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VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend the Code of Virginia by adding a section numbered 18.2-308.7:1, relating to storage of firearms in a residence where a minor or person prohibited from possessing a firearm is present; penalty.

[S 348]

Approved

Be it enacted by the General Assembly of Virginia:
1. That the Code of Virginia is amended by adding a section numbered 18.2-308.7:1 as follows:

§ 18.2-308.7:1. Storage of firearms; penalty.

A. For purposes of this section:

"Firearm" means the same as that term is defined in § 18.2-308.2:2.

"Minor" means an individual younger than 18 years of age who is not authorized to use or possess a firearm under § 18.2-308.7.

B. Any person who possesses a firearm in a residence where such person knows that a minor or a person who is prohibited by law from possessing a firearm is present shall store such firearm in a locked container, compartment, or cabinet that is inaccessible to such minor or prohibited person, or shall render such firearm incapable of being fired by use of a gun locking device appropriate to that firearm and specific to this purpose. A firearm may be stored loaded, provided that (i) such firearm is stored in a storage device with a combination lock, coded lock, or biometric lock and (ii) no minor or prohibited person is an authorized user for the lock of such storage device. Any person who violates this section is guilty of a Class 2 misdemeanor.

C. The provisions of this section shall not apply to (i) any person in lawful possession of a firearm who is carrying such firearm on his person or (ii) the storage of any antique firearm as defined in § 18.2-308.2:2.

D. Nothing in this section shall be construed as preventing any person from lawfully authorizing a minor to access a firearm in accordance with § 18.2-56.2.

E. Every dealer, as defined in § 18.2-308.2:2, shall post in a conspicuous manner at the premises of such dealer a notice stating: "Any person who possesses a firearm in a residence where such person knows that a minor or a person who is prohibited by law from possessing a firearm is present shall store such firearm in a locked container, compartment, or cabinet that is inaccessible to such minor or prohibited person, or shall render such firearm incapable of being fired by use of a gun locking device appropriate to that firearm and specific to this purpose. A violation of this law is a Class 2 misdemeanor."