

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 52-25.1 of the Code of Virginia, relating to firearms confiscated by*
3 *law-enforcement agencies.*

4 [S 608]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 52-25.1 of the Code of Virginia is amended and reenacted as follows:**8 **§ 52-25.1. Reporting and return of firearms confiscated or recovered by law-enforcement**
9 **agencies.**10 *A. Whenever a law-enforcement agency confiscates a firearm in connection with a criminal*
11 *investigation or otherwise recovers a firearm, such agency shall immediately take all appropriate steps*
12 *to identify and trace the history of such firearm.*13 *B. The Superintendent shall establish and maintain a procedure within the Department of State Police*
14 *a Criminal Firearms Clearinghouse as a central repository of to obtain information regarding all firearms*
15 *seized, forfeited, found, or otherwise coming into the possession of any state or local law-enforcement*
16 *agency of the Commonwealth which are believed to have been used in the commission of a crime. All*
17 *law-enforcement agencies of the Commonwealth and of political subdivisions of the Commonwealth shall*
18 *share with other Virginia law-enforcement agencies all information regarding firearms seized, forfeited,*
19 *found, or otherwise coming into the agency's possession that are believed to have been used in the*
20 *commission of a crime and shall enter such information into a firearms tracing system maintained by*
21 *the U.S. Department of Justice. The Superintendent shall adopt and promulgate regulations prescribing*
22 *the form method for reporting this information and the time and manner of submission of the form*
23 *information to a firearms tracing system maintained by the U.S. Department of Justice. In addition to*
24 *any other information which the Superintendent may require, the form shall require (i) the serial number*
25 *or other identifying information on the firearm, if available; (ii) a brief description of the circumstances*
26 *under which the firearm came into the possession of the law-enforcement agency, including the crime*
27 *which was or may have been committed with the firearm; (iii) the name of or other identifying*
28 *information on the person from whom the firearm was taken; (iv) the original place of sale and, if*
29 *known, the chain of possession of the firearm; and (v) the disposition of the firearm.*30 *C. Except as provided in § 19.2-386.29, whenever a firearm is identified as stolen, the*
31 *law-enforcement agency shall return such firearm to the rightful owner thereof, if known, provided the*
32 *owner is not prohibited from possessing the firearm and the agency does not need to retain the firearm*
33 *as evidence in a criminal prosecution.*

ENROLLED

SB608ER