, or Board to the
193 Department of State Police for entry into the Virginia Criminal Information Network. The chief
194 law-enforcement officer shall not without cause withhold such written proof if the retired
195 law-enforcement officer otherwise meets the requirements of this section. An officer set forth in clause
196 (iv) who receives written proof of consultation to carry a concealed handgun shall surrender such proof
197 of consultation upon return to work or upon termination of employment with the law-enforcement
198 agency. Notice of the surrender shall be forwarded to the Department of State Police for entry into the
199 Virginia Criminal Information Network. However, if such officer retires on disability because of the
200 service-related injury, and would be eligible under clause (i) for written proof of consultation to carry a
201 concealed handgun, he may retain the previously issued written proof of consultation;

202 2. Any person who is eligible for retirement with at least 20 years of service with a law-enforcement
203 agency, commission, or board mentioned in subdivision 1 who has resigned in good standing from such
204 law-enforcement agency, commission, or board to accept a position covered by a retirement system that
205 is authorized under Title 51.1, provided such person carries with him written proof of consultation with
206 and favorable review of the need to carry a concealed handgun issued by the chief law-enforcement
207 officer of the agency from which he resigned or, in the case of special agents, issued by the State
208 Corporation Commission or the Virginia Alcoholic Beverage Control Board. A copy of the proof of
209 consultation and favorable review shall be forwarded by the chief, Commission, or Board to the
210 Department of State Police for entry into the Virginia Criminal Information Network. The chief
211 law-enforcement officer shall not without cause withhold such written proof if the law-enforcement
212 officer otherwise meets the requirements of this section.

213 3. Any State Police officer who is a member of the organized reserve forces of any of the Armed
214 Services of the United States or National Guard, while such officer is called to active military duty,
215 provided such officer carries with him written proof of consultation with and favorable review of the
216 need to carry a concealed handgun issued by the Superintendent of State Police. The proof of
217 consultation and favorable review shall be valid as long as the officer is on active military duty and
218 shall expire when the officer returns to active law-enforcement duty. The issuance of the proof of
219 consultation and favorable review shall be entered into the Virginia Criminal Information Network. The
220 Superintendent of State Police shall not without cause withhold such written proof if the officer is in
221 good standing and is qualified to carry a weapon while on active law-enforcement duty.

222 B. For purposes of complying with the federal Law Enforcement Officers Safety Act of 2004, a
223 retired or resigned law-enforcement officer who receives proof of consultation and review pursuant to
224 this section shall have the opportunity to annually participate, at the retired or resigned
225 law-enforcement officer's expense, in the same training and testing to carry firearms as is required of
226 active law-enforcement officers in the Commonwealth. If such retired or resigned law-enforcement
227 officer meets the training and qualification standards, the chief law-enforcement officer shall issue the
228 retired or resigned officer certification, valid one year from the date of issuance, indicating that the
229 retired or resigned officer has met the standards of the agency to carry a firearm.

230 C. A retired or resigned law-enforcement officer who receives proof of consultation and review
231 pursuant to this section may annually participate and meet the training and qualification standards to
232 carry firearms as is required of active law-enforcement officers in the Commonwealth. If such retired or
233 resigned law-enforcement officer meets the training and qualification standards, the chief
234 law-enforcement officer shall issue the retired or resigned officer certification, valid one year from the
235 date of issuance, indicating that the retired or resigned officer has met the standards of the
236 Commonwealth to carry a firearm. A copy of the certification indicating that the retired or resigned
237 officer has met the standards of the Commonwealth to carry a firearm shall be forwarded by the chief,
238 Commission, or Board to the Department of State Police for entry into the Virginia Criminal
239 Information Network.

240 D. For all purposes, including for the purpose of applying the reciprocity provisions of
241 § 18.2-308.014, any person granted the privilege to carry a concealed handgun pursuant to this section,
242 while carrying the proof of consultation and favorable review required, shall be deemed to have been
243 issued a concealed handgun permit.

§ 18.2-308.1. Possession of firearm, stun weapon, or other weapon on school property prohibited; penalty.

A. If any person knowingly possesses any (i) stun weapon as defined in this section; (ii) knife, except a pocket knife having a folding metal blade of less than three inches; or (iii) weapon, including a weapon of like kind, designated in subsection A of § 18.2-308, other than a firearm; upon (a) the property of any public, private or religious elementary, middle or high school, including buildings and grounds; (b) that portion of any property open to the public and then exclusively used for school-sponsored functions or extracurricular activities while such functions or activities are taking place; or (c) any school bus owned or operated by any such school, he shall be guilty of a Class 1 misdemeanor.

B. If any person knowingly possesses any firearm designed or intended to expel a projectile by action of an explosion of a combustible material while such person is upon (i) any public, private or religious elementary, middle or high school, including buildings and grounds; (ii) that portion of any property open to the public and then exclusively used for school-sponsored functions or extracurricular activities while such functions or activities are taking place; or (iii) any school bus owned or operated by any such school, he shall be guilty of a Class 6 felony.

C. If any person knowingly possesses any firearm designed or intended to expel a projectile by action of an explosion of a combustible material within a public, private or religious elementary, middle or high school building and intends to use, or attempts to use, such firearm, or displays such weapon in a threatening manner, such person shall be guilty of a Class 6 felony and sentenced to a mandatory minimum term of imprisonment of five years to be served consecutively with any other sentence.

The exemptions set out in § §§ 18.2-308 and 18.2-308.016 shall apply, mutatis mutandis, to the provisions of this section. The provisions of this section shall not apply to (i) persons who possess such weapon or weapons as a part of the school's curriculum or activities; (ii) a person possessing a knife customarily used for food preparation or service and using it for such purpose; (iii) persons who possess such weapon or weapons as a part of any program sponsored or facilitated by either the school or any organization authorized by the school to conduct its programs either on or off the school premises; (iv) any law-enforcement officer, *or retired law-enforcement officer qualified pursuant to subsection C of § 18.2-308.016*; (v) any person who possesses a knife or blade which he uses customarily in his trade; (vi) a person who possesses an unloaded firearm that is in a closed container, or a knife having a metal blade, in or upon a motor vehicle, or an unloaded shotgun or rifle in a firearms rack in or upon a motor vehicle; (vii) a person who has a valid concealed handgun permit and possesses a concealed handgun while in a motor vehicle in a parking lot, traffic circle, or other means of vehicular ingress or egress to the school; or (viii) 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 such school. For the purposes of this paragraph, "weapon" includes a knife having a metal blade of three inches or longer and "closed container" includes a locked vehicle trunk.

As used in this section:

"Stun weapon" means any device that emits a momentary or pulsed output, which is electrical, audible, optical or electromagnetic in nature and which is designed to temporarily incapacitate a person.

§ 22.1-277.07. Expulsion of students under certain circumstances; exceptions.

A. In compliance with the federal Improving America's Schools Act of 1994 (Part F-Gun-Free Schools Act of 1994), a school board shall expel from school attendance for a period of not less than one year any student whom such school board has determined, in accordance with the procedures set forth in this article, to have possessed a firearm on school property or at a school-sponsored activity as prohibited by § 18.2-308.1 or to have possessed a firearm or destructive device as defined in subsection E, a firearm muffler or firearm silencer, or a pneumatic gun as defined in subsection E of § 15.2-915.4 on school property or at a school-sponsored activity. A school administrator, pursuant to school board policy, or a school board may, however, determine, based on the facts of a particular situation, that special circumstances exist and no disciplinary action or another disciplinary action or another term of expulsion is appropriate. A school board may promulgate guidelines for determining what constitutes special circumstances. In addition, a school board may, by regulation, authorize the division superintendent or his designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Such regulations shall ensure that, if a determination is made that another disciplinary action is appropriate, any such subsequent disciplinary action is to be taken in accordance with the procedures set forth in this article. Nothing in this section shall be construed to require a student's expulsion regardless of the facts of the particular situation.

B. The Board of Education is designated as the state education agency to carry out the provisions of the federal Improving America's Schools Act of 1994 and shall administer the funds to be appropriated to the Commonwealth under this act.

C. Each school board shall revise its standards of student conduct no later than three months after the

305 date on which this act becomes effective. Local school boards requesting moneys apportioned to the
306 Commonwealth through the federal Improving America's Schools Act of 1994 shall submit to the
307 Department of Education an application requesting such assistance. Applications for assistance shall
308 include:

309 1. Documentation that the local school board has adopted and implemented student conduct policies
310 in compliance with this section; and

311 2. A description of the circumstances pertaining to expulsions imposed under this section, including
312 (i) the schools from which students were expelled under this section, (ii) the number of students
313 expelled from each such school in the school division during the school year, and (iii) the types of
314 firearms involved in the expulsions.

315 D. No school operating a Junior Reserve Officers Training Corps (JROTC) program shall prohibit the
316 JROTC program from conducting marksmanship training when such training is a normal element of
317 such programs. Such programs may include training in the use of pneumatic guns. The administration of
318 a school operating a JROTC program shall cooperate with the JROTC staff in implementing such
319 marksmanship training.

320 E. As used in this section:

321 "Destructive device" means (i) any explosive, incendiary, or poison gas, bomb, grenade, rocket
322 having a propellant charge of more than four ounces, missile having an explosive or incendiary charge
323 of more than one-quarter ounce, mine, or other similar device; (ii) any weapon, except a shotgun or a
324 shotgun shell generally recognized as particularly suitable for sporting purposes, by whatever name
325 known that will, or may be readily converted to, expel a projectile by the action of an explosive or
326 other propellant, and that has any barrel with a bore of more than one-half inch in diameter that is
327 homemade or was not made by a duly licensed weapon manufacturer, any fully automatic firearm, any
328 sawed-off shotgun or sawed-off rifle as defined in § 18.2-299 or any firearm prohibited from civilian
329 ownership by federal law; and (iii) any combination of parts either designed or intended for use in
330 converting any device into any destructive device described in this subsection and from which a
331 destructive device may be readily assembled. "Destructive device" does not include any device that is
332 not designed or redesigned for use as a weapon, or any device originally designed for use as a weapon
333 and that is redesigned for use as a signaling, pyrotechnic, line-throwing, safety, or other similar device,
334 nor shall it include any antique firearm as defined in subsection G of § 18.2-308.2:2.

335 "Firearm" means any weapon, including a starter gun, that will, or is designed or may readily be
336 converted to, expel single or multiple projectiles by the action of an explosion of a combustible material
337 or the frame or receiver of any such weapon. "Firearm" does not include any pneumatic gun, as defined
338 in subsection E of § 15.2-915.4.

339 "One year" means 365 calendar days as required in federal regulations.

340 "School property" means any real property owned or leased by the school board or any vehicle
341 owned or leased by the school board or operated by or on behalf of the school board.

342 F. The exemptions set out in § §§ 18.2-308 and 18.2-308.016 regarding concealed weapons shall
343 apply, mutatis mutandis, to the provisions of this section. The provisions of this section shall not apply
344 to persons who possess such firearm or firearms or pneumatic guns as a part of the curriculum or other
345 programs sponsored by the schools in the school division or any organization permitted by the school to
346 use its premises or to any law-enforcement officer while engaged in his duties as such.

347 G. This section shall not be construed to diminish the authority of the Board of Education or the
348 Governor concerning decisions on whether, or the extent to which, Virginia shall participate in the
349 federal Improving America's Schools Act of 1994, or to diminish the Governor's authority to coordinate
350 and provide policy direction on official communications between the Commonwealth and the United
351 States government.

352 2. That § 18.2-308, as it shall become effective, of the Code of Virginia is repealed.