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**HOUSE BILL NO. 1788**

Offered January 11, 2023

Prefiled January 10, 2023

*A BILL to amend the Code of Virginia by adding a section numbered 18.2-308.2:6, relating to the sale or transfer of firearms; microstamping-enabled firearms; penalties.*

Patrons—Filler-Corn, Bagby, Carr, Hope and Simon

Referred to Committee on Public Safety

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

**1. That the Code of Virginia is amended by adding a section numbered 18.2-308.2:6 as follows:**

**§ 18.2-308.2:6. Unlawful sale or transfer of non-microstamping-enabled firearms; modification of microstamping-enabled firearms; penalties.**

*A. For the purpose of this section:*

*"Microstamp" means a unique alphanumeric or geometric code that identifies the make, model, and serial number of a firearm.*

*"Microstamping component" means a component of a firearm that will produce a microstamp on at least one location of the expended cartridge case each time the firearm is fired.*

*"Microstamping-enabled firearm" means a firearm that contains a microstamping component.*

*B. It is unlawful for any dealer as defined in § 18.2-308.2:2 to sell, offer for sale, exchange, give, transfer, or deliver any firearm unless such firearm has been verified as a microstamping-enabled firearm. A firearm may be verified as microstamping-enabled if it contains a microstamp component installed by its manufacturer. A violation of this subsection is punishable as a Class 3 misdemeanor. A second or subsequent violation of this subsection is punishable as a Class 1 misdemeanor.*

*C. It is unlawful for any person to modify a microstamping-enabled firearm or microstamping component with the intent to prevent the production of a microstamp. A violation of this subsection is punishable as a Class 3 misdemeanor. A second or subsequent violation of this subsection is a Class 1 misdemeanor. It shall not be a violation of this subsection to replace the microstamping component of a microstamping-enabled firearm when the component is damaged or in need of replacement with another valid microstamping component for the safe use of the firearm or to replace such component for a legitimate sporting purpose when such firearm is only used for that legitimate purpose.*

*D. The provisions of this section shall not apply to any firearm manufactured prior to July 1, 2025.*

**2. That the provisions of this act shall become effective on July 1, 2025.**

**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 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 is \$0 for periods of commitment to the custody of the Department of Juvenile Justice.**

INTRODUCED

HB1788