

HOUSE BILL NO. 2412
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Public Safety
on _____)
(Patron Prior to Substitute—Delegate Griffin)

A BILL to amend and reenact § 18.2-283.2 of the Code of Virginia, relating to carrying a firearm or explosive material into a building owned or leased by the Commonwealth; exception for highway rest areas.

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-283.2 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-283.2. Carrying a firearm or explosive material within Capitol Square and the surrounding area, into a building owned or leased by the Commonwealth, etc.; penalty.

A. For the purposes of this section, "Capitol Square and the surrounding area" means the grounds, land, real property, and improvements in the City of Richmond bounded by Bank, Governor, Broad, and Ninth Streets, and the sidewalks of Bank Street extending from 50 feet west of the Pocahontas Building entrance to 50 feet east of the entrance of the Capitol of Virginia.

B. It is unlawful for any person to carry any firearm as defined in § 18.2-308.2:2 or explosive material as defined in § 18.2-308.2 within (i) the Capitol of Virginia; (ii) Capitol Square and the surrounding area; (iii) any building owned or leased by the Commonwealth or any agency thereof; or (iv) any office where employees of the Commonwealth or any agency thereof are regularly present for the purpose of performing their official duties.

C. A violation of this section is punishable as a Class 1 misdemeanor. Any firearm or explosive material carried in violation of this section shall be subject to seizure by a law-enforcement officer and forfeited to the Commonwealth and disposed of as provided in § 19.2-386.28.

D. The provisions of this section shall not apply to the following while acting in the conduct of such person's official duties: (i) any law-enforcement officer as defined in § 9.1-101; (ii) any authorized security personnel; (iii) any active military personnel; (iv) any fire marshal appointed pursuant to § 27-30 when such fire marshal has police powers provided by § 27-34.2:1; or (v) any member of a cadet corps who is recognized by a public institution of higher education while such member is participating in an official ceremonial event for the Commonwealth.

31 E. The provisions of clause (ii) of subsection B shall not apply to (i) any State Police officer who is
32 off-duty or (ii) any retired State Police officer who has participated in annual firearms training and has
33 qualified to the standards required of active law-enforcement officers in the Commonwealth, in accordance
34 with subsection C of § 18.2-308.016.

35 The provisions of clauses (iii) and (iv) of subsection B shall not apply to (a) any State Police officer who
36 is off-duty; (b) any retired State Police officer who has participated in annual firearms training and has
37 qualified to the standards required of active law-enforcement officers in the Commonwealth, in accordance
38 with subsection C of § 18.2-308.016; (c) any retired law-enforcement officer who has participated in annual
39 firearms training, has qualified pursuant to subsection C of § 18.2-308.016, and is visiting a gun range owned
40 or leased by the Commonwealth; (d) any of the following employees authorized to carry a firearm while
41 acting in the conduct of such employee's official duties: (1) a bail bondsman as defined in § 9.1-185, (2) an
42 employee of the Department of Corrections or a state juvenile correctional facility, (3) an employee of the
43 Department of Conservation and Recreation, or (4) an employee of the Department of Wildlife Resources; (e)
44 any individual carrying a weapon into a courthouse who is exempt under § 18.2-283.1; (f) any property
45 owned or operated by a public institution of higher education; (g) any state park; ~~or~~ (h) any magistrate acting
46 in the conduct of the magistrate's official duties; *or (i) any highway rest area as defined in § 33.2-1200.*

47 F. Notice of the provisions of this section shall be posted conspicuously along the boundary of Capitol
48 Square and the surrounding area and at the public entrance of each location listed in subsection B, and no
49 person shall be convicted of an offense under subsection B if such notice is not posted at such public
50 entrance, unless such person had actual notice of the prohibitions in subsection B.