

24104269D

SENATE BILL NO. 363

Offered January 10, 2024

Prefiled January 9, 2024

A BILL to amend and reenact § 18.2-311.1 of the Code of Virginia, relating to removing, altering, etc., serial number on firearm; selling, giving, etc., or possessing firearm with removed, altered, etc., serial number; penalty.

 Patron—Ebbin

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:**1. That § 18.2-311.1 of the Code of Virginia is amended and reenacted as follows:**

§ 18.2-311.1. Removing, altering, etc., serial number or other identification on firearm; selling, giving, etc., or possessing firearm without serial number; penalties.

~~Any A. It is unlawful for any person, firm, association, or corporation who or which to intentionally removes, defaces, alters, changes, destroys or obliterates~~ *remove, alter, change, destroy, or obliterate* in any manner or way or ~~who or which~~ *causes* to be removed, ~~defaced,~~ altered, changed, destroyed, or obliterated in any manner or way the name of the maker, model, manufacturer's or serial number, or any other ~~mark or~~ *identification required by federal or state law* on any pistol, shotgun, rifle, machine gun, or any other firearm ~~shall be guilty of. A violation of this subsection is a Class 1 misdemeanor.~~

B. It is unlawful for any person, firm, association, or corporation to knowingly possess any pistol, shotgun, rifle, machine gun, or any other firearm that has a serial number that has been removed, altered, changed, destroyed, or obliterated in any manner. A violation of this subsection is a Class 1 misdemeanor.

C. It is unlawful for any person, firm, association, or corporation to knowingly sell, give, or distribute any pistol, shotgun, rifle, machine gun, or any other firearm that has a serial number that has been removed, altered, changed, destroyed, or obliterated in any manner. A violation of this subsection is a Class 6 felony.

D. The provisions of this section shall not apply to antique firearms as defined in § 18.2-308.2:2.

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.

INTRODUCED

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