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SENATE BILL NO. 368

Offered January 10, 2024

Prefiled January 9, 2024

A *BILL to amend the Code of Virginia by adding a section numbered 18.2-308.7:1, relating to storage of firearms in a residence where a minor or person prohibited from possessing a firearm is present; penalty.*

Patrons—Boysko, Bagby, Favola and Salim; Delegate: Shin

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 18.2-308.7:1 as follows:

§ 18.2-308.7:1. Storage of firearms; penalty.

A. Any person who possesses a firearm in a residence where such person knows that a minor under 18 years of age or a person who is prohibited by law from possessing a firearm is present shall store such firearm and the ammunition for such firearm in a locked container, compartment, or cabinet that is inaccessible to such minor or prohibited person. A firearm may be stored loaded, provided that (i) such firearm is stored in a biometric storage device and (ii) no minor is an authorized user for the lock of such biometric storage device. Any person who violates this section is guilty of a Class 4 misdemeanor.

B. The provisions of this section shall not apply to (i) any person in lawful possession of a firearm who is carrying such firearm on or about his person or (ii) the storage of any antique firearm as defined in § 18.2-308.2:2.

C. Nothing in this section shall be construed as preventing any person from lawfully authorizing a minor to access a firearm in accordance with § 18.2-56.2.

D. Every dealer, as defined in § 18.2-308.2:2, shall post in a conspicuous manner at the premises of such dealer a notice stating: "Any person who possesses a firearm in a residence where such person knows that a minor under 18 years of age or a person who is prohibited by law from possessing a firearm is present shall store such firearm and the ammunition for such firearm in a locked container, compartment, or cabinet that is inaccessible to such minor or prohibited person. A violation of this law is a Class 4 misdemeanor."

INTRODUCED

SB368