

26108805D

SENATE BILL NO. 643
 AMENDMENT IN THE NATURE OF A SUBSTITUTE
 (Proposed by the House Committee on Public Safety
 on _____)

(Patrons Prior to Substitute—Senators Surovell and Carroll Foy [SB 797])

A *BILL to amend and reenact § 18.2-308.7 of the Code of Virginia, relating to possession or transportation of certain firearms by certain persons; penalty.*

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-308.7 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-308.7. Possession or transportation of certain firearms by certain persons; penalty.

A. For the purposes of this section:

"Assault firearm" means any (i) semi-automatic centerfire 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 (ii) shotgun with a magazine that will hold more than seven rounds of the longest ammunition for which it is chambered.

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

B. It shall be unlawful for any person under younger than 18 years of age to knowingly and intentionally possess or transport a handgun or assault firearm anywhere in the Commonwealth. For the purposes of this section, "handgun" means any pistol or revolver or other firearm originally designed, made and intended to fire single or multiple projectiles by means of an explosion of a combustible material from one or more barrels when held in one hand and "assault firearm" means any (i) semi-automatic centerfire rifle or pistol which 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 which will hold more than 20 rounds of ammunition or designed by the manufacturer to accommodate a silencer or equipped with a folding stock or (ii) shotgun with a magazine which will hold more than seven rounds of the longest ammunition for which it is chambered. A violation of this section shall be a Class 1 misdemeanor.

C. It is unlawful for any person younger than 21 years of age to knowingly and intentionally purchase a handgun or assault firearm anywhere in the Commonwealth.

D. A violation of this section is a Class 1 misdemeanor.

E. This section shall not apply to:

1. Any person (i) while in his home or on his property; (ii) while in a resident of the home or on the property of his parent, grandparent, or legal guardian, provided that such weapon was used during the course of a lawful act of self-defense or defense of another person; or (iii) while on the property of another who has provided prior permission; and with the prior permission of his parent or legal guardian if the person has the landowner's written permission on his person while on such property;

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

3. Any person who, while accompanied by an adult, is actually engaged in lawful hunting or going to and from a hunting area or preserve; provided that the weapons are unloaded while being transported; and

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

5. Any cadet who is participating in training, competitive, or ceremonial activities as a member of the Corps of Cadets or the Reserve Officers' Training Corps at a public institution of higher education; and

6. Any active duty law-enforcement officer in the course of their duties or an active participant in a Trooper Basic Academy Session administered by the Virginia State Police.

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 is _____ 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 is _____ for periods of commitment to the custody of the Department of Juvenile Justice.

HOUSE SUBSTITUTE

SB643HC1