

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 59.1-148.3 of the Code of Virginia, relating to purchase of handguns or other*
 3 *weapons of certain officers; Department of State Police.*

4 [S 86]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 59.1-148.3 of the Code of Virginia is amended and reenacted as follows:**8 **§ 59.1-148.3. Purchase of handguns or other weapons of certain officers.**

9 A. The Department of State Police, the Department of Wildlife Resources, the Virginia Alcoholic
 10 Beverage Control Authority, the Virginia Lottery, the Marine Resources Commission, the Capitol Police, the
 11 Department of Conservation and Recreation, the Department of Forestry, any sheriff, any regional jail board
 12 or authority, and any local police department may allow any sworn law-enforcement officer, deputy, or
 13 regional jail officer, a local fire department may allow any full-time sworn fire marshal, the Department of
 14 Motor Vehicles may allow any law-enforcement officer, any institution of higher education named in
 15 § 23.1-1100 may allow any campus police officer appointed pursuant to Article 3 (§ 23.1-809 et seq.) of
 16 Chapter 8 of Title 23.1, retiring on or after July 1, 1991, and the Department of Corrections may allow any
 17 employee with internal investigations authority designated by the Department of Corrections pursuant to
 18 subdivision 11 of § 53.1-10 who retires (i) after at least 10 years of service, (ii) at 70 years of age or older, or
 19 (iii) as a result of a service-incurred disability or who is receiving long-term disability payments for a
 20 service-incurred disability with no expectation of returning to the employment where he incurred the
 21 disability to purchase the service handgun issued or previously issued to him by the agency or institution at a
 22 price of \$1. If the previously issued weapon is no longer available, a weapon of like kind may be substituted
 23 for that weapon. This privilege shall also extend to any former Superintendent of State Police who leaves
 24 service after a minimum of five years. This privilege shall also extend to any person listed in this subsection
 25 who is eligible for retirement with at least 10 years of service who resigns on or after July 1, 1991, in good
 26 standing from one of the agencies listed in this section to accept a position covered by the Virginia
 27 Retirement System. Other weapons issued by the agencies listed in this subsection for personal duty use of an
 28 officer may, with approval of the agency head, be sold to the officer subject to the qualifications of this
 29 section at a fair market price determined as in subsection B, so long as the weapon is a type and configuration
 30 that can be purchased at a regular hardware or sporting goods store by a private citizen without restrictions
 31 other than the instant background check.

32 B. The agencies listed in subsection A may allow any sworn law-enforcement officer who retires with five
 33 or more years of service, but less than 10, to purchase the service handgun issued to him by the agency at a
 34 price equivalent to the weapon's fair market value on the date of the officer's retirement. Any sworn law-
 35 enforcement officer employed by any of the agencies listed in subsection A who is retired for disability as a
 36 result of a nonservice-incurred disability may purchase the service handgun issued to him by the agency at a
 37 price equivalent to the weapon's fair market value on the date of the officer's retirement. Determinations of
 38 fair market value may be made by reference to a recognized pricing guide.

39 C. The agencies listed in subsection A may allow the immediate survivor of any sworn law-enforcement
 40 officer (i) who is killed in the line of duty or (ii) who dies in service and has at least 10 years of service to
 41 purchase the service handgun issued to the officer by the agency at a price of \$1.

42 D. The governing board of any institution of higher learning named in § 23.1-1100 may allow any campus
 43 police officer appointed pursuant to Article 3 (§ 23.1-809 et seq.) of Chapter 8 of Title 23.1 who retires on or
 44 after July 1, 1991, to purchase the service handgun issued to him at a price equivalent to the weapon's fair
 45 market value on the date of the officer's retirement. Determinations of fair market value may be made by
 46 reference to a recognized pricing guide.

47 E. Any officer who at the time of his retirement is a sworn law-enforcement officer with a state agency
 48 listed in subsection A, when the agency allows purchases of service handguns, and who retires after 10 years
 49 of state service, even if a portion of his service was with another state agency, may purchase the service
 50 handgun issued to him by the agency from which he retires at a price of \$1.

51 F. The sheriff of Hanover County may allow any auxiliary or volunteer deputy sheriff with a minimum of
 52 10 years of service, upon leaving office, to purchase for \$1 the service handgun issued to him.

53 G. Any sheriff or local police department may allow any auxiliary law-enforcement officer with more
 54 than 10 years of service to purchase the service handgun issued to him by the agency at a price that is
 55 equivalent to or less than the weapon's fair market value on the date of purchase by the officer.

56 H. The agencies listed in subsection A may allow any full-time sworn law-enforcement officer currently

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57 employed by the agency to purchase his service handgun, with the approval of the chief law-enforcement
58 officer of the agency, at a fair market price. This subsection shall only apply when the agency has purchased
59 new service handguns for its officers, and the handgun subject to the sale is no longer used by the agency or
60 officer in the course of duty.

61 I. The Department of State Police may allow any law-enforcement officer formerly employed by the
62 Department who had at least 10 years of service with the Department and has been elected to a constitutional
63 office to purchase his service handgun, with the approval of the Superintendent of State Police, at a fair
64 market price.

65 *J. The Department of State Police may allow the immediate survivor of any law-enforcement officer who*
66 *had at least 10 years of service with the Department and who died while receiving long-term disability*
67 *payments to purchase the service handgun previously issued to the officer, with the approval of the*
68 *Superintendent of State Police, at a price of \$1.*