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SENATE JOINT RESOLUTION NO. 41

Offered January 8, 2020

Prefiled January 7, 2020

Establishing a joint subcommittee to study issues related to firearms, factors that lead to aggressive and violent behavior, and strategies to ensure the safety of citizens of the Commonwealth. Report.

Patron—Hanger

Referred to Committee on Rules

WHEREAS, all citizens of the Commonwealth are vested in ensuring that the Commonwealth is now and remains in the future a safe place to live, work, and attend school; and

WHEREAS, discussions relating to public safety and access to firearms often involve parties with strong positions and passions regarding the best approach for the Commonwealth to take in order to ensure the protection of its citizens; and

WHEREAS, the General Assembly recognizes a need to examine the multi-faceted issues related to firearms, violence, and public safety in a comprehensive, measured, and civil manner, acknowledging differences of opinion and the need to balance the tensions that exist between upholding personal freedoms of the right to bear arms and the right to feel safe and secure in one's community; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That a joint subcommittee be established to study issues related to firearms, factors that lead to aggressive and violent behavior, and strategies to ensure the safety of citizens of the Commonwealth. The joint subcommittee shall consist of 17 members that include nine legislative members, five nonlegislative citizen members, and three ex officio members. Members shall be appointed as follows: four members of the Senate to be appointed by the Senate Committee on Rules; five members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; three nonlegislative citizen members to be appointed by the Senate Committee on Rules upon consideration of the recommendation of the Virginia Sheriffs' Association, the Virginia Association of Counties, and the National Rifle Association; and two nonlegislative citizen members to be appointed by the Speaker of the House of Delegates, one to be appointed upon consideration of the recommendation of the Virginia Municipal League and one to be a behavioral health professional. The Superintendent of State Police, the Secretary of Health and Human Resources, and the Secretary of Public Safety and Homeland Security, or their designees, shall serve ex officio with voting privileges. Nonlegislative citizen members shall be citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the chairman of the joint subcommittee and the respective Clerk, nonlegislative citizen members shall be reimbursed only for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required. The joint subcommittee shall elect a chairman and vice-chairman from among its membership, who shall be members of the General Assembly.

In conducting its study, the joint subcommittee shall review issues related to firearms, violence, and public safety in the Commonwealth raised in legislation introduced during the 2019 Special Session I of the General Assembly. The joint subcommittee shall also consider the following: (i) universal background checks to purchase firearms, including the purchase of firearms at firearm shows and in private sales; (ii) improved information sharing regarding individuals with mental health issues who seek to purchase firearms; (iii) prevention of access to firearms by minors, including a review of current regulations used by the Department of Social Services in licensed child care settings and consideration of codification of such regulations; (iv) the issuance of protective orders for those individuals deemed a substantial risk to themselves or others; (v) the effects of banning assault weapons and devices commonly known as bump stocks, trigger activators, and suppressors; (vi) the implementation of procedures to require residents of the Commonwealth to report lost or stolen weapons; (vii) a review of issues related to the expansion of local authority to regulate firearms, including in government buildings and on government property; (viii) the potential impact of reinstating a law limiting the purchase of firearms to one per month; (ix) new or additional training requirements for all owners of firearms; (x) an analysis of the causation between individual violence and domestic violence, substance abuse, mental illness, criminal history, societal violence, movies, video games, and any other potential factors identified by the joint subcommittee; (xi) a review of actions taken in other states to address firearm safety and firearm rights issues; (xii) a review of existing firearm trafficking laws in the Commonwealth

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59 and potential actions aimed at curbing the illegal sale of firearms; (xiii) a review and audit of the
60 implementation of the recommendations contained in the report of the Virginia Tech Review Panel
61 convened by Governor Tim Kaine after the mass shooting at Virginia Tech in 2007; and (xiv) the issues
62 related to the protection of Second Amendment rights of law-abiding firearm owners.

63 Administrative staff support shall be provided by the Office of the Clerk of the Senate. Legal,
64 research, policy analysis, and other services as requested by the joint subcommittee shall be provided by
65 the Division of Legislative Services. All agencies of the Commonwealth shall provide assistance to the
66 joint subcommittee for this study, upon request.

67 The joint subcommittee shall be limited to four meetings for the 2020 interim and four meetings for
68 the 2021 interim, and the direct costs of this study shall not exceed \$22,920 for each year without
69 approval as set out in this resolution. Approval for unbudgeted nonmember-related expenses shall require
70 the written authorization of the chairman of the joint subcommittee and the respective Clerk. If a
71 companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall
72 be required.

73 No recommendation of the joint subcommittee shall be adopted if a majority of the Senate members
74 or a majority of the House members appointed to the joint subcommittee (i) vote against the
75 recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the
76 joint subcommittee.

77 The joint subcommittee shall complete its meetings for the first year by November 30, 2020, and for
78 the second year by November 30, 2021, and the chairman shall submit to the Division of Legislative
79 Automated Systems an executive summary of its findings and recommendations no later than the first
80 day of the next Regular Session of the General Assembly for each year. Each executive summary shall
81 state whether the joint subcommittee intends to submit to the General Assembly and the Governor a
82 report of its findings and recommendations for publication as a House or Senate document. The
83 executive summaries and reports shall be submitted as provided in the procedures of the Division of
84 Legislative Automated Systems for the processing of legislative documents and reports and shall be
85 posted on the General Assembly's website. Any executive summaries or reports submitted as set forth
86 herein shall also be submitted to the chair of each standing committee of the Senate and the House of
87 Delegates.

88 Implementation of this resolution is subject to subsequent approval and certification by the Joint
89 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or
90 delay the period for the conduct of the study, or authorize additional meetings during the 2020 or 2021
91 interim.