

HOUSE BILL NO. 2319

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Public Safety

on January 29, 2021)

(Patron Prior to Substitute--Delegate Guzman)

A BILL to amend the Code of Virginia by adding a section numbered 18.2-308.2:02, relating to allowing access to firearms; cohabitants; civil penalty.

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding a section numbered 18.2-308.2:02 as follows:**

**§ 18.2-308.2:02. Allowing access to firearms; cohabitants; civil penalty.**

A. It is unlawful for any individual who resides or cohabitates with any person who such individual knows or has reason to believe is prohibited from possessing or transporting a firearm pursuant to § 18.2-308.2 to allow such person access to any firearm. Any individual in possession of a firearm as defined in § 18.2-308.2:2 shall store such firearm in a manner that is inaccessible to such co-resident prohibited from possessing or transporting a firearm, including storing such firearm locked, unloaded, or disassembled. If an individual violates any provision of this section and such co-resident uses such firearm during the commission of a crime, except for any crime committed against such co-habitant, such individual shall be subject to a civil penalty of not more than \$500.

B. Notwithstanding any other provision of law, any resident in lawful possession of a firearm as defined in § 18.2-308.2:2 who carries such firearm on or about his person or exercises control of such firearm shall not be deemed in violation of this section.

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