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**HOUSE BILL NO. 1469**

Offered January 11, 2017

Prefiled December 8, 2016

*A BILL to amend and reenact §§ 9.1-102, 9.1-184, 18.2-282, 18.2-308, and 18.2-308.1 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 22.1-279.10, relating to authorization and training for persons designated to carry concealed handguns on school property.*

Patrons—Marshall, R.G. and Cole

Referred to Committee on Education

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

**1. That §§ 9.1-102, 9.1-184, 18.2-282, 18.2-308, and 18.2-308.1 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 22.1-279.10 as follows:**

**§ 9.1-102. Powers and duties of the Board and the Department.**

The Department, under the direction of the Board, which shall be the policy-making body for carrying out the duties and powers hereunder, shall have the power and duty to:

1. Adopt regulations, pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), for the administration of this chapter including the authority to require the submission of reports and information by law-enforcement officers within the Commonwealth. Any proposed regulations concerning the privacy, confidentiality, and security of criminal justice information shall be submitted for review and comment to any board, commission, or committee or other body which may be established by the General Assembly to regulate the privacy, confidentiality, and security of information collected and maintained by the Commonwealth or any political subdivision thereof;

2. Establish compulsory minimum training standards subsequent to employment as a law-enforcement officer in (i) permanent positions, and (ii) temporary or probationary status, and establish the time required for completion of such training;

3. Establish minimum training standards and qualifications for certification and recertification for law-enforcement officers serving as field training officers;

4. Establish compulsory minimum curriculum requirements for in-service and advanced courses and programs for schools, whether located in or outside the Commonwealth, which are operated for the specific purpose of training law-enforcement officers;

5. Establish (i) compulsory minimum training standards for law-enforcement officers who utilize radar or an electrical or microcomputer device to measure the speed of motor vehicles as provided in § 46.2-882 and establish the time required for completion of the training and (ii) compulsory minimum qualifications for certification and recertification of instructors who provide such training;

6. [Repealed];

7. Establish compulsory minimum entry-level, in-service and advanced training standards for those persons designated to provide courthouse and courtroom security pursuant to the provisions of § 53.1-120, and to establish the time required for completion of such training;

8. Establish compulsory minimum entry-level, in-service and advanced training standards for deputy sheriffs designated to serve process pursuant to the provisions of § 8.01-293, and establish the time required for the completion of such training;

9. Establish compulsory minimum entry-level, in-service, and advanced training standards, as well as the time required for completion of such training, for persons employed as deputy sheriffs and jail officers by local criminal justice agencies, correctional officers employed by the Department of Corrections under the provisions of Title 53.1, and juvenile correctional officers employed at a juvenile correctional facility as the term is defined in § 66-25.3;

10. Establish compulsory minimum training standards for all dispatchers employed by or in any local or state government agency, whose duties include the dispatching of law-enforcement personnel. Such training standards shall apply only to dispatchers hired on or after July 1, 1988;

11. Establish compulsory minimum training standards for all auxiliary police officers employed by or in any local or state government agency. Such training shall be graduated and based on the type of duties to be performed by the auxiliary police officers. Such training standards shall not apply to auxiliary police officers exempt pursuant to § 15.2-1731;

12. Consult and cooperate with counties, municipalities, agencies of the Commonwealth, other state and federal governmental agencies, and with universities, colleges, community colleges, and other institutions, whether located in or outside the Commonwealth, concerning the development of police

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59 training schools and programs or courses of instruction;

60 13. Approve institutions, curricula and facilities, whether located in or outside the Commonwealth,  
61 for school operation for the specific purpose of training law-enforcement officers; but this shall not  
62 prevent the holding of any such school whether approved or not;

63 14. Establish and maintain police training programs through such agencies and institutions as the  
64 Board deems appropriate;

65 15. Establish compulsory minimum qualifications of certification and recertification for instructors in  
66 criminal justice training schools approved by the Department;

67 16. Conduct and stimulate research by public and private agencies which shall be designed to  
68 improve police administration and law enforcement;

69 17. Make recommendations concerning any matter within its purview pursuant to this chapter;

70 18. Coordinate its activities with those of any interstate system for the exchange of criminal history  
71 record information, nominate one or more of its members to serve upon the council or committee of any  
72 such system, and participate when and as deemed appropriate in any such system's activities and  
73 programs;

74 19. Conduct inquiries and investigations it deems appropriate to carry out its functions under this  
75 chapter and, in conducting such inquiries and investigations, may require any criminal justice agency to  
76 submit information, reports, and statistical data with respect to its policy and operation of information  
77 systems or with respect to its collection, storage, dissemination, and usage of criminal history record  
78 information and correctional status information, and such criminal justice agencies shall submit such  
79 information, reports, and data as are reasonably required;

80 20. Conduct audits as required by § 9.1-131;

81 21. Conduct a continuing study and review of questions of individual privacy and confidentiality of  
82 criminal history record information and correctional status information;

83 22. Advise criminal justice agencies and initiate educational programs for such agencies with respect  
84 to matters of privacy, confidentiality, and security as they pertain to criminal history record information  
85 and correctional status information;

86 23. Maintain a liaison with any board, commission, committee, or other body which may be  
87 established by law, executive order, or resolution to regulate the privacy and security of information  
88 collected by the Commonwealth or any political subdivision thereof;

89 24. Adopt regulations establishing guidelines and standards for the collection, storage, and  
90 dissemination of criminal history record information and correctional status information, and the privacy,  
91 confidentiality, and security thereof necessary to implement state and federal statutes, regulations, and  
92 court orders;

93 25. Operate a statewide criminal justice research center, which shall maintain an integrated criminal  
94 justice information system, produce reports, provide technical assistance to state and local criminal  
95 justice data system users, and provide analysis and interpretation of criminal justice statistical  
96 information;

97 26. Develop a comprehensive, statewide, long-range plan for strengthening and improving law  
98 enforcement and the administration of criminal justice throughout the Commonwealth, and periodically  
99 update that plan;

100 27. Cooperate with, and advise and assist, all agencies, departments, boards and institutions of the  
101 Commonwealth, and units of general local government, or combinations thereof, including planning  
102 district commissions, in planning, developing, and administering programs, projects, comprehensive  
103 plans, and other activities for improving law enforcement and the administration of criminal justice  
104 throughout the Commonwealth, including allocating and subgranting funds for these purposes;

105 28. Define, develop, organize, encourage, conduct, coordinate, and administer programs, projects and  
106 activities for the Commonwealth and units of general local government, or combinations thereof, in the  
107 Commonwealth, designed to strengthen and improve law enforcement and the administration of criminal  
108 justice at every level throughout the Commonwealth;

109 29. Review and evaluate programs, projects, and activities, and recommend, where necessary,  
110 revisions or alterations to such programs, projects, and activities for the purpose of improving law  
111 enforcement and the administration of criminal justice;

112 30. Coordinate the activities and projects of the state departments, agencies, and boards of the  
113 Commonwealth and of the units of general local government, or combination thereof, including planning  
114 district commissions, relating to the preparation, adoption, administration, and implementation of  
115 comprehensive plans to strengthen and improve law enforcement and the administration of criminal  
116 justice;

117 31. Do all things necessary on behalf of the Commonwealth and its units of general local  
118 government, to determine and secure benefits available under the Omnibus Crime Control and Safe  
119 Streets Act of 1968 (P.L. 90-351, 82 Stat. 197), as amended, and under any other federal acts and  
120 programs for strengthening and improving law enforcement, the administration of criminal justice, and

delinquency prevention and control;

32. Receive, administer, and expend all funds and other assistance available to the Board and the Department for carrying out the purposes of this chapter and the Omnibus Crime Control and Safe Streets Act of 1968, as amended;

33. Apply for and accept grants from the United States government or any other source in carrying out the purposes of this chapter and accept any and all donations both real and personal, and grants of money from any governmental unit or public agency, or from any institution, person, firm or corporation, and may receive, utilize and dispose of the same. Any arrangements pursuant to this section shall be detailed in the annual report of the Board. Such report shall include the identity of the donor, the nature of the transaction, and the conditions, if any. Any moneys received pursuant to this section shall be deposited in the state treasury to the account of the Department. To these ends, the Board shall have the power to comply with conditions and execute such agreements as may be necessary;

34. Make and enter into all contracts and agreements necessary or incidental to the performance of its duties and execution of its powers under this chapter, including but not limited to, contracts with the United States, units of general local government or combinations thereof, in Virginia or other states, and with agencies and departments of the Commonwealth;

35. Adopt and administer reasonable regulations for the planning and implementation of programs and activities and for the allocation, expenditure and subgranting of funds available to the Commonwealth and to units of general local government, and for carrying out the purposes of this chapter and the powers and duties set forth herein;

36. Certify and decertify law-enforcement officers in accordance with §§ 15.2-1706 and 15.2-1707;

37. Establish training standards and publish and periodically update model policies for law-enforcement personnel in the following subjects:

a. The handling of family abuse, domestic violence, sexual assault, and stalking cases, including standards for determining the predominant physical aggressor in accordance with § 19.2-81.3. The Department shall provide technical support and assistance to law-enforcement agencies in carrying out the requirements set forth in subsection A of § 9.1-1301;

b. Communication with and facilitation of the safe return of individuals diagnosed with Alzheimer's disease;

c. Sensitivity to and awareness of cultural diversity and the potential for biased policing;

d. Protocols for local and regional sexual assault response teams;

e. Communication of death notifications;

f. (Effective until July 1, 2018) The questioning of individuals suspected of driving while intoxicated concerning the physical location of such individual's last consumption of an alcoholic beverage and the communication of such information to the Alcoholic Beverage Control Board;

f. (Effective July 1, 2018) The questioning of individuals suspected of driving while intoxicated concerning the physical location of such individual's last consumption of an alcoholic beverage and the communication of such information to the Virginia Alcoholic Beverage Control Authority;

g. Vehicle patrol duties that embody current best practices for pursuits and for responding to emergency calls;

h. Criminal investigations that embody current best practices for conducting photographic and live lineups;

i. Sensitivity to and awareness of human trafficking offenses and the identification of victims of human trafficking offenses for personnel involved in criminal investigations or assigned to vehicle or street patrol duties; and

j. Missing children, missing adults, and search and rescue protocol;

38. Establish compulsory training standards for basic training and the recertification of law-enforcement officers to ensure sensitivity to and awareness of cultural diversity and the potential for biased policing;

39. Review and evaluate community-policing programs in the Commonwealth, and recommend where necessary statewide operating procedures, guidelines, and standards which strengthen and improve such programs, including sensitivity to and awareness of cultural diversity and the potential for biased policing;

40. Establish a Virginia Law-Enforcement Accreditation Center. The Center may, in cooperation with Virginia law-enforcement agencies, provide technical assistance and administrative support, including staffing, for the establishment of voluntary state law-enforcement accreditation standards. The Center may provide accreditation assistance and training, resource material, and research into methods and procedures that will assist the Virginia law-enforcement community efforts to obtain Virginia accreditation status;

41. Promote community policing philosophy and practice throughout the Commonwealth by providing community policing training and technical assistance statewide to all law-enforcement

182 agencies, community groups, public and private organizations and citizens; developing and distributing  
183 innovative policing curricula and training tools on general community policing philosophy and practice  
184 and contemporary critical issues facing Virginia communities; serving as a consultant to Virginia  
185 organizations with specific community policing needs; facilitating continued development and  
186 implementation of community policing programs statewide through discussion forums for community  
187 policing leaders, development of law-enforcement instructors; promoting a statewide community policing  
188 initiative; and serving as a statewide information source on the subject of community policing including,  
189 but not limited to periodic newsletters, a website and an accessible lending library;

190 42. Establish, in consultation with the Department of Education and the Virginia State Crime  
191 Commission, compulsory minimum standards for employment and job-entry and in-service training  
192 curricula and certification requirements for school security officers, which training and certification shall  
193 be administered by the Virginia Center for School and Campus Safety pursuant to § 9.1-184. Such  
194 training standards shall include, but shall not be limited to, the role and responsibility of school security  
195 officers, relevant state and federal laws, school and personal liability issues, security awareness in the  
196 school environment, mediation and conflict resolution, disaster and emergency response, and student  
197 behavioral dynamics. The Department shall establish an advisory committee consisting of local school  
198 board representatives, principals, superintendents, and school security personnel to assist in the  
199 development of these standards and certification requirements;

200 43. License and regulate property bail bondsmen and surety bail bondsmen in accordance with  
201 Article 11 (§ 9.1-185 et seq.);

202 44. License and regulate bail enforcement agents in accordance with Article 12 (§ 9.1-186 et seq.);

203 45. In conjunction with the Virginia State Police and the State Compensation Board, advise criminal  
204 justice agencies regarding the investigation, registration, and dissemination of information requirements  
205 as they pertain to the Sex Offender and Crimes Against Minors Registry Act (§ 9.1-900 et seq.);

206 46. Establish minimum standards for (i) employment, (ii) job-entry and in-service training curricula,  
207 and (iii) certification requirements for campus security officers. Such training standards shall include, but  
208 not be limited to, the role and responsibility of campus security officers, relevant state and federal laws,  
209 school and personal liability issues, security awareness in the campus environment, and disaster and  
210 emergency response. The Department shall provide technical support and assistance to campus police  
211 departments and campus security departments on the establishment and implementation of policies and  
212 procedures, including but not limited to: the management of such departments, investigatory procedures,  
213 judicial referrals, the establishment and management of databases for campus safety and security  
214 information sharing, and development of uniform record keeping for disciplinary records and statistics,  
215 such as campus crime logs, judicial referrals and Clery Act statistics. The Department shall establish an  
216 advisory committee consisting of college administrators, college police chiefs, college security  
217 department chiefs, and local law-enforcement officials to assist in the development of the standards and  
218 certification requirements and training pursuant to this subdivision;

219 47. Assess and report, in accordance with § 9.1-190, the crisis intervention team programs established  
220 pursuant to § 9.1-187;

221 48. In conjunction with the Office of the Attorney General, advise law-enforcement agencies and  
222 attorneys for the Commonwealth regarding the identification, investigation, and prosecution of human  
223 trafficking offenses using the common law and existing criminal statutes in the Code of Virginia;

224 49. Register tow truck drivers in accordance with § 46.2-116 and carry out the provisions of  
225 § 46.2-117;

226 50. Administer the activities of the Virginia Sexual and Domestic Violence Program Professional  
227 Standards Committee by providing technical assistance and administrative support, including staffing, for  
228 the Committee;

229 51. (Effective July 1, 2017) In accordance with § 9.1-102.1, design and approve the issuance of  
230 photo-identification cards to private security services registrants registered pursuant to Article 4  
231 (§ 9.1-138 et seq.);

232 52. In consultation with the State Council of Higher Education for Virginia and the Virginia  
233 Association of Campus Law Enforcement Administrators, develop multidisciplinary curricula on  
234 trauma-informed sexual assault investigation; and

235 53. *Establish minimum training standards for the training and certification of any person designated*  
236 *under § 22.1-279.10 to carry a concealed handgun on school property. Such training standards shall*  
237 *include situational assessments pertaining to the use or display of a handgun, the safe carrying and*  
238 *storage of a concealed handgun, the use of a handgun, the proper response to emergency situations on*  
239 *school property until the arrival of law enforcement to the scene, and the laws pertaining to the*  
240 *carrying and use of concealed handguns. The Department shall establish an advisory committee*  
241 *consisting of local school board representatives, principals, superintendents, administrators of private*  
242 *schools, and school security personnel to assist in the development of these standards and certification*  
243 *requirements; and*

54. Perform such other acts as may be necessary or convenient for the effective performance of its duties.

**§ 9.1-184. Virginia Center for School and Campus Safety created; duties.**

A. From such funds as may be appropriated, the Virginia Center for School and Campus Safety (the Center) is hereby established within the Department. The Center shall:

1. Provide training for Virginia public school personnel in school safety, on evidence-based antibullying tactics based on the definition of bullying in § 22.1-276.01, and in the effective identification of students who may be at risk for violent behavior and in need of special services or assistance;

2. Serve as a resource and referral center for Virginia school divisions by conducting research, sponsoring workshops, and providing information regarding current school safety concerns, such as conflict management and peer mediation, bullying as defined in § 22.1-276.01, school facility design and technology, current state and federal statutory and regulatory school safety requirements, and legal and constitutional issues regarding school safety and individual rights;

3. Maintain and disseminate information to local school divisions on effective school safety initiatives in Virginia and across the nation;

4. Collect, analyze, and disseminate various Virginia school safety data, including school safety audit information submitted to it pursuant to § 22.1-279.8, collected by the Department;

5. Encourage the development of partnerships between the public and private sectors to promote school safety in Virginia;

6. Provide technical assistance to Virginia school divisions in the development and implementation of initiatives promoting school safety, including threat assessment-based protocols with such funds as may be available for such purpose;

7. Develop a memorandum of understanding between the Director of the Department of Criminal Justice Services and the Superintendent of Public Instruction to ensure collaboration and coordination of roles and responsibilities in areas of mutual concern, such as school safety audits and crime prevention;

8. Provide training for and certification of school security officers, as defined in § 9.1-101 and consistent with § 9.1-110;

9. Develop, in conjunction with the Department of State Police, the Department of Behavioral Health and Developmental Services, and the Department of Education, a model critical incident response training program for public school personnel and others providing services to schools that shall also be made available to private schools in the Commonwealth; ~~and~~

10. In consultation with the Department of Education, provide schools with a model policy for the establishment of threat assessment teams, including procedures for the assessment of and intervention with students whose behavior poses a threat to the safety of school staff or students; ~~and~~

11. *Provide training for and certification of any person designated under § 22.1-279.10 by a school board to carry a concealed handgun on school property.*

B. All agencies of the Commonwealth shall cooperate with the Center and, upon request, assist the Center in the performance of its duties and responsibilities.

**§ 18.2-282. Pointing, holding, or brandishing firearm, air or gas operated weapon or object similar in appearance; penalty.**

A. It shall be unlawful for any person to point, hold or brandish any firearm or any air or gas operated weapon or any object similar in appearance, whether capable of being fired or not, in such manner as to reasonably induce fear in the mind of another or hold a firearm or any air or gas operated weapon in a public place in such a manner as to reasonably induce fear in the mind of another of being shot or injured. However, this section shall not apply to any person (i) engaged in excusable or justifiable self-defense or (ii) *designated under § 22.1-279.10 who uses a concealed handgun in accordance with his training and certification for the purpose of excusable or justifiable self-defense or the defense of others on school property.* Persons violating the provisions of this section shall be guilty of a Class 1 misdemeanor or, if the violation occurs upon any public, private or religious elementary, middle or high school, including buildings and grounds or upon public property within 1,000 feet of such school property, he shall be guilty of a Class 6 felony.

B. Any police officer in the performance of his duty, in making an arrest under the provisions of this section, shall not be civilly liable in damages for injuries or death resulting to the person being arrested if he had reason to believe that the person being arrested was pointing, holding, or brandishing such firearm or air or gas operated weapon, or object that was similar in appearance, with intent to induce fear in the mind of another.

C. For purposes of this section, the word "firearm" means any weapon that will or is designed to or may readily be converted to expel single or multiple projectiles by the action of an explosion of a combustible material. ~~The word "ammunition," as used herein, shall mean a cartridge, pellet, ball, missile or projectile adapted for use in a firearm.~~

**§ 18.2-308. 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, slingshot, spring stick, metal knucks, or blackjack; (iii) any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain; (iv) any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart; or (v) any weapon of like kind as those enumerated in this subsection, he is guilty of a Class 1 misdemeanor. A second violation of this section or a conviction under this section subsequent to any conviction under any substantially similar ordinance of any county, city, or town shall be punishable as a Class 6 felony, and a third or subsequent such violation shall be punishable as a Class 5 felony. For the purpose of this section, a weapon shall be deemed to be hidden from common observation when it is observable but is of such deceptive appearance as to disguise the weapon's true nature. It shall be an affirmative defense to a violation of clause (i) regarding a handgun, that a person had been issued, at the time of the offense, a valid concealed handgun permit.

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

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

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

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

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

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

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

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

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

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;

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; and

10. Any judge or justice of the Commonwealth, wherever such judge or justice may travel in the Commonwealth; and

11. Any person designated under § 22.1-279.10 for the sole purpose of carrying a concealed handgun on school property in accordance with his training and certification.

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 a judge or justice of the Commonwealth, an attorney for the Commonwealth, or an assistant attorney for the Commonwealth may carry a concealed handgun pursuant to subdivisions C 7 and 10. 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.

**§ 18.2-308.1. 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; *or (ix) any person designated under § 22.1-279.10.* 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.

**§ 22.1-279.10. Designated persons may carry handguns; training.**

*A school board may designate at each school in the district or an administrator of a private school may, if authorized by the governing body of the private school, designate at the private school one or more teachers, principals, or other employees of the school who, notwithstanding any other law to the contrary, may carry a concealed handgun on school property. Any person designated under this section to carry a concealed handgun shall be certified and trained in the storage, use, and handling of a concealed handgun by (i) the Virginia Center for School and Campus Safety as provided in § 9.1-184 or (ii) any National Rifle Association firearms safety or training course conducted pursuant to the minimum training standards established by the Department of Criminal Justice Services under § 9.1-102.*