

# 2024 SESSION

## HOUSE SUBSTITUTE

24105447D

### HOUSE BILL NO. 22

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Public Safety

on January 19, 2024)

(Patron Prior to Substitute—Delegate Jones)

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.*

**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 any material 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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