

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact §§ 15.2-915.5, 18.2-308.09, 18.2-308.2:1, 18.2-308.2:2, 18.2-308.2:3,*
 3 *18.2-308.2:5, 18.2-308.7, and 19.2-386.28 of the Code of Virginia and to amend the Code of Virginia by*
 4 *adding sections numbered 18.2-287.4:1, 18.2-287.4:2, 18.2-308.1:9, and 18.2-309.1, relating to*
 5 *purchase, possession, sale, transfer, etc., of assault firearms and certain ammunition feeding devices*
 6 *prohibited; penalties.*

7 [H 1607]

8 Approved

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

10 **1. That §§ 15.2-915.5, 18.2-308.09, 18.2-308.2:1, 18.2-308.2:2, 18.2-308.2:3, 18.2-308.2:5, 18.2-308.7, and**
 11 **19.2-386.28 of the Code of Virginia are amended and reenacted and that the Code of Virginia is**
 12 **amended by adding sections numbered 18.2-287.4:1, 18.2-287.4:2, 18.2-308.1:9, and 18.2-309.1 as**
 13 **follows:**

14 **§ 15.2-915.5. Disposition of firearms acquired by localities.**

15 A. No locality or agent of such locality may participate in any program in which individuals are given a
 16 thing of value provided by another individual or other entity in exchange for surrendering a firearm to the
 17 locality or agent of such locality unless (i) the governing body of the locality has enacted an ordinance,
 18 pursuant to § 15.2-1425, authorizing the participation of the locality or agent of such locality in such program
 19 or (ii) the program is a voluntary gun buy-back or give-back program for the surrendering of an assault
 20 firearm as defined in § 18.2-308.2:2.

21 B. Any ordinance enacted pursuant to this section shall require that any firearm received, except a firearm
 22 of the type defined in § 18.2-288 or 18.2-299 or a firearm the transfer for which is prohibited by federal law,
 23 shall be destroyed by the locality unless the person surrendering the firearm requests in writing that the
 24 firearm be offered for sale by public auction or sealed bids to a person licensed as a dealer pursuant to 18
 25 U.S.C. § 921 et seq. Notice of the date, time, and place of any sale conducted pursuant to this subsection shall
 26 be given by advertisement in at least two newspapers published and having general circulation in the
 27 Commonwealth, at least one of which shall have general circulation in the locality in which the property to be
 28 sold is located. At least 30 days shall elapse between publication of the notice and the auction or the date on
 29 which sealed bids will be opened. Any firearm remaining in possession of the locality or agent of the locality
 30 after attempts to sell at public auction or by sealed bids shall be disposed of in a manner the locality deems
 31 proper, which may include destruction of the firearm or, subject to any registration requirements of federal
 32 law, sale of the firearm to a licensed dealer.

33 **§ 18.2-287.4:1. Importation, sale, manufacture, etc., of assault firearms prohibited; penalty.**

34 A. As used in this section, an "assault firearm" means the same as that term is defined in § 18.2-308.2:2.

35 B. Any person who imports, sells, manufactures, purchases, or transfers an assault firearm is guilty of a
 36 Class 1 misdemeanor.

37 C. The provisions of this section shall not apply to (i) any government officer, agent, or employee, or
 38 member of the Armed Forces of the United States, to the extent that such person is otherwise authorized to
 39 acquire or possess an assault firearm and does so while acting within the scope of his duties; (ii) the
 40 manufacture of an assault firearm by a firearms manufacturer for the purpose of sale to any branch of the
 41 Armed Forces of the United States, senior military colleges in the Commonwealth organized under 10 U.S.C.
 42 § 2111a(f), or to a law-enforcement agency in the Commonwealth for use by that agency or its employees,
 43 provided that the manufacturer is properly licensed under federal, state, and local laws; (iii) the sale or
 44 transfer of an assault firearm by a licensed dealer to any branch of the Armed Forces of the United States or
 45 to a law-enforcement agency in the Commonwealth for use by that agency or its employees; or (iv) any
 46 member of a cadet corps who is recognized by a public institution of higher education while such member is
 47 in the performance of lawful military training or such member is participating in an official ceremonial event
 48 for the Commonwealth.

49 **§ 18.2-287.4:2. Importation, sale, possession, etc., of assault firearms prohibited by persons younger**
 50 **than 21 years of age; penalty.**

51 A. As used in this section, an "assault firearm" means the same as that term is defined in § 18.2-308.2:2
 52 except that it includes such firearms manufactured before July 1, 2025.

53 B. Any person younger than 21 years of age who imports, sells, manufactures, purchases, possesses,
 54 transports, or transfers an assault firearm is guilty of a Class 1 misdemeanor.

55 C. The provisions of this section shall not apply to (i) any government officer, agent, or employee, or
 56 member of the Armed Forces of the United States, to the extent that such person is otherwise authorized to

57 *acquire or possess an assault firearm and does so while acting within the scope of his duties; (ii) the*
 58 *manufacture of an assault firearm by a firearms manufacturer for the purpose of sale to any branch of the*
 59 *Armed Forces of the United States, senior military colleges in the Commonwealth organized under 10 U.S.C.*
 60 *§ 2111a(f), or to a law-enforcement agency in the Commonwealth for use by that agency or its employees,*
 61 *provided that the manufacturer is properly licensed under federal, state, and local laws; (iii) the sale or*
 62 *transfer of an assault firearm by a licensed dealer to any branch of the Armed Forces of the United States or*
 63 *to a law-enforcement agency in the Commonwealth for use by that agency or its employees; or (iv) any*
 64 *member of a cadet corps who is recognized by a public institution of higher education while such member is*
 65 *in the performance of lawful military training or such member is participating in an official ceremonial event*
 66 *for the Commonwealth.*

67 **§ 18.2-308.09. Disqualifications for a concealed handgun permit.**

68 The following persons shall be deemed disqualified from obtaining a permit:

69 1. An individual who is ineligible to possess a firearm pursuant to § 18.2-308.1:1, 18.2-308.1:2,
 70 18.2-308.1:3, 18.2-308.1:6, 18.2-308.1:7, ~~or~~ 18.2-308.1:8, *or 18.2-308.1:9* or the substantially similar law of
 71 any other state or of the United States.

72 2. An individual who was ineligible to possess a firearm pursuant to § 18.2-308.1:1 and who was
 73 discharged from the custody of the Commissioner pursuant to § 19.2-182.7 less than five years before the
 74 date of his application for a concealed handgun permit.

75 3. An individual who was ineligible to possess a firearm pursuant to § 18.2-308.1:2 and whose
 76 competency or capacity was restored pursuant to § 64.2-2012 less than five years before the date of his
 77 application for a concealed handgun permit.

78 4. An individual who was ineligible to possess a firearm under § 18.2-308.1:3 and who was released from
 79 commitment less than five years before the date of this application for a concealed handgun permit.

80 5. An individual who is subject to a restraining order, or to a protective order and prohibited by §
 81 18.2-308.1:4 from purchasing, possessing, or transporting a firearm.

82 6. An individual who is prohibited by § 18.2-308.2 from possessing or transporting a firearm, except that
 83 a restoration order may be obtained in accordance with subsection C of that section.

84 7. An individual who has been convicted of two or more misdemeanors within the five-year period
 85 immediately preceding the application, if one of the misdemeanors was a Class 1 misdemeanor, but the judge
 86 shall have the discretion to deny a permit for two or more misdemeanors that are not Class 1. Traffic
 87 infractions and misdemeanors set forth in Title 46.2 shall not be considered for purposes of this
 88 disqualification.

89 8. An individual who is addicted to, or is an unlawful user or distributor of, marijuana, synthetic
 90 cannabinoids, or any controlled substance.

91 9. An individual who has been convicted of a violation of § 18.2-266 or a substantially similar local
 92 ordinance, or of public drunkenness, or of a substantially similar offense under the laws of any other state, the
 93 District of Columbia, the United States, or its territories within the three-year period immediately preceding
 94 the application.

95 10. An alien other than an alien lawfully admitted for permanent residence in the United States.

96 11. An individual who has been discharged from the armed forces of the United States under dishonorable
 97 conditions.

98 12. An individual who is a fugitive from justice.

99 13. An individual who the court finds, by a preponderance of the evidence, based on specific acts by the
 100 applicant, is likely to use a weapon unlawfully or negligently to endanger others. The sheriff, chief of police,
 101 or attorney for the Commonwealth may submit to the court a sworn, written statement indicating that, in the
 102 opinion of such sheriff, chief of police, or attorney for the Commonwealth, based upon a disqualifying
 103 conviction or upon the specific acts set forth in the statement, the applicant is likely to use a weapon
 104 unlawfully or negligently to endanger others. The statement of the sheriff, chief of police, or the attorney for
 105 the Commonwealth shall be based upon personal knowledge of such individual or of a deputy sheriff, police
 106 officer, or assistant attorney for the Commonwealth of the specific acts, or upon a written statement made
 107 under oath before a notary public of a competent person having personal knowledge of the specific acts.

108 14. An individual who has been convicted of any assault, assault and battery, sexual battery, discharging
 109 of a firearm in violation of § 18.2-280 or 18.2-286.1 or brandishing of a firearm in violation of § 18.2-282
 110 within the three-year period immediately preceding the application.

111 15. An individual who has been convicted of stalking.

112 16. An individual whose previous convictions or adjudications of delinquency were based on an offense
 113 that would have been at the time of conviction a felony if committed by an adult under the laws of any state,
 114 the District of Columbia, the United States or its territories. For purposes of this disqualifier, only convictions
 115 occurring within 16 years following the later of the date of (i) the conviction or adjudication or (ii) release
 116 from any incarceration imposed upon such conviction or adjudication shall be deemed to be "previous
 117 convictions." Disqualification under this subdivision shall not apply to an individual with previous
 118 adjudications of delinquency who has completed a term of service of no less than two years in the Armed

119 Forces of the United States and, if such person has been discharged from the Armed Forces of the United
120 States, received an honorable discharge.

121 17. An individual who has a felony charge pending or a charge pending for an offense listed in
122 subdivision 14 or 15.

123 18. An individual who has received mental health treatment or substance abuse treatment in a residential
124 setting within five years prior to the date of his application for a concealed handgun permit.

125 19. An individual not otherwise ineligible pursuant to this article, who, within the three-year period
126 immediately preceding the application for the permit, was found guilty of any criminal offense set forth in
127 Chapter 11 (§ 4.1-1100 et seq.) of Title 4.1, Article 1 (§ 18.2-247 et seq.), or former § 18.2-248.1:1 or of a
128 criminal offense of illegal possession or distribution of marijuana, synthetic cannabinoids, or any controlled
129 substance, under the laws of any state, the District of Columbia, or the United States or its territories.

130 20. An individual, not otherwise ineligible pursuant to this article, with respect to whom, within the
131 three-year period immediately preceding the application, upon a charge of any criminal offense set forth in
132 Chapter 11 (§ 4.1-1100 et seq.) of Title 4.1, Article 1 (§ 18.2-247 et seq.), or former § 18.2-248.1:1 or upon a
133 charge of illegal possession or distribution of marijuana, synthetic cannabinoids, or any controlled substance
134 under the laws of any state, the District of Columbia, or the United States or its territories, the trial court
135 found that the facts of the case were sufficient for a finding of guilt and disposed of the case pursuant to §
136 18.2-251 or the substantially similar law of any other state, the District of Columbia, or the United States or
137 its territories.

138 **§ 18.2-308.1:9. Purchase, possession, or transportation of firearm following conviction for importation,**
139 **sale, possession, etc., of assault firearm; penalty.**

140 A. Any person who knowingly and intentionally purchases, possesses, or transports any firearm following
141 a misdemeanor conviction for a violation of § 18.2-287.4:1 or 18.2-287.4:2 is guilty of a Class 1
142 misdemeanor.

143 B. Any person convicted of a violation of § 18.2-287.4:1 or 18.2-287.4:2 or this section shall be
144 prohibited from purchasing, possessing, or transporting a firearm for three years following the date of such
145 conviction at which point the person convicted of such offense shall no longer be prohibited from purchasing,
146 possessing, or transporting a firearm pursuant to this section. Such person shall have his firearms rights
147 restored, unless such person receives another disqualifying conviction, is subject to a protective order that
148 would restrict his rights to carry a firearm, or is otherwise prohibited by law from purchasing, possessing, or
149 transporting a firearm.

150 **§ 18.2-308.2:1. Prohibiting the selling, etc., of firearms to certain persons; penalties.**

151 Any person who sells, barter, gives, or furnishes, or has in his possession or under his control with the
152 intent of selling, bartering, giving, or furnishing, any firearm to any person he knows is prohibited from
153 possessing or transporting a firearm pursuant to § 18.2-308.1:1, 18.2-308.1:2, or 18.2-308.1:3, subsection B
154 of § 18.2-308.1:4, § 18.2-308.1:6 or 18.2-308.2, subsection B of § 18.2-308.2:01, or § 18.2-308.7 is guilty of
155 a Class 4 felony.

156 Any person who sells, barter, gives, or furnishes, or has in his possession or under his control with the
157 intent of selling, bartering, giving, or furnishing, any firearm to any person he knows is prohibited from
158 purchasing, possessing, or transporting a firearm pursuant to § 18.2-308.1:7 ~~or~~, 18.2-308.1:8, or 18.2-308.1:9
159 is guilty of a Class 1 misdemeanor.

160 However, this prohibition shall not be applicable when the person convicted of the felony or
161 misdemeanor, adjudicated delinquent, or acquitted by reason of insanity has (i) been issued a permit pursuant
162 to subsection C of § 18.2-308.2 or been granted relief pursuant to subsection B of § 18.2-308.1:1 or §
163 18.2-308.1:2 or 18.2-308.1:3; (ii) been pardoned or had his political disabilities removed in accordance with
164 subsection B of § 18.2-308.2; or (iii) obtained a permit to ship, transport, possess, or receive firearms
165 pursuant to the laws of the United States.

166 **§ 18.2-308.2:2. Criminal history record information check required for the transfer of certain**
167 **firearms; penalties.**

168 A. Any person purchasing from a dealer a firearm as ~~herein~~ defined in this section shall consent in
169 writing, on a form to be provided by the Department of State Police, to have the dealer obtain criminal history
170 record information and if such firearm is an assault firearm manufactured before July 1, 2025, such person
171 purchasing such assault firearm shall be 21 years of age or older. Such form shall include only the written
172 consent; the name, birth date, gender, race, citizenship, and social security number and/or any other
173 identification number; the number of firearms by category intended to be sold, rented, traded, or transferred;
174 and answers by the applicant to the following questions: (i) has the applicant been convicted of a felony
175 offense or a misdemeanor offense listed in § 18.2-308.1:8 or 18.2-308.1:9 or found guilty or adjudicated
176 delinquent as a juvenile 14 years of age or older at the time of the offense of a delinquent act that if
177 committed by an adult would be a felony or a misdemeanor listed in § 18.2-308.1:8 or 18.2-308.1:9; (ii) is
178 the applicant subject to a court order restraining the applicant from harassing, stalking, or threatening the
179 applicant's child or intimate partner, or a child of such partner, or is the applicant subject to a protective order;
180 (iii) has the applicant ever been acquitted by reason of insanity and prohibited from purchasing, possessing,

181 or transporting a firearm pursuant to § 18.2-308.1:1 or any substantially similar law of any other jurisdiction,
182 been adjudicated legally incompetent, mentally incapacitated, or adjudicated an incapacitated person and
183 prohibited from purchasing a firearm pursuant to § 18.2-308.1:2 or any substantially similar law of any other
184 jurisdiction, been involuntarily admitted to an inpatient facility or involuntarily ordered to outpatient mental
185 health treatment and prohibited from purchasing a firearm pursuant to § 18.2-308.1:3 or any substantially
186 similar law of any other jurisdiction, or been the subject of a temporary detention order pursuant to §
187 37.2-809 and subsequently agreed to a voluntary admission pursuant to § 37.2-805; and (iv) is the applicant
188 subject to an emergency substantial risk order or a substantial risk order entered pursuant to § 19.2-152.13 or
189 19.2-152.14 and prohibited from purchasing, possessing, or transporting a firearm pursuant to § 18.2-308.1:6
190 or any substantially similar law of any other jurisdiction.

191 B. 1. No dealer shall sell, rent, trade, or transfer from his inventory any such firearm to any other person
192 who is a resident of Virginia until he has (i) obtained written consent and the other information on the consent
193 form specified in subsection A, and provided the Department of State Police with the name, birth date,
194 gender, race, citizenship, and social security and/or any other identification number and the number of
195 firearms by category intended to be sold, rented, traded, or transferred ~~and~~; (ii) requested criminal history
196 record information by a telephone call to or other communication authorized by the State Police and is
197 authorized by subdivision 2 to complete the sale or other such transfer; *and (iii) if such firearm is an assault*
198 *firearm manufactured before July 1, 2025, verified that such person is 21 years of age or older.* To establish
199 personal identification and residence in Virginia for purposes of this section, a dealer must require any
200 prospective purchaser to present one photo-identification form issued by a governmental agency of the
201 Commonwealth or by the United States Department of Defense or a special identification card without a
202 photograph issued pursuant to § 46.2-345.2 that demonstrates that the prospective purchaser resides in
203 Virginia. For the purposes of this section and establishment of residency for firearm purchase, residency of a
204 member of the armed forces shall include both the state in which the member's permanent duty post is located
205 and any nearby state in which the member resides and from which he commutes to the permanent duty post.
206 A member of the armed forces whose photo identification issued by the Department of Defense does not have
207 a Virginia address may establish his Virginia residency with such photo identification and either permanent
208 orders assigning the purchaser to a duty post, including the Pentagon, in Virginia or the purchaser's Leave and
209 Earnings Statement. When the identification presented to a dealer by the prospective purchaser is a driver's
210 license or other photo identification issued by the Department of Motor Vehicles or a special identification
211 card without a photograph issued pursuant to § 46.2-345.2, and such identification form or card contains a
212 date of issue, the dealer shall not, except for a renewed driver's license or other photo identification issued by
213 the Department of Motor Vehicles or a renewed special identification card without a photograph issued
214 pursuant to § 46.2-345.2, sell or otherwise transfer a firearm to the prospective purchaser until 30 days after
215 the date of issue of an original or duplicate driver's license or special identification card without a photograph
216 unless the prospective purchaser also presents a copy of his Virginia Department of Motor Vehicles driver's
217 record showing that the original date of issue of the driver's license was more than 30 days prior to the
218 attempted purchase.

219 In addition, no dealer shall sell, rent, trade, or transfer from his inventory any assault firearm to any
220 person *or any semi-automatic center-fire rifle or pistol that expels single or multiple projectiles by action of*
221 *an explosion of a combustible material and is equipped at the time of the offense with a magazine that will*
222 *hold more than 20 rounds of ammunition or is designed by the manufacturer to accommodate a silencer or is*
223 *equipped with a folding stock to any person who is not a citizen of the United States or who is not a person*
224 *lawfully admitted for permanent residence.*

225 Upon receipt of the request for a criminal history record information check, the State Police shall (a)
226 review its criminal history record information to determine if the buyer or transferee is prohibited from
227 possessing or transporting a firearm by state or federal law, (b) inform the dealer if its record indicates that
228 the buyer or transferee is so prohibited, and (c) provide the dealer with a unique reference number for that
229 inquiry.

230 2. The State Police shall provide its response to the requesting dealer during the dealer's request or by
231 return call without delay. A dealer who fulfills the requirements of subdivision 1 and is told by the State
232 Police that a response will not be available by the end of the dealer's fifth business day may immediately
233 complete the sale or transfer and shall not be deemed in violation of this section with respect to such sale or
234 transfer.

235 3. Except as required by subsection D of § 9.1-132, the State Police shall not maintain records longer than
236 30 days, except for multiple handgun transactions for which records shall be maintained for 12 months, from
237 any dealer's request for a criminal history record information check pertaining to a buyer or transferee who is
238 not found to be prohibited from possessing and transporting a firearm under state or federal law. However,
239 the log on requests made may be maintained for a period of 12 months, and such log shall consist of the name
240 of the purchaser, the dealer identification number, the unique approval number, and the transaction date.

241 4. On the last day of the week following the sale or transfer of any firearm, the dealer shall mail or deliver
242 the written consent form required by subsection A to the Department of State Police. The State Police shall

243 immediately initiate a search of all available criminal history record information to determine if the purchaser
 244 is prohibited from possessing or transporting a firearm under state or federal law. If the search discloses
 245 information indicating that the buyer or transferee is so prohibited from possessing or transporting a firearm,
 246 the State Police shall inform the chief law-enforcement officer in the jurisdiction where the sale or transfer
 247 occurred and the dealer without delay.

248 5. Notwithstanding any other provisions of this section, rifles and shotguns may be purchased by persons
 249 who are citizens of the United States or persons lawfully admitted for permanent residence but residents of
 250 other states under the terms of subsections A and B upon furnishing the dealer with one photo-identification
 251 form issued by a governmental agency of the person's state of residence and one other form of identification
 252 determined to be acceptable by the Department of Criminal Justice Services.

253 6. For the purposes of this subsection, the phrase "dealer's fifth business day" does not include December
 254 25.

255 C. No dealer shall sell, rent, trade, or transfer from his inventory any firearm, except when the transaction
 256 involves a rifle or a shotgun and can be accomplished pursuant to the provisions of subdivision B 5, to any
 257 person who is a dual resident of Virginia and another state pursuant to applicable federal law unless he has
 258 first obtained from the Department of State Police a report indicating that a search of all available criminal
 259 history record information has not disclosed that the person is prohibited from possessing or transporting a
 260 firearm under state or federal law.

261 To establish personal identification and dual resident eligibility for purposes of this subsection, a dealer
 262 shall require any prospective purchaser to present one photo-identification form issued by a governmental
 263 agency of the prospective purchaser's state of legal residence and other documentation of dual residence
 264 within the Commonwealth. The other documentation of dual residence in the Commonwealth may include (i)
 265 evidence of currently paid personal property tax or real estate tax or a current (a) lease, (b) utility or telephone
 266 bill, (c) voter registration card, (d) bank check, (e) passport, (f) automobile registration, or (g) hunting or
 267 fishing license; (ii) other current identification allowed as evidence of residency by 27 C.F.R. § 178.124 and
 268 ATF Ruling 2001-5; or (iii) other documentation of residence determined to be acceptable by the Department
 269 of Criminal Justice Services and that corroborates that the prospective purchaser currently resides in Virginia.

270 D. If any buyer or transferee is denied the right to purchase a firearm under this section, he may exercise
 271 his right of access to and review and correction of criminal history record information under § 9.1-132 or
 272 institute a civil action as provided in § 9.1-135, provided any such action is initiated within 30 days of such
 273 denial.

274 E. Any dealer who willfully and intentionally requests, obtains, or seeks to obtain criminal history record
 275 information under false pretenses, or who willfully and intentionally disseminates or seeks to disseminate
 276 criminal history record information except as authorized in this section, ~~shall be~~ *is* guilty of a Class 2
 277 misdemeanor.

278 F. For purposes of this section:

279 "Actual buyer" means a person who executes the consent form required in subsection B or C, or other
 280 such firearm transaction records as may be required by federal law.

281 "Antique firearm" means:

282 1. Any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of
 283 ignition system) manufactured in or before 1898;

284 2. Any replica of any firearm described in subdivision 1 of this definition if such replica (i) is not designed
 285 or redesigned for using rimfire or conventional centerfire fixed ammunition or (ii) uses rimfire or
 286 conventional centerfire fixed ammunition that is no longer manufactured in the United States and that is not
 287 readily available in the ordinary channels of commercial trade;

288 3. Any muzzle-loading rifle, muzzle-loading shotgun, or muzzle-loading pistol that is designed to use
 289 black powder, or a black powder substitute, and that cannot use fixed ammunition. For purposes of this
 290 subdivision, the term "antique firearm" shall not include any weapon that incorporates a firearm frame or
 291 receiver, any firearm that is converted into a muzzle-loading weapon, or any muzzle-loading weapon that can
 292 be readily converted to fire fixed ammunition by replacing the barrel, bolt, breech-block, or any combination
 293 thereof; or

294 4. Any curio or relic as defined in this subsection.

295 "Assault firearm" means ~~any~~:

296 1. A semi-automatic center-fire rifle or pistol ~~which that~~ expels single or multiple projectiles by action of
 297 an explosion of a combustible material ~~and is equipped at the time of the offense with a magazine which will~~
 298 ~~hold more than 20 rounds of ammunition or designed by the manufacturer to accommodate a silencer or~~
 299 ~~equipped with a folding stock with a fixed magazine capacity in excess of 10 rounds;~~

300 2. A semi-automatic center-fire rifle that expels single or multiple projectiles by action of an explosion of
 301 a combustible material that has the ability to accept a detachable magazine and has one of the following
 302 characteristics: (i) a folding, telescoping, or collapsible stock; (ii) a pistol grip that protrudes conspicuously
 303 beneath the action of the rifle; (iii) a second handgrip or a protruding grip that can be held by the non-
 304 trigger hand; (iv) a grenade launcher; (v) a flare launcher; (vi) a sound suppressor; (vii) a flash suppressor;

305 (viii) a muzzle brake; (ix) a muzzle compensator; (x) a threaded barrel capable of accepting (a) a sound
306 suppressor, (b) a flash suppressor, (c) a muzzle brake, or (d) a muzzle compensator; or (xi) any
307 characteristic of like kind as enumerated in clauses (i) through (x);

308 3. A semi-automatic center-fire pistol that expels single or multiple projectiles by action of an explosion of
309 a combustible material that has the ability to accept a detachable magazine and has one of the following
310 characteristics: (i) a folding, telescoping, or collapsible stock; (ii) a second handgrip or a protruding grip
311 that can be held by the non-trigger hand; (iii) the capacity to accept a magazine that attaches to the pistol
312 outside of the pistol grip; (iv) a shroud that is attached to, or partially or completely encircles, the barrel and
313 that permits the shooter to hold the pistol with the non-trigger hand without being burned; (v) a threaded
314 barrel capable of accepting (a) a sound suppressor, (b) a flash suppressor, (c) a barrel extender, or (d) a
315 forward handgrip; or (vi) any characteristic of like kind as enumerated in clauses (i) through (v);

316 4. A semi-automatic shotgun that expels single or multiple projectiles by action of an explosion of a
317 combustible material that has one of the following characteristics: (i) a folding, telescoping, or collapsible
318 stock; (ii) a pistol grip that protrudes conspicuously beneath the action of the shotgun; (iii) the ability to
319 accept a detachable magazine; (iv) a fixed magazine capacity in excess of seven rounds; or (v) any
320 characteristic of like kind as enumerated in clauses (i) through (iv); or

321 5. A shotgun with a magazine that will hold more than seven rounds of the shortest ammunition for which
322 it is chambered.

323 An "assault firearm" does not include any firearm that is an antique firearm, has been rendered
324 permanently inoperable, is manually operated by bolt, pump, lever, or slide action, or was manufactured
325 before July 1, 2025.

326 "Curios or relics" means firearms that are of special interest to collectors by reason of some quality other
327 than is associated with firearms intended for sporting use or as offensive or defensive weapons. To be
328 recognized as curios or relics, firearms must fall within one of the following categories:

329 1. Firearms that were manufactured at least 50 years prior to the current date, which use rimfire or
330 conventional centerfire fixed ammunition that is no longer manufactured in the United States and that is not
331 readily available in the ordinary channels of commercial trade, but not including replicas thereof;

332 2. Firearms that are certified by the curator of a municipal, state, or federal museum that exhibits firearms
333 to be curios or relics of museum interest; and

334 3. Any other firearms that derive a substantial part of their monetary value from the fact that they are
335 novel, rare, bizarre, or because of their association with some historical figure, period, or event. Proof of
336 qualification of a particular firearm under this category may be established by evidence of present value and
337 evidence that like firearms are not available except as collectors' items, or that the value of like firearms
338 available in ordinary commercial channels is substantially less.

339 "Dealer" means any person licensed as a dealer pursuant to 18 U.S.C. § 921 et seq.

340 "Firearm" means any handgun, shotgun, or rifle that will or is designed to or may readily be converted to
341 expel single or multiple projectiles by action of an explosion of a combustible material.

342 "Handgun" means any pistol or revolver or other firearm originally designed, made and intended to fire
343 single or multiple projectiles by means of an explosion of a combustible material from one or more barrels
344 when held in one hand.

345 "Lawfully admitted for permanent residence" means the status of having been lawfully accorded the
346 privilege of residing permanently in the United States as an immigrant in accordance with the immigration
347 laws, such status not having changed.

348 G. The Department of Criminal Justice Services shall promulgate regulations to ensure the identity,
349 confidentiality, and security of all records and data provided by the Department of State Police pursuant to
350 this section.

351 H. The provisions of this section shall not apply to (i) transactions between persons who are licensed as
352 firearms importers or collectors, manufacturers or dealers pursuant to 18 U.S.C. § 921 et seq.; (ii) purchases
353 by or sales to any law-enforcement officer or agent of the United States, the Commonwealth or any local
354 government, or any campus police officer appointed under Article 3 (§ 23.1-809 et seq.) of Chapter 8 of Title
355 23.1; or (iii) antique firearms or curios or relics.

356 I. The provisions of this section shall not apply to restrict purchase, trade, or transfer of firearms by a
357 resident of Virginia when the resident of Virginia makes such purchase, trade, or transfer in another state, in
358 which case the laws and regulations of that state and the United States governing the purchase, trade, or
359 transfer of firearms shall apply. A National Instant Criminal Background Check System (NICS) check shall
360 be performed prior to such purchase, trade, or transfer of firearms.

361 J. All licensed firearms dealers shall collect a fee of \$2 for every transaction for which a criminal history
362 record information check is required pursuant to this section, except that a fee of \$5 shall be collected for
363 every transaction involving an out-of-state resident. Such fee shall be transmitted to the Department of State
364 Police by the last day of the month following the sale for deposit in a special fund for use by the State Police
365 to offset the cost of conducting criminal history record information checks under the provisions of this
366 section.

367 K. Any person willfully and intentionally making a materially false statement on the consent form
 368 required in subsection B or C or on such firearm transaction records as may be required by federal law ~~shall~~
 369 ~~be is~~ guilty of a Class 5 felony.

370 L. Except as provided in § 18.2-308.2:1, any dealer who willfully and intentionally sells, rents, trades, or
 371 transfers a firearm in violation of this section ~~shall be is~~ guilty of a Class 6 felony.

372 L1. Any person who attempts to solicit, persuade, encourage, or entice any dealer to transfer or otherwise
 373 convey a firearm other than to the actual buyer, as well as any other person who willfully and intentionally
 374 aids or abets such person, ~~shall be is~~ guilty of a Class 6 felony. This subsection shall not apply to a federal
 375 law-enforcement officer or a law-enforcement officer as defined in § 9.1-101, in the performance of his
 376 official duties, or other person under his direct supervision.

377 M. Any person who purchases a firearm with the intent to (i) resell or otherwise provide such firearm to
 378 any person who he knows or has reason to believe is ineligible to purchase or otherwise receive from a dealer
 379 a firearm for whatever reason or (ii) transport such firearm out of the Commonwealth to be resold or
 380 otherwise provided to another person who the transferor knows is ineligible to purchase or otherwise receive
 381 a firearm, ~~shall be is~~ guilty of a Class 4 felony and sentenced to a mandatory minimum term of imprisonment
 382 of one year. However, if the violation of this subsection involves such a transfer of more than one firearm, the
 383 person shall be sentenced to a mandatory minimum term of imprisonment of five years. The prohibitions of
 384 this subsection shall not apply to the purchase of a firearm by a person for the lawful use, possession, or
 385 transport thereof, pursuant to § 18.2-308.7, by his child, grandchild, or individual for whom he is the legal
 386 guardian if such child, grandchild, or individual is ineligible, solely because of his age, to purchase a firearm.

387 N. Any person who is ineligible to purchase or otherwise receive or possess a firearm in the
 388 Commonwealth who solicits, employs, or assists any person in violating subsection M ~~shall be is~~ guilty of a
 389 Class 4 felony and shall be sentenced to a mandatory minimum term of imprisonment of five years.

390 O. Any mandatory minimum sentence imposed under this section shall be served consecutively with any
 391 other sentence.

392 P. All driver's licenses issued on or after July 1, 1994, shall carry a letter designation indicating whether
 393 the driver's license is an original, duplicate, or renewed driver's license.

394 Q. Prior to selling, renting, trading, or transferring any firearm owned by the dealer but not in his
 395 inventory to any other person, a dealer may require such other person to consent to have the dealer obtain
 396 criminal history record information to determine if such other person is prohibited from possessing or
 397 transporting a firearm by state or federal law. The Department of State Police shall establish policies and
 398 procedures in accordance with 28 C.F.R. § 25.6 to permit such determinations to be made by the Department
 399 of State Police, and the processes established for making such determinations shall conform to the provisions
 400 of this section.

401 R. Except as provided in subdivisions 1 and 2, it ~~shall be is~~ unlawful for any person who is not a licensed
 402 firearms dealer to purchase more than one handgun within any 30-day period. For the purposes of this
 403 subsection, "purchase" does not include the exchange or replacement of a handgun by a seller for a handgun
 404 purchased from such seller by the same person seeking the exchange or replacement within the 30-day period
 405 immediately preceding the date of exchange or replacement. A violation of this subsection is punishable as a
 406 Class 1 misdemeanor.

407 1. Purchases in excess of one handgun within a 30-day period may be made upon completion of an
 408 enhanced background check, as described in this subsection, by special application to the Department of State
 409 Police listing the number and type of handguns to be purchased and transferred for lawful business or
 410 personal use, in a collector series, for collections, as a bulk purchase from estate sales, and for similar
 411 purposes. Such applications shall be signed under oath by the applicant on forms provided by the Department
 412 of State Police, shall state the purpose for the purchase above the limit, and shall require satisfactory proof of
 413 residency and identity. Such application shall be in addition to the firearms sales report required by the
 414 federal Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). The Superintendent of State Police
 415 shall promulgate regulations, pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), for the
 416 implementation of an application process for purchases of handguns above the limit.

417 Upon being satisfied that these requirements have been met, the Department of State Police shall
 418 immediately issue to the applicant a nontransferable certificate, which shall be valid for seven days from the
 419 date of issue. The certificate shall be surrendered to the dealer by the prospective purchaser prior to the
 420 consummation of such sale and shall be kept on file at the dealer's place of business for inspection as
 421 provided in § 54.1-4201 for a period of not less than two years. Upon request of any local law-enforcement
 422 agency, and pursuant to its regulations, the Department of State Police may certify such local
 423 law-enforcement agency to serve as its agent to receive applications and, upon authorization by the
 424 Department of State Police, issue certificates immediately pursuant to this subdivision. Applications and
 425 certificates issued under this subdivision shall be maintained as records as provided in subdivision B 3. The
 426 Department of State Police shall make available to local law-enforcement agencies all records concerning
 427 certificates issued pursuant to this subdivision and all records provided for in subdivision B 3.

428 2. The provisions of this subsection shall not apply to:

- 429 a. A law-enforcement agency;
 430 b. An agency duly authorized to perform law-enforcement duties;
 431 c. A state or local correctional facility;
 432 d. A private security company licensed to do business within the Commonwealth;
 433 e. The purchase of antique firearms;
 434 f. A person whose handgun is stolen or irretrievably lost who deems it essential that such handgun be
 435 replaced immediately. Such person may purchase another handgun, even if the person has previously
 436 purchased a handgun within a 30-day period, provided that (i) the person provides the firearms dealer with a
 437 copy of the official police report or a summary thereof, on forms provided by the Department of State Police,
 438 from the law-enforcement agency that took the report of the lost or stolen handgun; (ii) the official police
 439 report or summary thereof contains the name and address of the handgun owner, a description of the
 440 handgun, the location of the loss or theft, the date of the loss or theft, and the date the loss or theft was
 441 reported to the law-enforcement agency; and (iii) the date of the loss or theft as reflected on the official police
 442 report or summary thereof occurred within 30 days of the person's attempt to replace the handgun. The
 443 firearms dealer shall attach a copy of the official police report or summary thereof to the original copy of the
 444 Virginia firearms transaction report completed for the transaction and retain it for the period prescribed by the
 445 Department of State Police;
 446 g. A person who trades in a handgun at the same time he makes a handgun purchase and as a part of the
 447 same transaction, provided that no more than one transaction of this nature is completed per day;
 448 h. A person who holds a valid Virginia permit to carry a concealed handgun;
 449 i. A person who purchases a handgun in a private sale. For purposes of this subdivision, "private sale"
 450 means a purchase from a person who makes occasional sales, exchanges, or purchases of firearms for the
 451 enhancement of a personal collection of curios or relics or who sells all or part of such collection of curios
 452 and relics; or
 453 j. A law-enforcement officer. For purposes of this subdivision, "law-enforcement officer" means any
 454 employee of a police department or sheriff's office that is part of or administered by the Commonwealth or
 455 any political subdivision thereof and who is responsible for the prevention and detection of crime and the
 456 enforcement of the penal, traffic, or highway laws of the Commonwealth.

457 *S. No person shall purchase an assault firearm manufactured before July 1, 2025, from a dealer unless*
 458 *such person is 21 years of age or older.*

459 *T. No dealer shall sell, rent, trade, or transfer from his inventory an assault firearm manufactured before*
 460 *July 1, 2025, to any person unless such person is 21 years of age or older.*

461 **§ 18.2-308.2:3. Criminal background check required for employees of a gun dealer to transfer**
 462 **firearms; exemptions; penalties.**

463 A. No person, corporation, or proprietorship licensed as a firearms dealer pursuant to 18 U.S.C. § 921 et
 464 seq. shall employ any person to act as a seller, whether full-time or part-time, permanent, temporary, paid or
 465 unpaid, for the transfer of firearms under § 18.2-308.2:2, if such employee would be prohibited from
 466 possessing a firearm under § 18.2-308.1:1, 18.2-308.1:2, or 18.2-308.1:3, subsection B of § 18.2-308.1:4, or §
 467 18.2-308.1:6, 18.2-308.1:7, 18.2-308.1:8, 18.2-308.1:9, 18.2-308.2, or 18.2-308.2:01, or is an illegal alien, or
 468 is prohibited from purchasing or transporting a firearm pursuant to subsection A of § 18.2-308.1:4 or §
 469 18.2-308.1:5.

470 B. Prior to permitting an applicant to begin employment, the dealer shall obtain a written statement or
 471 affirmation from the applicant that he is not disqualified from possessing a firearm and shall submit the
 472 applicant's fingerprints and personal descriptive information to the Central Criminal Records Exchange to be
 473 forwarded to the Federal Bureau of Investigation (FBI) for the purpose of obtaining national criminal history
 474 record information regarding the applicant.

475 C. Prior to August 1, 2000, the dealer shall obtain written statements or affirmations from persons
 476 employed before July 1, 2000, to act as a seller under § 18.2-308.2:2 that they are not disqualified from
 477 possessing a firearm. Within five working days of the employee's next birthday, after August 1, 2000, the
 478 dealer shall submit the employee's fingerprints and personal descriptive information to the Central Criminal
 479 Records Exchange to be forwarded to the Federal Bureau of Investigation (FBI) for the purpose of obtaining
 480 national criminal history record information regarding the request.

481 C1. In lieu of submitting fingerprints pursuant to this section, any dealer holding a valid federal firearms
 482 license (FFL) issued by the Bureau of Alcohol, Tobacco and Firearms (ATF) may submit a sworn and
 483 notarized affidavit to the Department of State Police on a form provided by the Department, stating that the
 484 dealer has been subjected to a record check prior to the issuance and that the FFL was issued by the ATF. The
 485 affidavit may also contain the names of any employees that have been subjected to a record check and
 486 approved by the ATF. This exemption shall apply regardless of whether the FFL was issued in the name of
 487 the dealer or in the name of the business. The affidavit shall contain the valid FFL number, state the name of
 488 each person requesting the exemption, together with each person's identifying information, including their
 489 social security number and the following statement: "I hereby swear, under the penalty of perjury, that as a
 490 condition of obtaining a federal firearms license, each person requesting an exemption in this affidavit has

491 been subjected to a fingerprint identification check by the Bureau of Alcohol, Tobacco and Firearms and the
 492 Bureau of Alcohol, Tobacco and Firearms subsequently determined that each person satisfied the
 493 requirements of 18 U.S.C. § 921 et seq. I understand that any person convicted of making a false statement in
 494 this affidavit is guilty of a Class 5 felony and that in addition to any other penalties imposed by law, a
 495 conviction under this section shall result in the forfeiture of my federal firearms license."

496 D. The Department of State Police, upon receipt of an individual's record or notification that no record
 497 exists, shall submit an eligibility report to the requesting dealer within 30 days of the applicant beginning his
 498 duties for new employees or within 30 days of the applicant's birthday for a person employed prior to July 1,
 499 2000.

500 E. If any applicant is denied employment because of information appearing on the criminal history record
 501 and the applicant disputes the information upon which the denial was based, the Central Criminal Records
 502 Exchange shall, upon written request, furnish to the applicant the procedures for obtaining a copy of the
 503 criminal history record from the Federal Bureau of Investigation. The information provided to the dealer shall
 504 not be disseminated except as provided in this section.

505 F. The applicant shall bear the cost of obtaining the criminal history record unless the dealer, at his option,
 506 decides to pay such cost.

507 G. Upon receipt of the request for a criminal history record information check, the State Police shall
 508 establish a unique number for that firearm seller. Beginning September 1, 2001, the firearm seller's signature,
 509 firearm seller's number and the dealer's identification number shall be on all firearm transaction forms. The
 510 State Police shall void the firearm seller's number when a disqualifying record is discovered. The State Police
 511 may suspend a firearm seller's identification number upon the arrest of the firearm seller for a potentially
 512 disqualifying crime.

513 H. This section shall not restrict the transfer of a firearm at any place other than at a dealership or at any
 514 event required to be registered as a gun show.

515 I. Any person who willfully and intentionally requests, obtains, or seeks to obtain criminal history record
 516 information under false pretenses, or who willfully and intentionally disseminates or seeks to disseminate
 517 criminal history record information except as authorized by this section and § 18.2-308.2:2, shall be is guilty
 518 of a Class 2 misdemeanor.

519 J. Any person willfully and intentionally making a materially false statement on the personal descriptive
 520 information required in this section shall be is guilty of a Class 5 felony. Any person who offers for transfer
 521 any firearm in violation of this section shall be is guilty of a Class 1 misdemeanor. Any dealer who willfully
 522 and knowingly employs or permits a person to act as a firearm seller in violation of this section shall be is
 523 guilty of a Class 1 misdemeanor.

524 K. There is no civil liability for any seller for the actions of any purchaser or subsequent transferee of a
 525 firearm lawfully transferred pursuant to this section.

526 L. The provisions of this section requiring a seller's background check shall not apply to a licensed dealer.

527 M. Any person who willfully and intentionally makes a false statement in the affidavit as set out in
 528 subdivision C 1 shall be is guilty of a Class 5 felony.

529 N. For purposes of this section:

530 "Dealer" means any person, corporation or proprietorship licensed as a dealer pursuant to 18 U.S.C. § 921
 531 et seq.

532 "Firearm" means any handgun, shotgun, or rifle that will or is designed to or may readily be converted to
 533 expel single or multiple projectiles by action of an explosion of a combustible material.

534 "Place of business" means any place or premises where a dealer may lawfully transfer firearms.

535 "Seller" means for the purpose of any single sale of a firearm any person who is a dealer or an agent of a
 536 dealer, who may lawfully transfer firearms and who actually performs the criminal background check in
 537 accordance with the provisions of § 18.2-308.2:2.

538 "Transfer" means any act performed with intent to sell, rent, barter, or trade or otherwise transfer
 539 ownership or permanent possession of a firearm at the place of business of a dealer.

540 **§ 18.2-308.2:5. Criminal history record information check required to sell firearm; penalties.**

541 A. No person shall sell a firearm for money, goods, services or anything else of value unless he has
 542 obtained verification from a licensed dealer in firearms that information on the prospective purchaser has
 543 been submitted for a criminal history record information check as set out in § 18.2-308.2:2 and that a
 544 determination has been received from the Department of State Police that the prospective purchaser is not
 545 prohibited under state or federal law from possessing a firearm or such sale is specifically exempted by state
 546 or federal law. The Department of State Police shall provide a means by which sellers may obtain from
 547 designated licensed dealers the approval or denial of firearm transfer requests, based on criminal history
 548 record information checks. The processes established shall conform to the provisions of § 18.2-308.2:2, and
 549 the definitions and provisions of § 18.2-308.2:2 regarding criminal history record information checks shall
 550 apply to this section mutatis mutandis. The designated dealer shall collect and disseminate the fees prescribed
 551 in § 18.2-308.2:2 as required by that section. The dealer may charge and retain an additional fee not to exceed
 552 \$15 for obtaining a criminal history record information check on behalf of a seller.

553 B. Notwithstanding the provisions of subsection A and unless otherwise prohibited by *subsection E* or
 554 state or federal law, a person may sell a firearm to another person if:

555 1. The sale of a firearm is to an authorized representative of the Commonwealth or any subdivision
 556 thereof as part of an authorized voluntary gun buy-back or give-back program;

557 2. The sale occurs at a firearms show, as defined in § 54.1-4200, and the seller has received a
 558 determination from the Department of State Police that the purchaser is not prohibited under state or federal
 559 law from possessing a firearm in accordance with § 54.1-4201.2; or

560 3. The sale of a firearm is conducted pursuant to § 59.1-148.3, with the exception of a sale conducted
 561 pursuant to subsection C of § 59.1-148.3.

562 C. Any person who willfully and intentionally sells a firearm to another person without obtaining
 563 verification in accordance with this section is guilty of a Class 1 misdemeanor.

564 D. Any person who willfully and intentionally purchases a firearm from another person without obtaining
 565 verification in accordance with this section is guilty of a Class 1 misdemeanor.

566 E. *No person shall sell an assault firearm as defined in § 18.2-308.2:2 for money, goods, services, or*
 567 *anything else of value.*

568 *Any person who willfully and intentionally (i) sells an assault firearm as defined in § 18.2-308.2:2 to*
 569 *another person or (ii) purchases an assault firearm as defined in § 18.2-308.2:2 from another person is guilty*
 570 *of a Class 1 misdemeanor.*

571 **§ 18.2-308.7. Possession or transportation of certain firearms by persons under the age of 18;**
 572 **penalty.**

573 It ~~shall be~~ *is* unlawful for any person under 18 years of age to knowingly and intentionally possess or
 574 transport a handgun ~~or assault firearm~~ anywhere in the Commonwealth. For the purposes of this section,
 575 "handgun" means any pistol or revolver or other firearm originally designed, made, and intended to fire single
 576 or multiple projectiles by means of an explosion of a combustible material from one or more barrels when
 577 held in one hand and "assault firearm" means any (i) semi-automatic centerfire rifle ~~or pistol which expels~~
 578 ~~single or multiple projectiles by action of an explosion of a combustible material and is equipped at the time~~
 579 ~~of the offense with a magazine which will hold more than 20 rounds of ammunition or designed by the~~
 580 ~~manufacturer to accommodate a silencer or equipped with a folding stock or (ii) shotgun with a magazine~~
 581 ~~which will hold more than seven rounds of the longest ammunition for which it is chambered. A violation of~~
 582 ~~this section shall be~~ *is* a Class 1 misdemeanor.

583 This section shall not apply to:

584 1. Any person (i) while in his home or on his property; (ii) while in the home or on the property of his
 585 parent, grandparent, or legal guardian; or (iii) while on the property of another who has provided prior
 586 permission, and with the prior permission of his parent or legal guardian if the person has the landowner's
 587 written permission on his person while on such property;

588 2. Any person who, while accompanied by an adult, is at, or going to and from, a lawful shooting range or
 589 firearms educational class, provided that the weapons are unloaded while being transported;

590 3. Any person actually engaged in lawful hunting or going to and from a hunting area or preserve,
 591 provided that the weapons are unloaded while being transported; and

592 4. Any person while carrying out his duties in the Armed Forces of the United States or the National
 593 Guard of this Commonwealth or any other state.

594 **§ 18.2-309.1. Sale, transfer, etc., of certain firearms magazines prohibited; penalty.**

595 A. *As used in this section, a "large capacity ammunition feeding device" means a magazine, belt, drum,*
 596 *feed strip, or similar device manufactured on or after July 1, 2025, that has a capacity of, or that can be*
 597 *readily restored or converted to accept, more than 10 rounds of ammunition but does not include an attached*
 598 *tubular device designed to accept and capable of operating only with .22 caliber rimfire ammunition.*

599 B. *Any person who imports, sells, barter, or transfers a large capacity ammunition feeding device is*
 600 *guilty of a Class 1 misdemeanor.*

601 C. *The provisions of this section shall not apply to the manufacture of a large capacity ammunition*
 602 *feeding device by, transfer of a large capacity ammunition feeding device to, or possession of a large*
 603 *capacity ammunition feeding device by the Commonwealth or a department, agency, or political subdivision*
 604 *of the Commonwealth, transfer of a large capacity ammunition feeding device to or possession of a large*
 605 *capacity ammunition feeding device by a law-enforcement officer employed by such an entity for purposes of*
 606 *law enforcement, or possession of a large capacity ammunition feeding device by an individual who is retired*
 607 *from service with a law-enforcement agency and is not otherwise prohibited from receiving ammunition*
 608 *transferred to the individual by the law-enforcement agency upon his retirement.*

609 **§ 19.2-386.28. Forfeiture of weapons, etc., that are concealed, possessed, transported, or carried in**
 610 **violation of law.**

611 If any firearm, stun weapon as defined by § 18.2-308.1, weapon, *magazine*, auto sear, or trigger activator
 612 is concealed, possessed, transported, or carried in violation of § 18.2-283.1, 18.2-287.01, 18.2-287.4,
 613 18.2-287.4:1, 18.2-287.4:2, 18.2-308.1:2, 18.2-308.1:3, 18.2-308.1:4, 18.2-308.1:8, 18.2-308.1:9, 18.2-308.2,
 614 18.2-308.2:01, 18.2-308.2:1, 18.2-308.4, 18.2-308.5, 18.2-308.5:1, 18.2-308.7, ~~or~~ 18.2-308.8, or 18.2-309.1,

615 it shall be forfeited to the Commonwealth and disposed of as provided in § 19.2-386.29.
616 **2. That the provisions of this act may result in a net increase in periods of imprisonment or**
617 **commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary**
618 **appropriation cannot be determined for periods of imprisonment in state adult correctional facilities;**
619 **therefore, Chapter 2 of the Acts of Assembly of 2024, Special Session I, requires the Virginia Criminal**
620 **Sentencing Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4 of the**
621 **Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for**
622 **periods of commitment to the custody of the Department of Juvenile Justice.**

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