

2024 SESSION

INTRODUCED

24101228D

HOUSE BILL NO. 22

Offered January 10, 2024

Prefiled December 13, 2023

A *BILL to amend the Code of Virginia by adding a section numbered 18.2-308.5:2, relating to manufacture, importation, sale, etc., of auto sears; prohibition; penalty.*

Patrons—Jones, Helmer, Anthony, Askew, Bennett-Parker, Callsen, Clark, Cohen, Cousins, Feggans, Gardner, Henson, Keys-Gamarra, Laufer, Maldonado, Martinez, McClure, Rasoul, Reaser, Seibold, Shin, Simon, Srinivasan and Tran

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 18.2-308.5:2 as follows:

§ 18.2-308.5:2. Manufacture, importation, sale, possession, transfer, or transportation of auto sear prohibited; penalty.

A. As used in this section, "auto sear" means a device made of metal or plastic designed for use in converting a firearm to shoot automatically more than one shot, without manual reloading, by a single function of the trigger.

B. It is unlawful for any person to manufacture, import, sell, offer for sale, possess, transfer, or transport one or more auto sears in the Commonwealth.

C. A violation of this section is punishable as a Class 6 felony.

D. Nothing in this section shall be construed to prohibit a person from manufacturing, importing, selling, offering for sale, possessing, receiving, transferring, or transporting any item for which such person is in compliance with the National Firearms Act (26 U.S.C. § 5801 et seq.).

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 1 of the Acts of Assembly of 2023, 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.

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