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**HOUSE BILL NO. 1579**

Offered January 11, 2023

Prefiled January 6, 2023

*A BILL to amend and reenact § 18.2-308.1:5 of the Code of Virginia, relating to purchase or transportation of firearm by persons convicted of operating a boat or vehicle while intoxicated prohibited; penalty.*

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Patron—Sullivan

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Referred to Committee on Public Safety

**Be it enacted by the General Assembly of Virginia:****1. That § 18.2-308.1:5 of the Code of Virginia is amended and reenacted as follows:****§ 18.2-308.1:5. Purchase or transportation of firearm by persons convicted of certain drug offenses or operating a boat or vehicle while intoxicated prohibited.**

A. Any person who, within a 36-consecutive-month period, has been convicted of two misdemeanor offenses under Chapter 11 (§ 4.1-1100 et seq.) of Title 4.1, subsection B of former § 18.2-248.1:1, or § 18.2-250 shall be ineligible to purchase or transport a handgun.

B. Any person who, within a five-year period, has been convicted of two misdemeanor offenses in violation of § 18.2-266, 29.1-738, or 46.2-341.24 shall be ineligible to purchase or transport a handgun.

C. However, for any person ineligible to purchase or transport a handgun pursuant to this section, upon expiration of a period of five years from the date of the second conviction and provided the person has not been convicted of any such offense within that period, the ineligibility shall be removed.

D. A violation of this section is a Class 1 misdemeanor.

**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 cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 2 of the Acts of Assembly of 2022, Special Session I, 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.**

INTRODUCED

HB1579