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1 SENATE BILL NO. 849

2 Offered January 8, 2025

3 Prefiled January 2, 2025

4 A BILL to amend and reenact § 18.2-308.06 of the Code of Virginia, relating to nonresident concealed
5 handgun permits.

6 Patron—Diggs

7 Referred to Committee for Courts of Justice

8 Be it enacted by the General Assembly of Virginia:

9 1. That § 18.2-308.06 of the Code of Virginia is amended and reenacted as follows:

10 2. **§ 18.2-308.06. Nonresident concealed handgun permits.**11 A. Nonresidents of the Commonwealth 21 years of age or older may apply in writing to the Virginia
12 Department of State Police for a five-year permit to carry a concealed handgun. The applicant shall submit a
13 photocopy of one valid form of photo identification issued by a governmental agency of the applicant's state
14 of residency or by the U.S. Department of Defense or U.S. State Department (passport). Every applicant for a
15 nonresident concealed handgun permit shall also submit two photographs of a type and kind specified by the
16 Department of State Police for inclusion on the permit and shall submit fingerprints on a card provided by the
17 Department of State Police for the purpose of obtaining the applicant's state or national criminal history
18 record. As a condition for issuance of a concealed handgun permit, the applicant shall submit to
19 fingerprinting by his local or state law-enforcement agency and provide personal descriptive information to
20 be forwarded with the fingerprints through the Central Criminal Records Exchange to the U.S. Federal
21 Bureau of Investigation for the purpose of obtaining criminal history record information regarding the
22 applicant and obtaining fingerprint identification information from federal records pursuant to criminal
23 investigations by state and local law-enforcement agencies. The application shall be on a form provided by
24 the Department of State Police, requiring only that information necessary to determine eligibility for the
25 permit. If the permittee is later found by the Department of State Police to be disqualified, the permit shall be
26 revoked and the person shall return the permit after being so notified by the Department of State Police. The
27 permit requirement and restriction provisions of subsection C of § 18.2-308.02 and § 18.2-308.09 shall apply,
28 mutatis mutandis, to the provisions of this subsection.

29 B. The applicant shall demonstrate competence with a handgun in person by one of the following:

30 1. Completing a hunter education or hunter safety course approved by the Virginia Department of Wildlife
31 Resources or a similar agency of another state;32 2. Completing any National Rifle Association or United States Concealed Carry Association firearms
33 safety or training course;34 3. Completing any firearms safety or training course or class available to the general public offered by a
35 law-enforcement agency, institution of higher education, or private or public institution or organization or
36 firearms training school utilizing instructors certified by the National Rifle Association, the United States
37 Concealed Carry Association, or the Department of Criminal Justice Services or a similar agency of another
38 state;39 4. Completing any law-enforcement firearms safety or training course or class offered for security guards,
40 investigators, special deputies, or any division or subdivision of law enforcement or security enforcement;41 5. Presenting evidence of equivalent experience with a firearm through participation in organized shooting
42 competition approved by the Department of State Police or current military service or proof of an honorable
43 discharge from any branch of the armed services;44 6. Obtaining or previously having held a license to carry a firearm in the Commonwealth or a locality
45 thereof, unless such license has been revoked for cause;46 7. Completing any in-person firearms training or safety course or class conducted by a state-certified,
47 National Rifle Association-certified, or United States Concealed Carry Association-certified firearms
48 instructor;49 8. Completing any governmental police agency firearms training course and qualifying to carry a firearm
50 in the course of normal police duties; or

51 9. Completing any other firearms training that the Virginia Department of State Police deems adequate.

52 A photocopy of a certificate of completion of any such course or class; an affidavit from the instructor,
53 school, club, organization, or group that conducted or taught such course or class attesting to the completion
54 of the course or class by the applicant; or a copy of any document that shows completion of the course or
55 class or evidences participation in firearms competition shall satisfy the requirement for demonstration of
56 competence with a handgun.

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59 C. The Department of State Police may charge a fee not to exceed \$100 to cover the cost of the
60 background check and issuance of the permit. Any fees collected shall be deposited in a special account to be
61 used to offset the costs of administering the nonresident concealed handgun permit program.

62 D. The permit to carry a concealed handgun shall contain only the following information: name, address,
63 date of birth, gender, height, weight, color of hair, color of eyes, and photograph of the permittee; the
64 signature of the Superintendent of the Virginia Department of State Police or his designee; the date of
65 issuance; and the expiration date.

66 *D1. The nonresident concealed handgun permit shall be issued immediately after 90 days from receipt of
67 the application if, within that 90-day period, the Department of State Police has not issued such permit or
68 determined that the applicant is disqualified from receiving such permit. If the applicant is later found by the
69 Department of State Police to be disqualified from receiving such permit, such permit shall be revoked and
70 the applicant shall return such permit to the Department of State Police after being notified of his
71 disqualification.*

72 E. The Superintendent of the State Police shall promulgate regulations, pursuant to the Administrative
73 Process Act (§ 2.2-4000 et seq.), for the implementation of an application process for obtaining a nonresident
74 concealed handgun permit.