

## 1 SENATE BILL NO. 749

## 2 AMENDMENT IN THE NATURE OF A SUBSTITUTE

3 (Proposed by the Senate Committee on Finance and Appropriations

4 on February 4, 2026)

5 (Patron Prior to Substitute—Senator Salim)

6 *A BILL to amend and reenact §§ 15.2-915.5, 18.2-308.2:2, and 18.2-308.7 of the Code of Virginia and to  
7 amend the Code of Virginia by adding a section numbered 18.2-287.4:1 relating to importation, sale,  
8 manufacture, etc., of assault firearms prohibited; penalties.*

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

10 **1. That §§ 15.2-915.5, 18.2-308.2:2, and 18.2-308.7 of the Code of Virginia are amended and reenacted  
11 and that the Code of Virginia is amended by adding a section numbered 18.2-287.4:1 as follows:**

12 **§ 15.2-915.5. Disposition of firearms acquired by localities.**

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

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

31 **§ 18.2-287.4:1. Importation, sale, manufacture, etc., of assault firearms prohibited; penalty.**

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

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

35       *C. The provisions of this section shall not apply to (i) any government officer, agent, or employee, or*  
36       *member of the Armed Forces of the United States, to the extent that such person is otherwise authorized to*  
37       *acquire or possess an assault firearm and does so while acting within the scope of his duties; (ii) the*  
38       *manufacture of an assault firearm by a firearms manufacturer for the purpose of sale to any branch of the*  
39       *Armed Forces of the United States, senior military colleges in the Commonwealth organized under 10 U.S.C.*  
40       *§ 2111a(f), or to a law-enforcement agency in the Commonwealth for use by that agency or its employees,*  
41       *provided that the manufacturer is properly licensed under federal, state, and local laws; (iii) the sale or*  
42       *transfer of an assault firearm by a licensed dealer to another licensed dealer, or to any branch of the Armed*  
43       *Forces of the United States or to a law-enforcement agency in the Commonwealth for use by that agency or*  
44       *its employees; (iv) any member of a cadet corps that is recognized by a public institution of higher education*  
45       *while such member is in the performance of lawful military training or such member is participating in an*  
46       *official ceremonial event for the Commonwealth; (v) the sale of an assault firearm by a person who lawfully*  
47       *purchased and possessed such assault firearm prior to July 1, 2026, to a firearms dealer or to an individual*  
48       *outside of the Commonwealth who may lawfully possess such assault firearm; (vi) the temporary transfer of*  
49       *an assault firearm by a person who lawfully purchased and possessed such assault firearm prior to July 1,*  
50       *2026, to a firearms dealer or gunsmith for service or repairs or the return of such assault firearm to its*  
51       *owner; (vii) the receipt of an assault firearm by inheritance, and possession of the inherited assault firearm if*  
52       *the decedent lawfully possessed such assault firearm prior to his death and the person inheriting such assault*  
53       *firearm is not prohibited from possessing firearms by state or federal law; or (viii) the transfer of an assault*  
54       *weapon as a gift to an immediate family member if the transferor lawfully purchased and possessed the*  
55       *assault firearm prior to July 1, 2026, and the immediate family member to whom the assault firearm is*  
56       *transferred is not prohibited from possessing firearms under state or federal law. For the purposes of this*  
57       *subdivision, "immediate family member" means a spouse, children, parents, and siblings.*

58       **§ 18.2-308.2:2. Criminal history record information check required for the transfer of certain**  
59       **firearms; penalties.**

60       *A. Any person purchasing from a dealer a firearm as herein defined in this section shall consent in*  
61       *writing, on a form to be provided by the Department of State Police, to have the dealer obtain criminal history*  
62       *record information. Such form shall include only the written consent; the name, birth date, gender, race,*  
63       *citizenship, and social security number and/or any other identification number; the number of firearms by*

64 category intended to be sold, rented, traded, or transferred; and answers by the applicant to the following  
65 questions: (i) has the applicant been convicted of a felony offense or a misdemeanor offense listed in  
66 § 18.2-308.1:8 or found guilty or adjudicated delinquent as a juvenile 14 years of age or older at the time of  
67 the offense of a delinquent act that if committed by an adult would be a felony or a misdemeanor listed in  
68 § 18.2-308.1:8; (ii) is the applicant subject to a court order restraining the applicant from harassing, stalking,  
69 or threatening the applicant's child or intimate partner, or a child of such partner, or is the applicant subject to  
70 a protective order; (iii) has the applicant ever been acquitted by reason of insanity and prohibited from  
71 purchasing, possessing, or transporting a firearm pursuant to § 18.2-308.1:1 or any substantially similar law  
72 of any other jurisdiction, been adjudicated legally incompetent, mentally incapacitated, or adjudicated an  
73 incapacitated person and prohibited from purchasing a firearm pursuant to § 18.2-308.1:2 or any substantially  
74 similar law of any other jurisdiction, been involuntarily admitted to an inpatient facility or involuntarily  
75 ordered to outpatient mental health treatment and prohibited from purchasing a firearm pursuant to  
76 § 18.2-308.1:3 or any substantially similar law of any other jurisdiction, or been the subject of a temporary  
77 detention order pursuant to § 37.2-809 and subsequently agreed to a voluntary admission pursuant to  
78 § 37.2-805; and (iv) is the applicant subject to an emergency substantial risk order or a substantial risk order  
79 entered pursuant to § 19.2-152.13 or 19.2-152.14 and prohibited from purchasing, possessing, or transporting  
80 a firearm pursuant to § 18.2-308.1:6 or any substantially similar law of any other jurisdiction.

81 B. 1. No dealer shall sell, rent, trade, or transfer from his inventory any such firearm to any other person  
82 who is a resident of Virginia until he has (i) obtained written consent and the other information on the consent  
83 form specified in subsection A, and provided the Department of State Police with the name, birth date,  
84 gender, race, citizenship, and social security and/or any other identification number and the number of  
85 firearms by category intended to be sold, rented, traded, or transferred and (ii) requested criminal history  
86 record information by a telephone call to or other communication authorized by the State Police and is  
87 authorized by subdivision 2 to complete the sale or other such transfer. To establish personal identification  
88 and residence in Virginia for purposes of this section, a dealer must require any prospective purchaser to  
89 present one photo-identification form issued by a governmental agency of the Commonwealth or by the  
90 United States Department of Defense or a special identification card without a photograph issued pursuant to  
91 § 46.2-345.2 that demonstrates that the prospective purchaser resides in Virginia. For the purposes of this  
92 section and establishment of residency for firearm purchase, residency of a member of the armed forces shall  
93 include both the state in which the member's permanent duty post is located and any nearby state in which the  
94 member resides and from which he commutes to the permanent duty post. A member of the armed forces

95 whose photo identification issued by the Department of Defense does not have a Virginia address may  
96 establish his Virginia residency with such photo identification and either permanent orders assigning the  
97 purchaser to a duty post, including the Pentagon, in Virginia or the purchaser's Leave and Earnings  
98 Statement. When the identification presented to a dealer by the prospective purchaser is a driver's license or  
99 other photo identification issued by the Department of Motor Vehicles or a special identification card without  
100 a photograph issued pursuant to § 46.2-345.2, and such identification form or card contains a date of issue,  
101 the dealer shall not, except for a renewed driver's license or other photo identification issued by the  
102 Department of Motor Vehicles or a renewed special identification card without a photograph issued pursuant  
103 to § 46.2-345.2, sell or otherwise transfer a firearm to the prospective purchaser until 30 days after the date of  
104 issue of an original or duplicate driver's license or special identification card without a photograph unless the  
105 prospective purchaser also presents a copy of his Virginia Department of Motor Vehicles driver's record  
106 showing that the original date of issue of the driver's license was more than 30 days prior to the attempted  
107 purchase.

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

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

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

121 3. Except as required by subsection D of § 9.1-132, the State Police shall not maintain records longer than  
122 30 days, except for multiple handgun transactions for which records shall be maintained for 12 months, from  
123 any dealer's request for a criminal history record information check pertaining to a buyer or transferee who is  
124 not found to be prohibited from possessing and transporting a firearm under state or federal law. However,

125 the log on requests made may be maintained for a period of 12 months, and such log shall consist of the name  
126 of the purchaser, the dealer identification number, the unique approval number, and the transaction date.

127 4. On the last day of the week following the sale or transfer of any firearm, the dealer shall mail or deliver  
128 the written consent form required by subsection A to the Department of State Police. The State Police shall  
129 immediately initiate a search of all available criminal history record information to determine if the purchaser  
130 is prohibited from possessing or transporting a firearm under state or federal law. If the search discloses  
131 information indicating that the buyer or transferee is so prohibited from possessing or transporting a firearm,  
132 the State Police shall inform the chief law-enforcement officer in the jurisdiction where the sale or transfer  
133 occurred and the dealer without delay.

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

139 6. For the purposes of this subsection, the phrase "dealer's fifth business day" does not include December  
140 25.

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

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

155 of Criminal Justice Services and that corroborates that the prospective purchaser currently resides in Virginia.

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

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

164 F. For purposes of this section:

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

167 "Antique firearm" means:

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

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

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

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

181 "Assault firearm" means ~~any~~:

182 1. A semi-automatic center-fire rifle ~~or pistol~~ that expels single or multiple projectiles by action of an  
183 explosion of a combustible material ~~and is equipped at the time of the offense with a magazine that will hold~~  
184 ~~more than 20 rounds of ammunition or designed by the manufacturer to accommodate a silencer or equipped~~

185 with a folding stock or (b) with a fixed magazine capacity in excess of 15 rounds;

186 2. A semi-automatic center-fire rifle that expels single or multiple projectiles by action of an explosion of a  
187 combustible material that has the ability to accept a detachable magazine and has one of the following  
188 characteristics: (i) a folding, telescoping, or collapsible stock; (ii) a thumbhole stock or a pistol grip that  
189 protrudes conspicuously beneath the action of the rifle; (iii) a second handgrip or a protruding grip that can  
190 be held by the non-trigger hand; (iv) a grenade launcher; or (v) a threaded barrel capable of accepting (a) a  
191 sound suppressor, (b) a flash suppressor, (c) a muzzle brake, or (d) a muzzle compensator;

192 3. A semi-automatic shotgun that expels single or multiple projectiles by action of an explosion of a  
193 combustible material that has one of the following characteristics: (i) a folding, telescoping, or collapsible  
194 stock; (ii) a thumbhole stock or a pistol grip that protrudes conspicuously beneath the action of the shotgun;  
195 (iii) the ability to accept a detachable magazine; or (iv) a fixed magazine capacity in excess of seven rounds  
196 or a revolving cylinder;

197 4. A shotgun with a magazine that will hold more than seven rounds of the longest ammunition for which it is  
198 chambered ~~on or about his person on any public street, road, alley, sidewalk, public right-of-way, or in any~~  
199 ~~public park or any other place of whatever nature that is open to the public in the Cities of Alexandria,~~  
200 ~~Chesapeake, Fairfax, Falls Church, Newport News, Norfolk, Richmond, or Virginia Beach or in the Counties~~  
201 ~~of Arlington, Fairfax, Henrico, Loudoun, or Prince William;~~

202 5. A firearm that has the capacity to accept a belt ammunition feeding device; or

203 6. A firearm that has been modified to be operable as an assault firearm as described in subdivisions 1  
204 through 4.

205 An "assault firearm" does not include any firearm that is an antique firearm, has been rendered  
206 permanently inoperable, or is manually operated by bolt, pump, lever, or slide action.

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

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

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

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

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

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

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

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

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

232        H. The provisions of this section shall not apply to (i) transactions between persons who are licensed as  
233        firearms importers or collectors, manufacturers or dealers pursuant to 18 U.S.C. § 921 et seq.; (ii) purchases  
234        by or sales to any law-enforcement officer or agent of the United States, the Commonwealth or any local  
235        government, or any campus police officer appointed under Article 3 (§ 23.1-809 et seq.) of Chapter 8 of Title  
236        23.1; or (iii) antique firearms or curios or relics.

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

242        J. All licensed firearms dealers shall collect a fee of \$2 for every transaction for which a criminal history  
243        record information check is required pursuant to this section, except that a fee of \$5 shall be collected for

244 every transaction involving an out-of-state resident. Such fee shall be transmitted to the Department of State  
245 Police by the last day of the month following the sale for deposit in a special fund for use by the State Police  
246 to offset the cost of conducting criminal history record information checks under the provisions of this  
247 section.

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

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

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

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

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

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

273 P. All driver's licenses issued on or after July 1, 1994, shall carry a letter designation indicating whether

274 the driver's license is an original, duplicate, or renewed driver's license.

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

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

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

298 Upon being satisfied that these requirements have been met, the Department of State Police shall  
299 immediately issue to the applicant a nontransferable certificate, which shall be valid for seven days from the  
300 date of issue. The certificate shall be surrendered to the dealer by the prospective purchaser prior to the  
301 consummation of such sale and shall be kept on file at the dealer's place of business for inspection as  
302 provided in § 54.1-4201 for a period of not less than two years. Upon request of any local law-enforcement  
303 agency, and pursuant to its regulations, the Department of State Police may certify such local  
304 law-enforcement agency to serve as its agent to receive applications and, upon authorization by the

305 Department of State Police, issue certificates immediately pursuant to this subdivision. Applications and  
306 certificates issued under this subdivision shall be maintained as records as provided in subdivision B 3. The  
307 Department of State Police shall make available to local law-enforcement agencies all records concerning  
308 certificates issued pursuant to this subdivision and all records provided for in subdivision B 3.

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

- 310 a. A law-enforcement agency;
- 311 b. An agency duly authorized to perform law-enforcement duties;
- 312 c. A state or local correctional facility;
- 313 d. A private security company licensed to do business within the Commonwealth;
- 314 e. The purchase of antique firearms;

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

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

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

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

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

338       **§ 18.2-308.7. Possession or transportation of certain firearms by persons under the age of 18; penalty.**

340       It shall be is unlawful for any person under 18 years of age to knowingly and intentionally possess or  
341       transport a handgun or assault firearm *as those terms are defined in § 18.2-308.2:2* anywhere in the  
342       Commonwealth. ~~For the purposes of this section, "handgun" means any pistol or revolver or other firearm~~  
343       *originally designed, made and intended to fire single or multiple projectiles by means of an explosion of a*  
344       *combustible material from one or more barrels when held in one hand and "assault firearm" means any (i)*  
345       *semi-automatic centerfire rifle or pistol which expels single or multiple projectiles by action of an explosion*  
346       *of a combustible material and is equipped at the time of the offense with a magazine which will hold more*  
347       *than 20 rounds of ammunition or designed by the manufacturer to accommodate a silencer or equipped with a*  
348       *folding stock or (ii) shotgun with a magazine which will hold more than seven rounds of the longest*  
349       *ammunition for which it is chambered.* A violation of this section shall be is a Class 1 misdemeanor.

350       This section shall not apply to:

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

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

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

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

361       **2. 2. That the provisions of this act may result in a net increase in periods of imprisonment or**  
362       **commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary**  
363       **appropriation is \_\_\_\_\_ for periods of imprisonment in state adult correctional facilities; therefore,**

364 **Chapter 725 of the Acts of Assembly of 2025 requires the Virginia Criminal Sentencing Commission to**  
365 **assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the**  
366 **estimated amount of the necessary appropriation is \_\_\_\_\_ for periods of commitment to the custody**  
367 **of the Department of Juvenile Justice.**