

HOUSE BILL NO. 861

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Public Safety

on _____)

(Patron Prior to Substitute--Delegate Hernandez)

A BILL to amend the Code of Virginia by adding a section numbered 18.2-283.3, relating to weapons; possession or transportation; hospital that provides mental health services or developmental services; penalty.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 18.2-283.3 as follows:

§ 18.2-283.3. Carrying weapon into a hospital that provides mental health services or developmental services prohibited; penalty.

A. As used in this section:

"Developmental services" means the same as that term is defined in § 37.2-100.

"Hospital" means a public or private institution licensed pursuant to Chapter 5 (§ 32.1-123 et seq.) of Title 32.1 or Article 2 (§ 37.2-403 et seq.) of Chapter 4 of Title 37.2.

"Mental health services" means the same as that term is defined in § 37.2-100.

B. It is unlawful for any person to knowingly possess in or transport into the building of any hospital that provides mental health services or developmental services in the Commonwealth, including an emergency department or other facility rendering emergency medical care, any (i) firearm or other weapon designed or intended to propel a missile or projectile of any kind; (ii) knife, except a pocket knife having a folding metal blade of less than three inches; or (iii) other dangerous weapon, including explosives and stun weapons as defined in § 18.2-308.1. Any such firearm, knife, explosive, or weapon shall be subject to seizure by a law-enforcement officer and forfeited to the Commonwealth and disposed of as provided in § 19.2-386.28. A violation of this subsection is punishable as a Class 1 misdemeanor.

