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SENATE BILL NO. 1329  
AMENDMENT IN THE NATURE OF A SUBSTITUTE  
(Proposed by the House Committee on Public Safety  
on )  
(Patron Prior to Substitute—Senator Marsden)

*A BILL to amend the Code of Virginia by adding sections numbered 18.2-308.7:1, 18.2-308.7:2, and 18.2-308.7:3, relating to secure storage of firearms; penalties.*

on \_\_\_\_\_)

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding sections numbered 18.2-308.7:1, 18.2-308.7:2, and 18.2-308.7:3 as follows:**

**§ 18.2-308.7:1. Secure storage of firearms; penalty.**

*A. For purposes of this section, "firearm safety device" means the same as that term is defined in § 58.1-339.14.*

*B. No person who possesses a firearm on any premises where such person knows, or reasonably should know, that a minor or a person who is prohibited by law from possessing a firearm is, or is likely to be, present shall store such firearm on the premises unless such firearm is unloaded and secured with a firearm safety device. A firearm may be stored loaded, provided that (i) such firearm is stored in a biometric storage device, or in a safe, gun safe, gun case, lock box, or other device that is designed to be or can be used to store a firearm and that is designed to be unlocked only by means of a key, a combination, or other similar means and (ii) no minor or prohibited person is an authorized user for the lock of such storage device.*

*C. Any person who violates this section is guilty of a Class 4 misdemeanor. Any person who violates this section and a minor or person who is prohibited by law from possessing a firearm obtains the firearm is guilty of a Class 1 misdemeanor.*

*D. 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, (ii) the storage of any antique firearm as defined in § 18.2-308.2:2, or (iii) possession by a minor or person prohibited by law from possessing a firearm that obtains or discharges the firearm (a) as a result of illegal entry onto the premises or (b) in a lawful act of self-defense or the defense of another person. Any theft of a firearm from such premises shall be reported to law enforcement.*

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

33 *F. Every dealer, as defined in § 18.2-308.2:2, shall post in a conspicuous manner at the premises of such*  
34 *dealer a notice stating: "Secure firearm storage is the law in Virginia. Any person who possesses a firearm*  
35 *on any premises where such person knows, or should know, that a minor or a person who is prohibited by*  
36 *law from possessing a firearm is, or is likely to be, present is required by law to store such firearm unloaded*  
37 *and secured with a firearm safety device. Failure to securely store such firearm is a crime and may subject*  
38 *you to imprisonment, fine, or both."*

39 **§ 18.2-308.7:2. Secure storage of firearms in unattended vehicles; penalty.**

40 *A. For purposes of this section, "locked box or container" means a secure container that is fully enclosed;*  
41 *opaque; locked by a padlock, key lock, combination lock, or other similar locking device that renders the*  
42 *firearm inaccessible to anyone other than its owner or another authorized user; and, in the case of a box or*  
43 *container used to store a pistol, hard-sided. "Locked box or container" does not include the glove*  
44 *compartment of an unattended vehicle or the center console of an unattended vehicle unless such console has*  
45 *been specifically designed to securely store firearms.*

46 *B. Any person who stores or leaves a firearm in an unattended vehicle shall:*

- 47 *1. Store such firearm in a locked box or container inside the vehicle;*  
48 *2. Ensure that such locked box or container is not visible from outside of the vehicle;*  
49 *3. Ensure that such locked box or container is affixed to the interior of the vehicle; and*  
50 *4. Ensure that the vehicle is locked.*

51 *C. Any theft or loss of a firearm from a vehicle shall be reported to law enforcement. Any person who fails*  
52 *to report the theft or loss of a firearm and otherwise violates this section is guilty of a Class 4 misdemeanor.*  
53 *Any person who violates this section and another person obtains the firearm is guilty of a Class 1*  
54 *misdemeanor.*

55 **§ 18.2-308.7:3. Secure storage of firearms education; public information.**

56 *A. The Superintendent of State Police, in conjunction with the Commissioner of Health, shall develop,*  
57 *promote, and coordinate a public awareness campaign designed to educate the public on the importance of*  
58 *the secure storage of firearms and the prevention of firearm access by children and persons prohibited by*  
59 *law of possessing a firearm. The campaign shall include resources and information regarding the*

60 *Commonwealth's secure firearm storage laws, the availability of tax credits to defray the cost of the purchase*  
61 *of firearm safety devices, how to obtain and effectively use firearm safety devices, the risks associated with*  
62 *access to firearms in the home, and the availability of resources and programs to mitigate such risks.*

63 *B. The educational materials developed pursuant to this section shall be made publicly available on the*  
64 *websites of the Department of State Police and the Department of Health. The Commissioner of Health shall*  
65 *make such materials available to other agencies upon request.*

66 *C. Beginning on January 1, 2027, the Superintendent of State Police shall update annually the materials*  
67 *developed pursuant to this section.*

68 **2. That the Superintendent of State Police, in conjunction with the Commissioner of Health, shall**  
69 **create the public awareness campaign resources and materials required pursuant to the provisions of §**  
70 **18.2-308.7:3 of the Code of Virginia, as created by this act, no later than January 1, 2026.**

71 **3. That the provisions of this act may result in a net increase in periods of imprisonment or**  
72 **commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary**  
73 **appropriation is \_\_\_\_\_ for periods of imprisonment in state adult correctional facilities; therefore,**  
74 **Chapter 2 of the Acts of Assembly of 2024, Special Session I, requires the Virginia Criminal Sentencing**  
75 **Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4 of the Code of**  
76 **Virginia, the estimated amount of the necessary appropriation is \_\_\_\_\_ for periods of commitment to**  
77 **the custody of the Department of Juvenile Justice.**