

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact §§ 18.2-308.02 and 18.2-308.06 of the Code of Virginia, relating to concealed*
 3 *handgun permit; demonstrated competence.*

4 [H 916]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That §§ 18.2-308.02 and 18.2-308.06 of the Code of Virginia are amended and reenacted as follows:**8 **§ 18.2-308.02. Application for a concealed handgun permit; Virginia resident or domiciliary.**

9 A. Any person 21 years of age or older may apply in writing to the clerk of the circuit court of the county
 10 or city in which he resides, or if he is a member of the United States Armed Forces and stationed outside the
 11 Commonwealth, the county or city in which he is domiciled, for a five-year permit to carry a concealed
 12 handgun. There shall be no requirement regarding the length of time an applicant has been a resident or
 13 domiciliary of the county or city. The application shall be on a form prescribed by the Department of State
 14 Police, in consultation with the Supreme Court, requiring only that information necessary to determine
 15 eligibility for the permit. Additionally, the application shall request but not require that the applicant provide
 16 an email or other electronic address where a notice of permit expiration can be sent pursuant to subsection C
 17 of § 18.2-308.010. The applicant shall present one valid form of photo identification issued by a
 18 governmental agency of the Commonwealth or by the U.S. Department of Defense or U.S. State Department
 19 (passport). No information or documentation other than that which is allowed on the application in
 20 accordance with this section may be requested or required by the clerk or the court.

21 B. The court shall require proof that the applicant has demonstrated competence with a handgun in person
 22 and the applicant may demonstrate such competence by one of the following, but no applicant shall be
 23 required to submit to any additional demonstration of competence, nor shall any proof of demonstrated
 24 competence expire:

25 1. Completing any hunter education or hunter safety course approved by the Department of Wildlife
 26 Resources or a similar agency of another state;

27 2. Completing ~~any National Rifle Association~~ *a handgun shooting class or United States Concealed Carry*
 28 ~~Association firearms safety or training~~ *course that teaches (i) efficient, effective, and responsible use of a*
 29 *concealed handgun for self-defense outside the home; (ii) state laws pertaining to handguns; and (iii) proper*
 30 *handgun storage techniques;*

31 3. Completing any firearms safety or training course or class available to the general public offered by a
 32 law-enforcement agency, institution of higher education, or private or public institution or organization or
 33 firearms training school utilizing instructors certified by the National Rifle Association, the United States
 34 Concealed Carry Association, or the Department of Criminal Justice Services;

35 4. Completing any law-enforcement firearms safety or training course or class offered for security guards,
 36 investigators, special deputies, or any division or subdivision of law enforcement or security enforcement;

37 5. Presenting evidence of equivalent experience with a firearm through participation in organized shooting
 38 competition or current military service or proof of an honorable discharge from any branch of the armed
 39 services;

40 6. Obtaining or previously having held a license to carry a firearm in the Commonwealth or a locality
 41 thereof, unless such license has been revoked for cause;

42 7. Completing any in-person firearms training or safety course or class conducted by a state-certified,
 43 National Rifle Association-certified, or United States Concealed Carry Association-certified firearms
 44 instructor;

45 8. Completing any governmental police agency firearms training course and qualifying to carry a firearm
 46 in the course of normal police duties; or

47 9. Completing any other firearms training that the court deems adequate.

48 A photocopy of a certificate of completion of any of the courses or classes; an affidavit from the
 49 instructor, school, club, organization, or group that conducted or taught such course or class attesting to the
 50 completion of the course or class by the applicant; or a copy of any document that shows completion of the
 51 course or class or evidences participation in firearms competition shall constitute evidence of qualification
 52 under this subsection.

53 C. The making of a materially false statement in an application under this article shall constitute perjury,
 54 punishable as provided in § 18.2-434.

55 D. The clerk of court shall withhold from public disclosure the applicant's name and any other information
 56 contained in a permit application or any order issuing a concealed handgun permit, except that such

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57 information shall not be withheld from any law-enforcement officer acting in the performance of his official
 58 duties or from the applicant with respect to his own information. The prohibition on public disclosure of
 59 information under this subsection shall not apply to any reference to the issuance of a concealed handgun
 60 permit in any order book before July 1, 2008; however, any other concealed handgun records maintained by
 61 the clerk shall be withheld from public disclosure.

62 E. An application is deemed complete when all information required to be furnished by the applicant,
 63 including the fee for a concealed handgun permit as set forth in § 18.2-308.03, is delivered to and received by
 64 the clerk of court before or concomitant with the conduct of a state or national criminal history records check.

65 F. For purposes of this section, a member of the United States Armed Forces is domiciled in the county or
 66 city where such member claims his home of record with the United States Armed Forces.

67 **§ 18.2-308.06. Nonresident concealed handgun permits.**

68 A. Nonresidents of the Commonwealth 21 years of age or older may apply in writing to the Virginia
 69 Department of State Police for a five-year permit to carry a concealed handgun. The applicant shall submit a
 70 photocopy of one valid form of photo identification issued by a governmental agency of the applicant's state
 71 of residency or by the U.S. Department of Defense or U.S. State Department (passport). Every applicant for a
 72 nonresident concealed handgun permit shall also submit two photographs of a type and kind specified by the
 73 Department of State Police for inclusion on the permit and shall submit fingerprints on a card provided by the
 74 Department of State Police for the purpose of obtaining the applicant's state or national criminal history
 75 record. As a condition for issuance of a concealed handgun permit, the applicant shall submit to
 76 fingerprinting by his local or state law-enforcement agency and provide personal descriptive information to
 77 be forwarded with the fingerprints through the Central Criminal Records Exchange to the U.S. Federal
 78 Bureau of Investigation for the purpose of obtaining criminal history record information regarding the
 79 applicant and obtaining fingerprint identification information from federal records pursuant to criminal
 80 investigations by state and local law-enforcement agencies. The application shall be on a form provided by
 81 the Department of State Police, requiring only that information necessary to determine eligibility for the
 82 permit. If the permittee is later found by the Department of State Police to be disqualified, the permit shall be
 83 revoked and the person shall return the permit after being so notified by the Department of State Police. The
 84 permit requirement and restriction provisions of subsection C of § 18.2-308.02 and § 18.2-308.09 shall apply,
 85 mutatis mutandis, to the provisions of this subsection.

86 B. The applicant shall demonstrate competence with a handgun in person by one of the following:

87 1. Completing a hunter education or hunter safety course approved by the Virginia Department of Wildlife
 88 Resources or a similar agency of another state;

89 2. Completing ~~any National Rifle Association~~ *a handgun shooting class* or ~~United States Concealed Carry~~
 90 ~~Association firearms safety or training~~ *course that teaches (i) efficient, effective, and responsible use of a*
 91 *concealed handgun for self-defense outside the home; (ii) state laws pertaining to handguns; and (iii) proper*
 92 *handgun storage techniques;*

93 3. Completing any firearms safety or training course or class available to the general public offered by a
 94 law-enforcement agency, institution of higher education, or private or public institution or organization or
 95 firearms training school utilizing instructors certified by the National Rifle Association, the United States
 96 Concealed Carry Association, or the Department of Criminal Justice Services or a similar agency of another
 97 state;

98 4. Completing any law-enforcement firearms safety or training course or class offered for security guards,
 99 investigators, special deputies, or any division or subdivision of law enforcement or security enforcement;

100 5. Presenting evidence of equivalent experience with a firearm through participation in organized shooting
 101 competition approved by the Department of State Police or current military service or proof of an honorable
 102 discharge from any branch of the armed services;

103 6. Obtaining or previously having held a license to carry a firearm in the Commonwealth or a locality
 104 thereof, unless such license has been revoked for cause;

105 7. Completing any in-person firearms training or safety course or class conducted by a state-certified,
 106 National Rifle Association-certified, or United States Concealed Carry Association-certified firearms
 107 instructor;

108 8. Completing any governmental police agency firearms training course and qualifying to carry a firearm
 109 in the course of normal police duties; or

110 9. Completing any other firearms training that the Virginia Department of State Police deems adequate.

111 A photocopy of a certificate of completion of any such course or class; an affidavit from the instructor,
 112 school, club, organization, or group that conducted or taught such course or class attesting to the completion
 113 of the course or class by the applicant; or a copy of any document that shows completion of the course or
 114 class or evidences participation in firearms competition shall satisfy the requirement for demonstration of
 115 competence with a handgun.

116 C. The Department of State Police may charge a fee not to exceed \$100 to cover the cost of the
 117 background check and issuance of the permit. Any fees collected shall be deposited in a special account to be
 118 used to offset the costs of administering the nonresident concealed handgun permit program.

119 D. The permit to carry a concealed handgun shall contain only the following information: name, address,
120 date of birth, gender, height, weight, color of hair, color of eyes, and photograph of the permittee; the
121 signature of the Superintendent of the Virginia Department of State Police or his designee; the date of
122 issuance; and the expiration date.

123 E. The Superintendent of the State Police shall promulgate regulations, pursuant to the Administrative
124 Process Act (§ 2.2-4000 et seq.), for the implementation of an application process for obtaining a nonresident
125 concealed handgun permit.

126 **2. That the provisions of this act shall not become effective unless reenacted by the 2027 Session of the**
127 **General Assembly.**

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