



2007 Update • Changes to Edition 6

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KEY: Page Affected (“D” = Appendix D) • Statutes affected • Bill number • Session-law chapter.

23, 84 • §§18.2-57.02, 18.2-283.1, 18.2-287.01, 18.2-308.1, 18.2-308.2, 19.2-386.28, 19.2-386.29 • HB 2853 • Ch.519

Eliminates references to tasers (which is a product trade name) throughout the Code of Virginia, and amends the definition of a “stun weapon” to mean any device that emits a momentary or pulsed output, which is electrical, audible, optical or electromagnetic in nature, and which is designed to temporarily incapacitate a person. Previously, statutes differentiated between this type of mechanism and a taser, which was defined as emitting a shock through the use of a projectile.

36 • §18.2-308.2:2 • HB2653 • Ch.509

Makes it a Class 6 felony for any person, except a Virginia or federal law-enforcement officer in the performance of official duties or other person under the direct supervision of the law-enforcement officer, to attempt to solicit or otherwise entice a firearms dealer to transfer or otherwise convey a firearm other than to an actual buyer. A person who willfully and intentionally aids or abets a person violating this provision is likewise guilty of a Class 6 felony. Adds a definition of *actual buyer* as the person who signs the required consent form from the Dept. of State Police or other firearm form required by federal law. Designed to prevent government abuses such as NYC Mayor Blumberg’s illegal straw-purchase entrapment schemes perpetrated in Virginia.

57 • §18.2-308 • HB2413 • Ch.408

Provides that a retired law-enforcement officer (RLEO), who has been issued proof of consultation and review to carry a concealed handgun, can annually participate (at the officer’s expense), in the same firearms training required for active duty law-enforcement officers in the state. The federal Law Enforcement Officers Safety Act (HR218, now 18 USC §926B&C) requires that, in order to carry a concealed handgun anywhere in the U.S., an RLEO must meet the state’s law-enforcement training standards. If an RLEO meets the standards, the chief law-enforcement officer must issue a certification, valid for one year, indicating authority to carry a firearm.

62 • §15.2-915.3 • HB2106 • Ch.272

Clarifies that a locality may only require a CHP applicant to submit fingerprints when applying for a new permit, and not when renewing the permit.

131 • §29.1-528 • HB2308 • Ch.642

Requires the Board of Game and Inland Fisheries to develop, by regulation, model ordinances for hunting with firearms. The rules developed by the Board are to address such items as firearm caliber, the type of firearm, and the type of ammunition to be used. A county or city may adopt any of the model ordinances developed by the Board.

131 • §29.1-519 • HB2309 • Ch.643

Authorizes the Board of Game and Inland Fisheries to change the shotgun shell capacity through regulations, and allows the hours a person can hunt with a pistol, muzzle-loading pistol or revolver to be the same as hunting with other weapons.

132 • §15.2-1209.1 • HB2547 • Ch.203

Grants power to counties to ban possession of loaded firearms for hunting, while standing or walking on public highways, unless the person is authorized to hunt on private property on both sides of the highway. Clarifies that counties cannot regulate possession of loaded firearms in moving vehicles for purposes other than hunting (which some had attempted to do to deny CHPs their rights).

D • §18.2-287.4, §59.1-148.3 • HB 2928 • Ch.0813

Localities that had been identified by their population sizes are now identified by name.

D • §16.1-278.9 • SB1236 • Ch.731

Punishment for certain juvenile offenses. Clarifies that a judge may impose all penalties allowable by law for juveniles found delinquent of offenses that require the loss of driving privileges as set forth in §16.1-278.9.

D • §18.2-31 • SB1116 • Ch.846

Makes the willful, deliberate and premeditated killing of a judge or justice when the killing is for the purpose of interfering with the judge’s official duties punishable as capital murder, a Class 1 felony, and that the willful, deliberate and premeditated killing of any witness under subpoena in a criminal case when the killing is for the purpose of interfering with the person’s duties in such case is also capital murder.

D • §18.2-31 • HB 2750 • Ch.845

Provides that the willful, deliberate and premeditated killing of a judge or justice when the killing is for the purpose of interfering with his official duties is punishable as capital murder, a Class 1 felony.

D • §18.2-46.1 • HB 2524 • Ch.499

Adds “felony involving the use of a firearm or other weapon” to the list of crimes that qualify as predicate criminal acts necessary for criminal gang member status, which results in enhanced penalties for certain other crimes.

D • §18.2-136 • HB 2531 • Ch.658 (SB884 • Ch.145)

A hunter who goes on prohibited lands to retrieve hunting dogs and willfully refuses to provide identification when requested to do so by the landowner is guilty of a Class 4 misdemeanor.

D • §18.2-308 • HB1988 • Ch.455

Allows Virginia State Police officers to carry a concealed weapon while called to active duty with the reserve forces of the United States military. Such officers would be issued written proof of consultation and favorable review of the need to carry a concealed handgun that would serve as a concealed handgun permit while the officer is on active duty. The issuance of the proof of consultation and favorable review shall be entered into the Virginia Criminal Information Network. The system is modeled on the process used to allow retired law-enforcement officers to carry concealed weapons without a concealed handgun permit.

D • §3.1-1029 through 65.2-402.1 • HB1867 • Ch.87

Replaces the term *game warden* with *conservation police officer* throughout the Code of Virginia.

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