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SENATE BILL NO. 496

Offered January 14, 2026

Prefiled January 13, 2026

A BILL to amend and reenact § 18.2-308 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 18.2-308.7:1, relating to secure storage of handguns; unattended locked vehicle; penalty.

Patrons—Marsden and Ebbin

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-308 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 18.2-308.7:1 as follows:

§ 18.2-308. Carrying concealed weapons; exceptions; penalty.

A. If any person carries about his person, hidden from common observation, (i) any pistol, revolver, or other weapon designed or intended to propel a missile of any kind by action of an explosion of any combustible material; (ii) any dirk, bowie knife, stiletto knife, ballistic knife, machete, razor, sling bow, spring stick, metal knucks, or blackjack; (iii) any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain; (iv) any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart; or (v) any weapon of like kind as those enumerated in this subsection, he is guilty of a Class 1 misdemeanor. A second violation of this section or a conviction under this section subsequent to any conviction under any substantially similar ordinance of any county, city, or town shall be punishable as a Class 6 felony, and a third or subsequent such violation shall be punishable as a Class 5 felony. For the purpose of this section, a weapon shall be deemed to be hidden from common observation when it is observable but is of such deceptive appearance as to disguise the weapon's true nature. It shall be an affirmative defense to a violation of clause (i) regarding a handgun, that a person had been issued, at the time of the offense, a valid concealed handgun permit.

B. This section shall not apply to any person while in his own place of abode or the curtilage thereof.

C. Except as provided in subsection A of § 18.2-308.012, this section shall not apply to:

1. Any person while in his own place of business;

2. Any law-enforcement officer, or retired law-enforcement officer pursuant to § 18.2-308.016, wherever such law-enforcement officer may travel in the Commonwealth;

3. Any person who is at, or going to or from, an established shooting range, provided that the weapons are unloaded and securely wrapped while being transported;

4. Any regularly enrolled member of a weapons collecting organization who is at, or going to or from, a bona fide weapons exhibition, provided that the weapons are unloaded and securely wrapped while being transported;

5. ~~Any person carrying such weapons between his place of abode and a place of purchase or repair, provided the weapons are unloaded and securely wrapped while being transported;~~

6. Any person actually engaged in lawful hunting, as authorized by the Board of Wildlife Resources, under inclement weather conditions necessitating temporary protection of his firearm from those conditions, provided that possession of a handgun while engaged in lawful hunting shall not be construed as hunting with a handgun if the person hunting is carrying a valid concealed handgun permit;

7. 6. Any attorney for the Commonwealth or assistant attorney for the Commonwealth, wherever such attorney may travel in the Commonwealth;

8. 7. Any person who may lawfully possess a firearm and is carrying a handgun while in a personal, private motor vehicle or vessel and such handgun is ~~secured in a container or compartment~~ stored in accordance with the provisions of § 18.2-308.7:1 while in the vehicle or vessel;

9. 8. Any enrolled participant of a firearms training course who is at, or going to or from, a training location, provided that the weapons are unloaded and ~~securely wrapped~~ stored in accordance with the provisions of § 18.2-308.7:1 while being transported; and

10. 9. Any judge or justice of the Commonwealth, wherever such judge or justice may travel in the Commonwealth.

D. This section shall also not apply to any of the following individuals while in the discharge of their official duties, or while in transit to or from such duties:

1. Carriers of the United States mail;

INTRODUCED

SB496

2. Officers or guards of any state correctional institution;

3. Conservators of the peace, except that a judge or justice of the Commonwealth, an attorney for the Commonwealth, or an assistant attorney for the Commonwealth may carry a concealed handgun pursuant to subdivisions C 7 6 and 40 9. However, the following conservators of the peace shall not be permitted to carry a concealed handgun without obtaining a permit as provided in this article: (i) notaries public; (ii) registrars; (iii) drivers, operators, or other persons in charge of any motor vehicle carrier of passengers for hire; or (iv) commissioners in chancery; and

4. Noncustodial employees of the Department of Corrections designated to carry weapons by the Director of the Department of Corrections pursuant to § 53.1-29.

§ 18.2-308.7:1. Secure storage of handguns in unattended vehicles; penalty.

A. For purposes of this subsection:

"Handgun" has the same meaning as ascribed to "firearm" in subsection F of § 18.2-308.2:2.

"Vehicle" has the same meaning as ascribed to "motor vehicle" in § 46.2-364. A "boat" is considered a vehicle and is defined as any vessel or other watercraft, privately owned, whether moved by oars, paddles, sails, or other power mechanism, inboard or outboard, or any other vessel or structure floating on water in the Commonwealth, whether or not capable of self-locomotion, including cruisers, cabin cruisers, runabouts, houseboats and barges. However, bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, motorized skateboards or scooters, and mopeds are not vehicles.

B. No person shall knowingly leave a handgun in an unattended locked vehicle or trunk unless such handgun is in a locked hard-sided container that is placed out of plain view, including a locked container that is permanently affixed to the vehicle's interior. A locked container permanently affixed to the vehicle's interior does not include the glove compartment or center console. Any person who violates this section is guilty of a Class 4 misdemeanor.

C. 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) a law-enforcement officer as defined in § 9.1-101.

D. This section shall not apply to a person with a disability as defined in the Americans with Disabilities Act, 42 U.S.C. § 12102(2), who stores a handgun in a locked soft-sided container in an unattended locked vehicle.