

23104048D

SENATE BILL NO. 1181

Offered January 11, 2023

Prefiled January 10, 2023

A BILL to amend the Code of Virginia by adding a section numbered 18.2-308.5:2, relating to sale, transfer, or purchase of unfinished frames or receivers and unserialized firearms; penalty.

Patrons—Ebbin, Barker, Bell, Boysko, Deeds, Edwards, Favola, Hashmi, Howell, Locke, Lucas, Marsden, Mason, McClellan, McPike, Saslaw, Spruill and Surovell; Delegates: Hope and Simon

Referred to Committee on the Judiciary

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 18.2-308.5:2 as follows:

§ 18.2-308.5:2. Prohibition on unfinished frames or receivers; penalty.

A. As used in this section:

"Dealer" means any person licensed as a dealer pursuant to 18 U.S.C. § 921 et seq.

"Importer" means any person licensed as an importer pursuant to 18 U.S.C. § 921 et seq.

"Manufacturer" means any person licensed as a manufacturer pursuant to 18 U.S.C. § 921 et seq.

"Unfinished frame or receiver" means any forging, casting, printing, extrusion, machined body, or similar article that (i) has reached a stage in manufacture where it may readily be completed, assembled, or converted to be used as the frame or receiver of a functional firearm or (ii) is marketed or sold to the public to become or be used as the frame or receiver of a functional firearm once completed, assembled, or converted.

B. It is unlawful for any person to knowingly sell, offer to sell, transfer, or purchase an unfinished frame or receiver unless the transferee or party selling, offering to sell, transferring, or purchasing the unfinished frame or receiver is an importer, a manufacturer, or a dealer, or the unfinished frame or receiver is required by federal law to be, and has been, imprinted with a serial number by an importer, a manufacturer, or a dealer.

C. Any person who violates this section is guilty of a Class 1 misdemeanor. Any person convicted of a second or subsequent offense of this section is guilty of a Class 4 felony.

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

SB1181