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## SENATE BILL NO. 1139

## AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on the Judiciary

on January 23, 2023)

(Patron Prior to Substitute—Senator Boysko)

A BILL to amend the Code of Virginia by adding a section numbered 18.2-308.7:1, relating to storage of firearms in a residence where a minor or person prohibited from possessing a firearm is present; penalty.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 18.2-308.7:1 as follows:

§ 18.2-308.7:1. *Storage of firearms; penalty.*

A. Any person who possesses a firearm in a residence where such person knows that a minor under 18 years of age or a person who is prohibited by law from possessing a firearm resides shall store such firearm and the ammunition for such firearm in a locked container, compartment, or cabinet that is inaccessible to such minor or prohibited person. Any person who violates this section is guilty of a Class 4 misdemeanor.

B. The provisions of this section shall not apply to (i) any person in lawful possession of a firearm who is carrying such firearm on or about his person or (ii) the storage of any antique firearm as defined in § 18.2-308.2:2.

C. Nothing in this section shall be construed as preventing any person from lawfully authorizing a minor to access a firearm in accordance with § 18.2-56.2.

D. Every dealer, as defined in § 18.2-308.2:2, shall post in a conspicuous manner at the premises of such dealer a notice stating "Any person who possesses a firearm in a residence where such person knows that a minor under 18 years of age or a person who is prohibited by law from possessing a firearm resides shall store such firearm and the ammunition for such firearm in a locked container, compartment, or cabinet that is inaccessible to such minor or prohibited person. A violation of this law is a Class 4 misdemeanor."