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1 SENATE BILL NO. 797

2 Offered January 23, 2026

3 A BILL to amend and reenact § 18.2-308.2:2 of the Code of Virginia and to amend the Code of Virginia by
4 adding a section numbered 18.2-308.2:6, relating to firearm purchase requirements; penalties.

5 Patron—Carroll Foy

6 Referred to Committee for Courts of Justice

7 Be it enacted by the General Assembly of Virginia:

8 1. That § 18.2-308.2:2 of the Code of Virginia is amended and reenacted and that the Code of Virginia
9 is amended by adding a section numbered 18.2-308.2:6 as follows:10 § 18.2-308.2:2. Criminal history record information check required for the transfer of certain
11 firearms.12 A. Any person purchasing from a dealer a firearm as ~~herein~~ defined in this section shall present a valid
13 *firearm purchaser license issued by the Department of State Police pursuant to § 18.2-308.2:6 and shall*
14 consent in writing, on a form to be provided by the Department of State Police, to have the dealer obtain
15 criminal history record information. Such form shall include only the written consent; the name, birth date,
16 gender, race, citizenship, and social security number and/or any other identification number; the number of
17 firearms by category intended to be sold, rented, traded, or transferred; and answers by the applicant to the
18 following questions: (i) has the applicant been convicted of a felony offense or a misdemeanor offense listed
19 in § 18.2-308.1:8 or found guilty or adjudicated delinquent as a juvenile 14 years of age or older at the time
20 of the offense of a delinquent act that if committed by an adult would be a felony or a misdemeanor listed in
21 § 18.2-308.1:8; (ii) is the applicant subject to a court order restraining the applicant from harassing, stalking,
22 or threatening the applicant's child or intimate partner, or a child of such partner, or is the applicant subject to
23 a protective order; (iii) has the applicant ever been acquitted by reason of insanity and prohibited from
24 purchasing, possessing, or transporting a firearm pursuant to § 18.2-308.1:1 or any substantially similar law
25 of any other jurisdiction, been adjudicated legally incompetent, mentally incapacitated, or adjudicated an
26 incapacitated person and prohibited from purchasing a firearm pursuant to § 18.2-308.1:2 or any substantially
27 similar law of any other jurisdiction, been involuntarily admitted to an inpatient facility or involuntarily
28 ordered to outpatient mental health treatment and prohibited from purchasing a firearm pursuant to
29 § 18.2-308.1:3 or any substantially similar law of any other jurisdiction, or been the subject of a temporary
30 detention order pursuant to § 37.2-809 and subsequently agreed to a voluntary admission pursuant to
31 § 37.2-805; and (iv) is the applicant subject to an emergency substantial risk order or a substantial risk order
32 entered pursuant to § 19.2-152.13 or 19.2-152.14 and prohibited from purchasing, possessing, or transporting
33 a firearm pursuant to § 18.2-308.1:6 or any substantially similar law of any other jurisdiction.34 B. 1. No dealer shall sell, rent, trade, or transfer from his inventory any such firearm to any other person
35 who is a resident of Virginia until he has (i) obtained written consent and the other information on the consent
36 form specified in subsection A, and provided the Department of State Police with the name, birth date,
37 gender, race, citizenship, and social security and/or any other identification number and the number of
38 firearms by category intended to be sold, rented, traded, or transferred ~~and~~; (ii) requested criminal history
39 record information by a telephone call to or other communication authorized by the State Police and is
40 authorized by subdivision 2 to complete the sale or other such transfer; ~~and~~ (iii) received from the prospective
41 purchaser a valid firearm purchaser license issued by the Department of State Police pursuant to
42 § 18.2-308.2:6. To establish personal identification and residence in Virginia for purposes of this section, a
43 dealer must require any prospective purchaser to present one photo-identification form issued by a
44 governmental agency of the Commonwealth or by the United States Department of Defense or a special
45 identification card without a photograph issued pursuant to § 46.2-345.2 that demonstrates that the
46 prospective purchaser resides in Virginia. For the purposes of this section and establishment of residency for
47 firearm purchase, residency of a member of the armed forces shall include both the state in which the
48 member's permanent duty post is located and any nearby state in which the member resides and from which
49 he commutes to the permanent duty post. A member of the armed forces whose photo identification issued by
50 the Department of Defense does not have a Virginia address may establish his Virginia residency with such
51 photo identification and either permanent orders assigning the purchaser to a duty post, including the
52 Pentagon, in Virginia or the purchaser's Leave and Earnings Statement. When the identification presented to a
53 dealer by the prospective purchaser is a driver's license or other photo identification issued by the Department
54 of Motor Vehicles or a special identification card without a photograph issued pursuant to § 46.2-345.2, and
55 such identification form or card contains a date of issue, the dealer shall not, except for a renewed driver's
56 license or other photo identification issued by the Department of Motor Vehicles or a renewed special
57 identification card, accept the identification as valid for purposes of this section.
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59 identification card without a photograph issued pursuant to § 46.2-345.2, sell or otherwise transfer a firearm
60 to the prospective purchaser until 30 days after the date of issue of an original or duplicate driver's license or
61 special identification card without a photograph unless the prospective purchaser also presents a copy of his
62 Virginia Department of Motor Vehicles driver's record showing that the original date of issue of the driver's
63 license was more than 30 days prior to the attempted purchase.

64 In addition, no dealer shall sell, rent, trade, or transfer from his inventory any assault firearm to any
65 person who is not a citizen of the United States or who is not a person lawfully admitted for permanent
66 residence.

67 Upon receipt of the request for a criminal history record information check, the State Police shall (a)
68 review its criminal history record information to determine if the buyer or transferee is prohibited from
69 possessing or transporting a firearm by state or federal law, (b) *verify the validity of the buyer or transferee's*
70 *firearm purchaser license*, (c) inform the dealer if its record indicates that the buyer or transferee is so
71 prohibited, and (e) (d) provide the dealer with a unique reference number for that inquiry.

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

77 3. Except as required by subsection D of § 9.1-132 and subdivision 4, the State Police shall not maintain
78 records longer than 30 days, except for multiple handgun transactions for which records shall be maintained
79 for 12 months, from any dealer's request for a criminal history record information check pertaining to a buyer
80 or transferee who is not found to be prohibited from possessing and transporting a firearm under state or
81 federal law. However, the log on requests made may be maintained for a period of 12 months, and such log
82 shall consist of the name of the purchaser, the dealer identification number, the unique approval number, and
83 the transaction date.

84 4. On the last day of the week following the sale or transfer of any firearm, the dealer shall mail or deliver
85 the written consent form required by subsection A to the Department of State Police. The State Police shall
86 immediately initiate a search of all available criminal history record information to determine if the purchaser
87 is prohibited from possessing or transporting a firearm under state or federal law. If the search discloses
88 information indicating that the buyer or transferee is so prohibited from possessing or transporting a firearm,
89 the State Police shall inform the chief law-enforcement officer in the jurisdiction where the sale or transfer
90 occurred and the dealer without delay. *The Department of State Police shall maintain a searchable database*
91 *of all consent forms delivered pursuant to this subdivision. The State Police shall make the information in*
92 *such database available, upon request, to criminal justice agencies as defined in § 9.1-101, including local*
93 *law-enforcement agencies, through the Virginia Criminal Information Network. Information provided under*
94 *this subsection shall be used only for the purposes of the administration of criminal justice as defined in*
95 *§ 9.1-101. No liability shall be imposed on any law-enforcement official who disseminates information or*
96 *fails to disseminate information in good faith compliance with the requirements of this subdivision, but this*
97 *provision shall not be construed to grant immunity for gross negligence or willful misconduct.*

98 5. Notwithstanding any other provisions of this section, rifles and shotguns may be purchased by persons
99 who are citizens of the United States or persons lawfully admitted for permanent residence but residents of
100 other states *may purchase rifles and shotguns* under the terms of subsection A and B this
101 subsection upon furnishing the dealer with one photo-identification form issued by a governmental agency of
102 the person's state of residence and one other form of identification determined to be acceptable by the
103 Department of Criminal Justice Services, *provided that such persons have been issued a valid firearm*
104 *purchaser license by the Department of State Police pursuant to § 18.2-308.2:6.*

105 6. For the purposes of this subsection, the phrase "dealer's fifth business day" does not include December
106 25.

107 C. No dealer shall sell, rent, trade, or transfer from his inventory any firearm, except when the transaction
108 involves a rifle or a shotgun and can be accomplished pursuant to the provisions of subdivision B 5, to any
109 person who is a dual resident of Virginia and another state pursuant to applicable federal law unless he has
110 first obtained from the Department of State Police a report indicating that a search of all available criminal
111 history record information has not disclosed that the person is prohibited from possessing or transporting a
112 firearm under state or federal law *and received from the prospective purchaser a valid firearm purchaser*
113 *license issued by the Department of State Police pursuant to § 18.2-308.2:6.*

114 To establish personal identification and dual resident eligibility for purposes of this subsection, a dealer
115 shall require any prospective purchaser to present one photo-identification form issued by a governmental
116 agency of the prospective purchaser's state of legal residence and other documentation of dual residence
117 within the Commonwealth. The other documentation of dual residence in the Commonwealth may include (i)
118 evidence of currently paid personal property tax or real estate tax or a current (a) lease, (b) utility or telephone
119 bill, (c) voter registration card, (d) bank check, (e) passport, (f) automobile registration, or (g) hunting or
120 fishing license; (ii) other current identification allowed as evidence of residency by 27 C.F.R. § 178.124 and

121 ATF Ruling 2001-5; or (iii) other documentation of residence determined to be acceptable by the Department
 122 of Criminal Justice Services and that corroborates that the prospective purchaser currently resides in Virginia.

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

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

131 F. For purposes of this section:

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

134 "Antique firearm" means:

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

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

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

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

148 "Assault firearm" means any semi-automatic center-fire rifle or pistol which expels single or multiple
 149 projectiles by action of an explosion of a combustible material and is equipped at the time of the offense with
 150 a magazine which will hold more than 20 rounds of ammunition or designed by the manufacturer to
 151 accommodate a silencer or equipped with a folding stock.

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

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

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

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

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

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

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

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

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

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

182 I. The provisions of this section shall not apply to restrict purchase, trade, or transfer of firearms by a

183 resident of Virginia when the resident of Virginia makes such purchase, trade, or transfer in another state, in
184 which case the laws and regulations of that state and the United States governing the purchase, trade, or
185 transfer of firearms shall apply. A National Instant Criminal Background Check System (NICS) check shall
186 be performed prior to such purchase, trade, or transfer of firearms.

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

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

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

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

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

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

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

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

221 Q. Prior to selling, renting, trading, or transferring any firearm owned by the dealer but not in his
222 inventory to any other person, a dealer ~~may~~ shall require the transferee to present a valid firearm purchaser
223 license issued by the Department of State pursuant to § 18.2-308.2:6 and shall require such other person to
224 consent to have the dealer obtain criminal history record information to determine if such other person is
225 prohibited from possessing or transporting a firearm by state or federal law. The Department of State Police
226 shall establish policies and procedures in accordance with 28 C.F.R. § 25.6 to permit such determinations to
227 be made by the Department of State Police, and the processes established for making such determinations
228 shall conform to the provisions of this section.

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

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

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

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

- 257 a. A law-enforcement agency;
- 258 b. An agency duly authorized to perform law-enforcement duties;
- 259 c. A state or local correctional facility;
- 260 d. A private security company licensed to do business within the Commonwealth;
- 261 e. The purchase of antique firearms;

262 f. A person whose handgun is stolen or irretrievably lost who deems it essential that such handgun be
 263 replaced immediately. Such person may purchase another handgun, even if the person has previously
 264 purchased a handgun within a 30-day period, provided that (i) the person provides the firearms dealer with a
 265 copy of the official police report or a summary thereof, on forms provided by the Department of State Police,
 266 from the law-enforcement agency that took the report of the lost or stolen handgun; (ii) the official police
 267 report or summary thereof contains the name and address of the handgun owner, a description of the
 268 handgun, the location of the loss or theft, the date of the loss or theft, and the date the loss or theft was
 269 reported to the law-enforcement agency; and (iii) the date of the loss or theft as reflected on the official police
 270 report or summary thereof occurred within 30 days of the person's attempt to replace the handgun. The
 271 firearms dealer shall attach a copy of the official police report or summary thereof to the original copy of the
 272 Virginia firearms transaction report completed for the transaction and retain it for the period prescribed by the
 273 Department of State Police;

274 g. A person who trades in a handgun at the same time he makes a handgun purchase and as a part of the
 275 same transaction, provided that no more than one transaction of this nature is completed per day;

276 h. A person who holds a valid Virginia permit to carry a concealed handgun;

277 i. A person who purchases a handgun in a private sale. For purposes of this subdivision, "private sale"
 278 means a purchase from a person who makes occasional sales, exchanges, or purchases of firearms for the
 279 enhancement of a personal collection of curios or relics or who sells all or part of such collection of curios
 280 and relics; or

281 j. i. A law-enforcement officer. For purposes of this subdivision, "law-enforcement officer" means any
 282 employee of a police department or sheriff's office that is part of or administered by the Commonwealth or
 283 any political subdivision thereof and who is responsible for the prevention and detection of crime and the
 284 enforcement of the penal, traffic, or highway laws of the Commonwealth.

285 **§ 18.2-308.2:6. Firearm purchaser license to purchase a firearm; application; penalties.**

286 A. For the purposes of this section:

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

288 "Department" means the Department of State Police.

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

291 "Firearm purchaser license" means a license to purchase a firearm.

292 "Superintendent" means the Superintendent of State Police.

293 B. Any person 21 years of age or older may submit an application to obtain a firearm purchaser license.
 294 Such application shall be submitted in person to the Department or to a local law-enforcement agency to be
 295 considered for processing and approval. Any local law-enforcement agency that receives an application shall
 296 forward such form to the Department for processing and approval. Except as otherwise provided in this
 297 section, the Department shall upon receipt of an application issue a firearm purchaser license to any person
 298 who is not prohibited from purchasing, possessing, or transporting a firearm under this article or under any
 299 other provision of state or federal law.

300 C. The application for a firearm purchaser license shall be on a form prescribed by the Department and
 301 shall set forth the applicant's full name, current residential and mailing addresses, date of birth, sex, race,
 302 ethnicity, citizenship, and social security number. The applicant shall attach a copy of one valid form of
 303 photo identification issued by a federal or state governmental agency, a current color photograph of the
 304 applicant, and a certificate of completion for a firearms safety or training course or class as described in
 305 subdivision G 4. The application shall include answers by the applicant to the following questions: (i) has the
 306 applicant been convicted of a felony offense or a misdemeanor offense listed in § 18.2-308.1:8 or found guilty

307 or adjudicated delinquent as a juvenile 14 years of age or older at the time of the offense of a delinquent act
308 that if committed by an adult would be a felony or a misdemeanor listed in § 18.2-308.1:8; (ii) is the
309 applicant subject to a court order restraining the applicant from harassing, stalking, or threatening the
310 applicant's child or intimate partner, or a child of such partner, or is the applicant subject to a protective
311 order; (iii) has the applicant ever been acquitted by reason of insanity and prohibited from purchasing,
312 possessing, or transporting a firearm pursuant to § 18.2-308.1:1 or any substantially similar law of any other
313 jurisdiction, been adjudicated legally incompetent, mentally incapacitated, or adjudicated an incapacitated
314 person and prohibited from purchasing a firearm pursuant to § 18.2-308.1:2 or any substantially similar law
315 of any other jurisdiction, been involuntarily admitted to an inpatient facility or involuntarily ordered to
316 outpatient mental health treatment and prohibited from purchasing a firearm pursuant to § 18.2-308.1:3 or
317 any substantially similar law of any other jurisdiction, or been the subject of a temporary detention order
318 pursuant to § 37.2-809 and subsequently agreed to a voluntary admission pursuant to § 37.2-805; and (iv) is
319 the applicant subject to an emergency substantial risk order or a substantial risk order entered pursuant to
320 § 19.2-152.13 or 19.2-152.14 and prohibited from purchasing, possessing, or transporting a firearm
321 pursuant to § 18.2-308.1:6 or any substantially similar law of any other jurisdiction.

322 D. As a condition for the issuance of a firearm purchaser license pursuant to this section, the applicant
323 shall submit to fingerprinting where the applicant resides and provide personal descriptive information to be
324 forwarded with the fingerprints through the Central Criminal Records Exchange to the Federal Bureau of
325 Investigation for the purpose of obtaining criminal history record information regarding the applicant, and
326 obtaining fingerprint identification information from federal records pursuant to criminal investigations by
327 state and local law-enforcement agencies. Where feasible and practical, the local law-enforcement agency
328 may transfer information electronically to the Department instead of inked fingerprint cards. Upon
329 completion of the criminal history records check, the Department shall return the fingerprint cards to the
330 submitting local agency or, in the case of scanned fingerprints, destroy the electronic record. The local
331 agency shall then promptly notify the person that he has 21 days from the date of the notice to request return
332 of the fingerprint cards, if any. All fingerprint cards not claimed by the applicant within 21 days of
333 notification by the local agency shall be destroyed. All optically scanned fingerprints shall be destroyed upon
334 completion of the criminal history records check without requiring that the applicant be notified.
335 Fingerprints taken for the purposes described in this section shall not be copied, held, or used for any other
336 purposes.

337 E. Blank application forms shall be obtainable from the Department and from dealers.

338 F. The Department shall charge a license application fee that will cover as nearly as practicable the
339 direct and indirect costs to the Department incurred by creating and administering the firearm purchaser
340 licensing program and issuing licenses.

341 G. Except as provided in this subsection, no person shall be denied a firearm purchaser license. No
342 firearm purchaser license shall be issued to:

343 1. Any person younger than 21 years of age;
344 2. Any person prohibited from purchasing, possessing, or transporting a firearm under this article or
345 under any other provision of state or federal law;

346 3. Any person who, within the two years prior to the date of application, has been convicted of any offense
347 that is an act of violence, force, or threat as defined in § 19.2-152.7:1 and contained in Chapter 4 (§ 18.2-30
348 et seq.) or any offense contained in Article 4 (§ 18.2-279 et seq.), 5 (§ 18.2-288 et seq.), 6 (§ 18.2-299 et
349 seq.), or 7 (§ 18.2-308.1 et seq.) that would ordinarily be punishable as a Class 1 misdemeanor;

350 4. a. Any person who, within the two years prior to the date of application, has not completed a firearms
351 safety or training course or class approved by the Department of Criminal Justice Services, available to the
352 general public, and offered by a law-enforcement agency, institution of higher education, or private or public
353 institution or organization or by a firearms training school utilizing instructors certified or approved by the
354 Department of Criminal Justice Services.

355 b. In order to be approved by the Department of Criminal Justice Services, such firearms safety or
356 training course or class shall include the following:

357 (1) Instruction regarding knowledge, safe handling, and storage of firearms and ammunition;
358 (2) Instruction regarding safe firearms shooting fundamentals that shall include live fire shooting
359 exercises conducted on a range with the expenditure of a minimum of 10 rounds of ammunition;
360 (3) Identification of ways to develop and maintain firearm shooting skills;
361 (4) Instruction regarding federal and state laws pertaining to the lawful purchase, ownership,
362 transportation, use, and possession of firearms; and
363 (5) Instruction regarding the laws pertaining to the use of deadly force for self-defense and techniques for
364 avoiding a criminal attack and how to manage a violent confrontation, including conflict resolution.

365 H. An application is deemed complete when all information required to be furnished by the applicant,
366 including the fee for a firearm purchaser license, is delivered to and received by the Department. Upon
367 receipt of the completed application, the Department shall review criminal history record information to
368 determine if the applicant is prohibited from possessing or transporting a firearm by state or federal law and

369 investigate the application. Unless grounds exist for the denial of the application, the Department shall grant
 370 the firearm purchaser license within 45 days from the date of receipt of the completed application form.

371 I. If the Department determines that an applicant does not qualify for a firearm purchaser license, the
 372 application shall be denied and the Department shall notify the applicant in writing, setting forth the specific
 373 reasons for such determination.

374 J. Upon the issuance of a firearm purchaser license or denial of an application for a firearm purchaser
 375 license, the Department shall notify the law-enforcement agency of the locality where the applicant resides
 376 that such a license has been issued or denied.

377 K. 1. A firearm purchaser license shall be valid for a period of five years from the date of issuance.

378 2. Each firearm purchaser license shall bear a unique license number, the full name and address of the
 379 holder, a photograph of the holder, the date on which the firearm purchaser license expires, the seal of the
 380 Department, and any other information required by state law or regulation. The firearm purchaser license
 381 shall be comparable to a Virginia driver's license, may be laminated or protected using a similar process to
 382 protect the firearm purchaser license, and shall otherwise be of a uniform style prescribed by the
 383 Department.

384 L. If at any time following the issuance of a firearm purchaser license the holder becomes disqualified for
 385 any of the reasons set forth in this section, the firearm purchaser license is void and shall be returned within
 386 five days by the holder to the Department. Any person who fails to return a voided firearm purchaser license
 387 to the Department within five days is guilty of a Class 1 misdemeanor.

388 M. 1. A firearm purchaser license shall be revoked at any time by the Department upon a finding that the
 389 holder no longer qualifies for the firearm purchaser license. The Department shall give written notice of
 390 revocation without unnecessary delay to the holder of a firearm purchaser license and shall also immediately
 391 notify the law-enforcement agency of the locality in which the holder of the firearm purchaser license resides.
 392 Within five days of notice of revocation, the firearm purchaser license shall be returned by the holder to the
 393 Department. Any person who fails to return a revoked firearm purchaser license to the Department within
 394 five days of notice of revocation is guilty of a Class 1 misdemeanor.

395 2. In any case where the Department has given written notice of revocation and there is probable cause to
 396 believe that the firearm purchaser license holder has firearms in his custody, possession, or control, the
 397 Department shall take action to ensure removal of such firearms.

398 N. A firearm purchaser license shall be suspended by the Department upon a finding that the holder has a
 399 charge pending for an offense that would disqualify the holder of the firearm purchaser license.

400 O. Any person aggrieved by the denial or revocation of a firearm purchaser license may file a petition in
 401 the circuit court of the locality in which he resides. Such petition shall be filed within 60 days of the denial or
 402 revocation. Such petition shall be accompanied by a copy of the original application and notice of denial or
 403 revocation, as applicable. A copy of such petition shall be served upon the chief law-enforcement officer of
 404 the locality in which he resides and upon the Superintendent.

405 P. The making of a materially false statement in an application under this section shall constitute perjury,
 406 punishable as provided in § 18.2-434.

407 Q. 1. The Department shall enter the name and description of a person issued a firearm purchaser license
 408 into the Virginia Criminal Information Network. The Department shall withhold from public disclosure
 409 firearm purchaser licensee information submitted to the Department for purposes of entry into the Virginia
 410 Criminal Information Network, except that such information shall not be withheld from any law-enforcement
 411 agency or officer, or any authorized agent of such agency or officer acting in the performance of official law-
 412 enforcement duties when such information is related to an ongoing criminal investigation or prosecution, nor
 413 shall such information be withheld from an entity that has a valid contract with any local, state, or federal
 414 law-enforcement agency for the purpose of performing official duties of the law-enforcement agency when
 415 such information is related to an ongoing criminal investigation or prosecution. However, nothing in this
 416 subdivision shall be construed to prohibit the release of statistical summaries, abstracts, or other records
 417 containing information in an aggregate form that does not identify any individual firearm purchaser
 418 licensees.

419 2. The Department shall keep and maintain a computerized database containing the following: (i) the
 420 number of applications for firearm purchaser licenses and firearm purchaser licenses issued by month and
 421 year; (ii) the age, sex, race, ethnicity, and jurisdiction of all applicants and licensees; (iii) the number of
 422 denied applications for firearm purchaser licenses; (iv) the number of revoked or suspended firearm
 423 purchaser licenses and the reason for such revocation or suspension; and (v) any other relevant data. The
 424 Department shall make such data available upon request to institutions of higher education and other
 425 research organizations or institutions in the Commonwealth. The Department shall remove the names and
 426 other personal identifying information from the data before it is released to the institution of higher
 427 education or research organization or other institution in the Commonwealth.

428 3. Data provided under this subsection shall be used only for the purposes of the administration of
 429 criminal justice as defined in § 9.1-101, except as otherwise provided in this subsection. No liability shall be
 430 imposed upon any law-enforcement official who disseminates information or fails to disseminate information

431 *in good faith compliance with the requirements of this subsection. However, this provision shall not be*
432 *construed to grant immunity for gross negligence or willful misconduct.*

433 *R. The provisions of this section shall not apply to (i) transactions between persons who are licensed as*
434 *firearms importers or collectors, manufacturers, or dealers pursuant to 18 U.S.C. § 921 et seq.; (ii)*
435 *purchases by or sales to any law-enforcement agency of the United States, the Commonwealth, or any local*
436 *government, or any campus police department established under Article 3 (§ 23.1-809 et seq.) of Chapter 8*
437 *of Title 23.1; or (iii) antique firearms or curios or relics.*

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