

VIRGINIA ACTS OF ASSEMBLY -- 1999 RECONVENED SESSION

CHAPTER 996

An Act to amend and reenact § 18.2-280 of the Code of Virginia, relating to willfully discharging firearms in public places; penalty.

[H 2012]

Approved April 7, 1999

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-280 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-280. Willfully discharging firearms in public places.

A. If any person willfully discharges or causes to be discharged any firearm in any street in a city or town, or in any place of public business or place of public gathering, *and such conduct results in bodily injury to another person, he shall be guilty of a Class 6 felony. If such conduct does not result in bodily injury to another person,* he shall be guilty of Class 1 misdemeanor.

B. If any person willfully discharges or causes to be discharged any firearm upon any public, private or parochial elementary, middle or high school, including the buildings and grounds or upon public property within 1,000 feet of such school property, he shall be guilty of a Class 4 felony.

C. This section shall not apply to any law-enforcement officer in the performance of his official duties nor to any other person whose said willful act is otherwise justifiable or excusable at law in the protection of his life or property, or is otherwise specifically authorized by law. In addition, subsection B shall not apply to any otherwise lawful discharge while actually engaged in lawful hunting, a program or curriculum sponsored by or conducted with permission of the school or while in or on an established shooting range.

D. *Nothing in this statute shall preclude the Commonwealth from electing to prosecute under any other applicable provision of law instead of this section.*

2. That the provisions of this act may result in a net increase in periods of imprisonment in state correctional facilities. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is \$62,500 in FY 2009.