

# 2019 SPECIAL SESSION I

INTRODUCED

19200142D

## SENATE BILL NO. 4017

Offered July 9, 2019

Prefiled July 8, 2019

A *BILL to amend and reenact § 18.2-56.2 of the Code of Virginia, relating to allowing access to firearms by minors; penalty.*

Patrons—Howell, Barker, Boysko, Dance, Ebbin, Favola, Lucas, Marsden, McPike and Saslaw;  
Delegates: Ayala, Bell, John J., Carr, Delaney, Hayes, Hope, Kory, Krizek, Levine, Lopez, McQuinn, Murphy, Plum, Rodman, Samirah, Sickles, Simon, Sullivan and Watts

Referred to Committee for Courts of Justice

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

1. That § 18.2-56.2 of the Code of Virginia is amended and reenacted as follows:

#### § 18.2-56.2. Allowing access to firearms by minors; penalty.

A. It ~~shall be~~ is unlawful for any person to recklessly leave a loaded, unsecured firearm in such a manner as to endanger the life or limb of any ~~child~~ *person* under the age of ~~fourteen~~ 18. Any person violating the provisions of this subsection ~~shall be~~ is guilty of a Class 3 ~~misdemeanor~~ 6 *felony*.

B. It ~~shall be~~ is unlawful for any person knowingly to authorize a child under the age of ~~twelve~~ 12 to use a firearm except when the child is under the supervision of an adult. Any person violating this subsection ~~shall be~~ is guilty of a Class 1 misdemeanor. For purposes of this subsection, "adult" ~~shall mean~~ means a parent, guardian, person standing in loco parentis to the child, or a person ~~twenty-one~~ 21 years *of age* or ~~over~~ older who has the permission of the parent, guardian, or person standing in loco parentis to supervise the child in the use of a firearm.

2. That there is hereby appropriated from the balance of the general fund in fiscal year 2020 the amount of \$50,000. The Director of the Department of Planning and Budget shall allocate such appropriation among the agencies and programs impacted by this act.

3. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 854 of the Acts of Assembly of 2019 requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

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SB4017