

# 2024 SESSION

## HOUSE SUBSTITUTE

24109201D

### HOUSE BILL NO. 861

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Governor  
on March 27, 2024)

(Patron Prior to Substitute—Delegate Hernandez)

*A BILL to amend the Code of Virginia by adding a section numbered 18.2-283.3, relating to weapons; hospital that provides mental health services.*

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding a section numbered 18.2-283.3 as follows:**

**§ 18.2-283.3. *Transfer of certain weapons in a hospital that provides mental health services to certain patients prohibited.***

**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.) of Chapter 4 of Title 37.2.*

*"Mental health services" means the same as that term is defined in § 37.2-100.*

**B. It is unlawful for any person in a hospital that provides mental health services in the Commonwealth, including an emergency department or other facility rendering emergency medical care, to willfully transfer to, attempt to transfer to, or cause to be received by any patient receiving mental health services any (i) firearm 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.**

HOUSE SUBSTITUTE

HB861H2