26106399D

SENATE BILL NO. 727

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Finance and Appropriations on February 4, 2026)

(Patrons Prior to Substitute—Senators Jones and Ebbin [SB 312])

A BILL to amend and reenact § 18.2-287.4 of the Code of Virginia, relating to carrying assault firearms in public areas prohibited; penalty.

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-287.4 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-287.4. Carrying assault firearms in public areas prohibited; penalty.

It ~~shall be~~ *is* unlawful for any person to carry ~~a loaded (a)~~ *any of the following on or about his person on any public street, road, alley, sidewalk, or public right-of-way or in any public park or any other place of whatever nature that is open to the public:*

1. A semi-automatic center-fire rifle ~~or pistol~~ that expels single or multiple projectiles by action of an explosion of a combustible material ~~and is equipped at the time of the offense with a magazine that will hold more than 20 rounds of ammunition or designed by the manufacturer to accommodate a silencer or equipped with a folding stock or (b)~~ *with a fixed magazine capacity in excess of 15 rounds;*

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

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

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

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

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

The provisions of this section shall not apply to law-enforcement officers~~, licensed security guards,~~ *in the performance of their official duties,* military personnel in the performance of their ~~lawful~~ *official* duties, ~~or any person having a valid concealed handgun permit~~ *any member of a cadet corps who is recognized by a public institution of higher education while such member is in the performance of sanctioned military training or such member is participating in an official ceremonial event for the Commonwealth, any person who may lawfully possess such firearm while in a personal, private motor vehicle or vessel and such firearm is secured in a container or compartment in the vehicle or vessel,* or ~~to~~ any person actually engaged in lawful hunting or lawful recreational shooting activities at an established shooting range or shooting contest.

Any person violating the provisions of this section ~~shall be~~ *is* guilty of a Class 1 misdemeanor.

~~The~~ *Except for the exemption in subdivision C 2 of § 18.2-308, the* exemptions set forth in ~~§§~~ *§* 18.2-308 ~~and 18.2-308.016~~ shall apply, mutatis mutandis, to the provisions of this section.

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