

2021 SPECIAL SESSION I

HOUSE SUBSTITUTE

21103561D

HOUSE BILL NO. 2295

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Public Safety
on January 22, 2021)

(Patron Prior to Substitute—Delegate Levine)

A *BILL to amend the Code of Virginia by adding a section numbered 18.2-283.2, relating to carrying a firearm or stun weapon within Capitol Square and the surrounding area, into building owned or leased by the Commonwealth, etc.; penalty.*

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 18.2-283.2 as follows:

§ 18.2-283.2. Carrying a firearm or stun weapon within Capitol Square and the surrounding area, into a building owned or leased by the Commonwealth, etc.; penalty.

A. For the purposes of this section, "Capitol Square and the surrounding area" means (i) the grounds, land, real property, and improvements in the City of Richmond bounded by Bank, Governor, Broad, and Ninth Streets, including the streets themselves; (ii) both sides of Bank Street between Ninth Street and Governor Street, including any sidewalks; (iii) both sides of Ninth Street between Main Street and Broad Street, including any sidewalks; and (iv) both sides of Tenth Street between Main Street and Bank Street, including any sidewalks.

B. It is unlawful for any person to carry any (i) firearm as defined in § 18.2-308.2:2 or (ii) stun weapon as defined in § 18.2-308.1 within (a) the Capitol of Virginia; (b) Capitol Square and the surrounding area; (c) any building, parking lot, or parking structure owned or leased by the Commonwealth or any agency thereof; (d) any building where employees of the Commonwealth or any agency thereof are regularly present for the purpose of performing their official duties; or (e) any building where the General Assembly meets or conducts its business.

C. A violation of this section is punishable as a Class 1 misdemeanor. Any firearm or stun weapon carried in violation of this section shall be subject to seizure by a law-enforcement officer and forfeited to the Commonwealth and disposed of as provided in § 19.2-386.28.

D. The provisions of this section shall not apply to the following while acting in the conduct of such person's official duties: (i) any law-enforcement officer as defined in § 9.1-101; (ii) any authorized security personnel; (iii) any active military personnel; or (iv) any individual carrying a weapon into a courthouse who is exempt under § 18.2-283.1.

E. The provisions of clauses (c) and (d) of subsection B shall not apply to (i) any law-enforcement officer as defined in § 9.1-101 or (ii) any retired law-enforcement officer qualified pursuant to subsection C of § 18.2-308.016 who is visiting a gun range owned or leased by the Commonwealth or any parking lot or parking structure appurtenant thereto.

F. Notice of the provisions of this section shall be posted conspicuously at the public entrance of each location listed in subsection B, and no person shall be convicted of an offense under subsection B if such notice is not posted at such public entrance, unless such person had actual notice of the prohibitions in subsection B.

2. 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 is \$0 for periods of imprisonment in state adult correctional facilities and cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

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