

# 2023 SESSION

INTRODUCED

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## HOUSE BILL NO. 1398

Offered January 11, 2023

Prefiled November 30, 2022

A *BILL to amend and reenact § 18.2-308.01 of the Code of Virginia, relating to carrying a concealed handgun with a permit; private property.*

Patron—March

Referred to Committee on Rules

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

1. That § 18.2-308.01 of the Code of Virginia is amended and reenacted as follows:

#### § 18.2-308.01. Carrying a concealed handgun with a permit.

A. The prohibition against carrying a concealed handgun in clause (i) of subsection A of § 18.2-308 shall not apply to a person who has a valid concealed handgun permit issued pursuant to this article. The person issued the permit shall have such permit on his person at all times during which he is carrying a concealed handgun and shall display the permit and a photo identification issued by a government agency of the Commonwealth or by the U.S. Department of Defense or U.S. State Department (passport) upon demand by a law-enforcement officer. A person to whom a nonresident permit is issued shall have such permit on his person at all times when he is carrying a concealed handgun in the Commonwealth and shall display the permit on demand by a law-enforcement officer. A person whose permit is extended due to deployment shall carry with him and display, upon request of a law-enforcement officer, a copy of the documents required by subsection B of § 18.2-308.010.

B. Failure to display the permit and a photo identification upon demand by a law-enforcement officer shall be punishable by a \$25 civil penalty, which shall be paid into the state treasury. Any attorney for the Commonwealth of the county or city in which the alleged violation occurred may bring an action to recover the civil penalty. A court may waive such penalty upon presentation to the court of a valid permit and a government-issued photo identification. Any law-enforcement officer may issue a summons for the civil violation of failure to display the concealed handgun permit and photo identification upon demand.

C. The granting of a concealed handgun permit pursuant to this article shall not thereby authorize the possession of any handgun or other weapon on property or in places where such possession is otherwise prohibited by law or is prohibited by the owner of private property, *except that firearms or other weapons stored in a motor vehicle may not be prohibited in a parking lot, traffic circle, or other means of vehicular ingress or egress to private property that is open to the public.*

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