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1 SENATE BILL NO. 323

2 Offered January 14, 2026

3 Prefiled January 13, 2026

4 A BILL to amend and reenact § 18.2-308.5 of the Code of Virginia and to amend the Code of Virginia by
5 adding a section numbered 18.2-308.5:2, relating to manufacture, importation, sale, transfer, or
6 possession of plastic firearms and unfinished frames or receivers and unserialized firearms prohibited;
7 penalties.

8 Patrons—Ebbin, Jones, M. and Surovell

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10 Referred to Committee for Courts of Justice11
12 Be it enacted by the General Assembly of Virginia:13 1. That § 18.2-308.5 of the Code of Virginia is amended and reenacted and that the Code of Virginia is
14 amended by adding a section numbered 18.2-308.5:2 as follows:15 § 18.2-308.5. Manufacture, assembly, importation, etc., of plastic or other nondetectable firearm
16 prohibited; penalty.17 A. It shall be is unlawful for any person to knowingly manufacture or assemble, cause to be manufactured
18 or assembled, import, purchase, sell, offer for sale, transfer, or possess (i) any plastic firearm or (ii) any
19 firearm that, after removal of all parts other than a major component, is not detectable as a firearm by the
20 types of detection devices, including X-ray machines, commonly used at airports, government buildings,
21 schools, correctional facilities, and other locations for security screening.

22 B. As used in this section, "plastic":

23 "Frame" and "receiver" have the same meanings attributed to them in 18 U.S.C. § 921 et seq. and
24 regulations issued pursuant thereto.25 "Major component" means (i) the slide or cylinder, or the frame or receiver, of the firearm or (ii) in the
26 case of a rifle or shotgun, the barrel of the firearm.27 "Plastic firearm" means any firearm, including machine guns and sawed-off shotguns as defined in this
28 chapter, containing less than 3.7 ounces of electromagnetically detectable metal in the barrel, slide, cylinder,
29 frame, or receiver of which that, when subjected to inspection by the types of detection devices, including
30 X-ray machines, commonly used at airports, government buildings, schools, correctional facilities, and other
31 locations for security screening, does not generate an image that accurately depicts its shape.

32 C. A violation of this section shall be is punishable as a Class 5 felony.

33 § 18.2-308.5:2. Prohibition on unfinished frames or receivers and unserialized firearms; penalties.

34 A. As used in this section:

35 "Federal licensee authorized to serialize firearms" means a person, firm, corporation, or other entity that
36 holds any valid federal license that authorizes the person, firm, corporation, or other entity to imprint serial
37 numbers onto firearms and completed or unfinished frames or receivers pursuant to 18 U.S.C. § 921 et seq.
38 and regulations issued pursuant thereto.39 "Federally licensed gunsmith, manufacturer, or importer" means a person, firm, corporation, or other
40 entity that holds a valid gunsmith license or license to manufacture or import firearms issued pursuant to 18
41 U.S.C. § 921 et seq. and regulations issued pursuant thereto.42 "Frame" and "receiver" have the same meanings attributed to them in 18 U.S.C. § 921 et seq. and
43 regulations issued pursuant thereto.44 "License to manufacture firearms" means a valid license to manufacture firearms issued pursuant to 18
45 U.S.C. § 921 et seq. and regulations issued pursuant thereto.46 "Manufacture or assemble" means to fabricate, construct, fit together component parts of, or otherwise
47 produce a firearm or completed or unfinished frame or receiver, including through additive, subtractive, or
48 other processes.49 "Unfinished frame or receiver" means a forging, casting, printing, extrusion, machined body, or similar
50 item that (i) is designed to or may readily be completed, assembled, or otherwise converted to function as a
51 frame or receiver or (ii) is marketed or sold to the public to become or be used as the frame or receiver of a
52 functional firearm once completed, assembled, or otherwise converted. However, "unfinished frame or
53 receiver" does not include a component designed and intended for use in an antique weapon.54 "Valid serial number" means a serial number that has been imprinted by a federal licensee authorized to
55 serialize firearms in accordance with federal law, or that has otherwise been assigned to a firearm or
56 completed or unfinished frame or receiver pursuant to the laws of any state or pursuant to 26 U.S.C. § 5801
57 et seq. and regulations issued pursuant thereto.

58 B. It is unlawful to knowingly import, purchase, sell, offer for sale, or transfer ownership of any

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59 completed or unfinished frame or receiver, unless the completed or unfinished frame or receiver (i) is deemed
60 to be a firearm pursuant to 18 U.S.C. § 921 et seq. and regulations issued pursuant thereto and (ii) is
61 imprinted with a valid serial number.

62 C. It is unlawful to knowingly possess a firearm or any completed or unfinished frame or receiver that is
63 not imprinted with a valid serial number.

64 D. It is unlawful to manufacture or assemble, cause to be manufactured or assembled, import, purchase,
65 sell, offer for sale, or transfer ownership of any firearm that is not imprinted with a valid serial number.

66 E. Except as authorized by law, it is unlawful for a person who does not have a valid federal license to
67 manufacture or assemble firearms to sell or transfer ownership of a firearm if (i) the person manufactured or
68 assembled the firearm without a valid license to manufacture firearms, (ii) the person knowingly caused the
69 firearm to be manufactured or assembled by another person who does not have a valid federal license to
70 manufacture firearms, or (iii) the person is aware that the firearm was manufactured or assembled by
71 another person who does not have a valid federal license to manufacture firearms.

72 F. A federal firearms licensee may serialize a firearm or frame or receiver of a firearm, including a
73 finished or unfinished frame or receiver, by imprinting a serial number on the firearm, frame, or receiver. To
74 serialize a firearm, frame, or receiver, the dealer or other licensee shall imprint on the firearm, frame, or
75 receiver a serial number beginning with the dealer's or licensee's abbreviated federal firearms license
76 number, which is the first three and last five digits of the license number, followed by a hyphen, before a
77 unique identification number (12345678-(number)). The serial number shall not be duplicated on any other
78 firearm, frame, or receiver serialized by the licensee and shall be imprinted in a manner that complies with
79 the requirements in federal law for imprinting a serial number on a firearm, including the minimum size and
80 depth of the serial number and that the serial number is not susceptible to being readily obliterated, altered,
81 or removed.

82 The federal firearms licensee shall retain a record concerning a firearm, frame, or receiver serialized by
83 the licensee that complies with the requirements under federal law for the sale of a firearm. In addition to
84 any record required by federal law, a federal firearms licensee that imprints a unique serial number on a
85 firearm, frame, or receiver pursuant to this subsection shall make a record at the time of the transaction of
86 each transaction involving serializing a firearm, frame, or receiver and keep that record. The record shall
87 include the following information: the date, name, age, and residence of any person to whom the item is
88 transferred and the unique serial number imprinted on the firearm, frame, or receiver.

89 G. A violation of this section is punishable as a Class 1 misdemeanor. A second or subsequent violation of
90 this section is punishable as a Class 4 felony.

91 H. The provisions of subsection B or C shall not apply to any person possessing or receiving the firearm
92 who is a local, state, or federal law-enforcement officer or a federal firearms importer or federal firearms
93 manufacturer in the scope and course of his official duties or employment.

94 I. This section does not apply to any of the following:

95 1. A firearm, frame, receiver, or unfinished frame or receiver that (i) is an antique firearm as defined in
96 subsection F of § 18.2-308.2:2, (ii) has been rendered permanently inoperable, or (iii) was manufactured
97 before October 22, 1968;

98 2. The sale, offer for sale, or transfer of ownership of a firearm or any completed or unfinished frame or
99 receiver to a law-enforcement agency;

100 3. The manufacture or assembly, importation, purchase, transfer, or possession of a firearm or any
101 completed or unfinished frame or receiver by a law-enforcement agency for law-enforcement purposes;

102 4. The sale or transfer of ownership of a firearm or any completed or unfinished frame or receiver to a
103 federally licensed gunsmith, manufacturer, or importer or to any other federal licensee authorized to
104 serialize firearms;

105 5. The manufacture or assembly, importation, purchase, or possession of a firearm or any completed or
106 unfinished frame or receiver by a federally licensed gunsmith, manufacturer, or importer or by any other
107 federal licensee authorized to serialize firearms;

108 6. A member of the Armed Forces of the United States or the National Guard while on duty and acting
109 within the scope and course of employment or any law-enforcement agency or forensic laboratory;

110 7. A common carrier, motor carrier, air carrier, or carrier affiliated with an air carrier through common
111 controlling interest that is subject to Title 49 of the United States Code, or an authorized agent of any such
112 carrier, when acting in the course and scope of duties incident to the receipt, processing, transportation, or
113 delivery of property;

114 8. An authorized representative of a local, state, or federal government that receives a firearm or any
115 completed or unfinished frame or receiver as part of an authorized, voluntary buyback program in which the
116 governmental entity is buying or receiving such weapons from private individuals;

117 9. The possession and disposition of a firearm or any completed or unfinished frame or receiver by a
118 person who meets all of the following:

119 a. The person is not prohibited by Virginia or federal law from possessing the weapon;
120 b. The person possessed the firearm or any completed or unfinished frame or receiver no longer than was

121 necessary to deliver it to a law-enforcement agency for that agency's disposition according to law; and

122 c. If the person is transporting the firearm or any completed or unfinished frame or receiver, the person is
123 transporting it to a law-enforcement agency in order to deliver it to the agency for the agency's disposition
124 according to law;

125 10. The possession or importation of a firearm or any completed or unfinished frame or receiver by a
126 nonresident of the Commonwealth who:

127 a. Is traveling with the firearm or completed or unfinished frame or receiver in the Commonwealth in
128 accordance with the provisions of 18 U.S.C. § 926A; or

129 b. Possesses or imports the firearm or completed or unfinished frame or receiver in the Commonwealth
130 exclusively for use in an organized sport shooting event or competition and no longer than reasonably
131 necessary to participate in such an event or competition; or

132 11. The possession or importation of a firearm or any completed or unfinished frame or receiver by a new
133 resident moving into the Commonwealth who, within 90 days of moving into the Commonwealth, causes the
134 firearm or completed or unfinished frame or receiver to be imprinted with a valid serial number, removes the
135 weapon from the Commonwealth, or otherwise comes into compliance with this section.

136 2. That the provisions of this act may result in a net increase in periods of imprisonment or
137 commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary
138 appropriation cannot be determined for periods of imprisonment in state adult correctional facilities;
139 therefore, Chapter 725 of the Acts of Assembly of 2025, requires the Virginia Criminal Sentencing
140 Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4 of the Code of
141 Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of
142 commitment to the custody of the Department of Juvenile Justice.

143 3. That the provisions of § 18.2-308.5:2 of the Code of Virginia, as created by this act, with the
144 exception of subsection C, shall become effective on January 1, 2027.

145 4. That the provisions of subsection C of § 18.2-308.5:2 of the Code of Virginia, as created by this act,
146 shall become effective on July 1, 2027.