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HOUSE BILL NO. 2456

Offered January 20, 2023

A *BILL to amend the Code of Virginia by adding in Article 4 of Chapter 4 of Title 37.2 a section numbered 37.2-431.2, relating to weapons; possession or transportation; facility that provides mental health services or developmental services; penalty.*

Patron—Williams Graves (By Request)

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 4 of Chapter 4 of Title 37.2 a section numbered 37.2-431.2 as follows:

§ 37.2-431.2. Carrying weapon into a facility that provides mental health services or developmental services; penalty.

A. As used in this section, "hospital" means a public or private institution licensed pursuant to Chapter 5 (§ 32.1-123 et seq.) of Title 32.1 or Article 2 (§ 37.2-403 et seq.).

B. It is unlawful for any person to possess in or transport into any facility that provides mental health services or developmental services in the Commonwealth, including a hospital or an emergency room or other facility rendering emergency medical care, any (i) gun or other weapon designed or intended to propel a missile or projectile of any kind; (ii) knife, except a pocket knife having a folding metal blade of less than three inches; or (iii) other dangerous weapon, including explosives and stun weapons as defined in § 18.2-308.1. Any such firearm, knife, explosive, or weapon shall be subject to seizure by a law-enforcement officer. A violation of this subsection is punishable as a Class 1 misdemeanor.

C. The provisions of subsection B shall not apply to the following persons while acting in the conduct of such person's official duties: any police officer, sheriff, or law-enforcement agent or official; officer or guard of any state correctional institution; armed security officer; person possessing a knife customarily used for food preparation or service and using it for such purpose; or person who possesses a knife or blade that he uses customarily in his trade.

INTRODUCED

HB2456