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VCDL Firearm Bill Analysis for the 2026 General Assembly Session January 19, 2026

PRELIMINARY

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Table of Contents

Bills That VCDL <u>Strongly</u> Supports	3
Bills That VCDL Supports	5
Bills That VCDL <u>Strongly</u> Opposes	7
Bills That VCDL Opposes	13
Bills On Which VCDL is Neutral.....	15

Bills That VCDL Strongly Supports

SB 78, Senator Diggs, raises the mandatory minimum sentence for a repeat violent predator who uses a firearm in commission of a violent crime from 5 years to 10 years. *Locking repeat violent offenders away from the public for extended periods of time will lower violent crime rates.*

SB 79, Senator Diggs, exempts highway rest areas from the state agency gun ban. *Rest areas are not even remotely considered a “sensitive government building.” Rest areas are open to the public 24/7 and have no assigned security guards. Only two other states, Illinois and New York have a ban in rest areas. Since this gun ban on rest areas has been in place, 4 people were shot in a rest area on I-81: <https://www.foxnews.com/us/virginia-rest-stop-shooting-hospital-suspect-found-dead-police>. People have been stabbed at rest stops: <https://www.13newsnow.com/article/news/crime/sheriff-17-year-old-stabbed-at-virginia-rest-stop/291-504255229> and <https://patch.com/virginia/manassas/suicide-linked-manassas-rest-area-stabbing-state-police>. According to the website used by the Virginia State Police for criminal statistics, <https://va.beyond2020.com/>, there were 66 rest area crimes in 2020, 57 in 2021, 82 in 2022, 69 in 2023, and 60 in 2024. Those crimes include aggravated assault, negligent manslaughter, kidnapping/abduction, forceable rape, forceable sodomy, and forceable fondling.*

HB 101, Delegate Ballard, eliminates the requirement that a concealed handgun permit be requested in writing, allowing for other methods of applying for a permit. *This moves the law into the 21st century, where all kinds of legal document can be submitted online.*

HB 106, Delegate Ballard, lowers the maximum concealed handgun permit fee from \$50 to \$25, by lowering the maximum local law-enforcement can charge for the background check from \$35 to \$10. *Originally the maximum permit fee was set at \$50, which included approximately \$25 to go to the FBI for fingerprinting applicants. In 2012 the General Assembly repealed the fingerprinting requirement but never got around to reducing the maximum permit fee accordingly. Clearly this change is long overdue. Background checks are now quick and easy for most applicants, causing many sheriffs in Virginia to do the background checks for free. \$10 should more than cover the costs of the background check.*

HB 540, Delegate Hamilton, exempts a woman who is a current victim of family abuse and has a protective order against a family or household member from some carry-prohibited areas, including local government buildings, parks and permitted events; Capitol Square and other state government buildings; non-secure areas of airport terminals; and polling places. Such a person is not required to have a concealed carry permit to carry concealed. *Women who are protected by this bill are often in extreme danger, with family or household members knowing where they work and their habits. If the woman doesn't already have a concealed handgun permit, going through all the steps and delays with getting one could be fatal.*

HB 623, Delegate Cherry, allows Commonwealth Attorneys, or anyone who notifies the Commonwealth Attorney, to petition a court for the return of confiscated weapons.

HB 691, Delegate Zehr, repeal language that allows localities to prohibit firearms in parks and at permitted, or should have been permitted, events. *A court has ruled that such gun bans are unconstitutional in a lawsuit against the City of Winchester.*

Bills That VCDL Strongly Supports (Cont'd)

HB 692, Delegate Zehr, reduces the maximum fee for a resident concealed handgun permit from \$50 to \$25. The reduction comes from reducing what the law enforcement agency running the background check can charge from \$35 to \$10. *The \$50 maximum was originally intended to cover sending \$25 to the FBI for fingerprint processing, which was repealed back in 2012. This bill merely removes the excess funding that is no longer needed for processing a permit. The background checks are now much faster and many localities don't even charge for the background check at all, making their permit fees \$15 total.*

HB 694, Delegate Zehr, allows someone without a concealed handgun permit, but who would qualify for one, to carry a concealed handgun anywhere they could lawfully open carry a handgun. *Twenty-nine states now have Permitless Carry, none have repealed it, and more states are expected to follow suit. Neighboring Kentucky, Tennessee and West Virginia are all Permitless Carry states, with North Carolina expected to do so in the near future.*

HB 696, Delegate Zehr, exempts highway rest areas and ABC stores from the state agency gun ban. *Only two other states, Illinois and New York have a ban in rest areas. Rest areas are open to the public 24 hours a day and have no special security, and do not qualify as a "sensitive government building." ABC stores are retail stores, just like any other retail store, and again, are not a "sensitive government building." Since this gun ban on rest areas has been in place, 4 people were shot in a rest area on I-81: <https://www.foxnews.com/us/virginia-rest-stop-shooting-hospital-suspect-found-dead-police>. People have been stabbed at rest stops: <https://www.13newsnow.com/article/news/crime/sheriff-17-year-old-stabbed-at-virginia-rest-stop/291-504255229> and <https://patch.com/virginia/manassas/suicide-linked-manassas-rest-area-stabbing-state-police>. According to the website used by the Virginia State Police for criminal statistics, <https://va.beyond2020.com/>, there were 66 rest area crimes in 2020, 57 in 2021, 82 in 2022, 69 in 2023, and 60 in 2024. Those crimes include aggravated assault, negligent manslaughter, kidnapping/abduction, forceable rape, forceable sodomy, and forceable fondling.*

HB 1303, Delegate Ware, sets 90 days as the maximum number of days that the Virginia State Police can take when processing a non-resident concealed handgun permit. If the permit has not yet been approved after 90 days, then the permit is issued at that point. If the applicant is later found to be disqualified, the permit is revoked, and the applicant has to return it. *Currently there is no limit and people have had to wait well over 6 to 8 months to get a permit issued! In fact, in June of 2021 the State Police had this on their website: "DUE TO A HIGH VOLUME OF APPLICATIONS, THE CURRENT PROCESSING TIME FOR NONRESIDENT CONCEALED HANDGUN PERMITS IS 5 TO 6 MONTHS." No other state that issues non-resident permits has an unlimited time to do so! The maximum time for other states to issue a non-resident permit runs from 14 days to 90 days. As a reference, residents pay a maximum of \$50 and the permit must be issued in 45 days. The non-resident permit fee is \$100. 90 days is more than sufficient for the State Police to issue a non-resident permit. Currently the State Police are issuing non-resident permits in less than 90 days, but it is important to set some kind of limit.*

Bills That VCDL Supports

NONE AT THIS TIME

Bills That VCDL Supports (Cont'd)

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Bills That VCDL Strongly Opposes

HB 19, Delegate McClure, makes battery in a “dating relationship” a misdemeanor and takes away the right to purchase, possess, or transport a firearm for three years. *Misdemeanors should never take away a civil right.*

HB 21, Delegate Helmer, allows one of the most highly regulated industries, the firearms industry, to be sued civilly for a variety of already illegal actions. It also holds the manufacturers and sellers of even the most benign of firearm accessories, like a butt stock or a gun case, liable to a civil lawsuit if it doesn’t “properly” protect that item from theft or misuse by a criminal. *How could a firearm accessory seller reasonably know if they were selling a gun sling to a prohibited person? Should a car parts store be sued if they sold a seat cover for a car used in a bank robbery? This bill is designed to have a chilling effect on all aspects of the firearms industry.*

HB 24, Delegate Helmer, severely restricts concealed handgun permit recognition with other states. Currently, Virginia honors permits from all other states, which, in turn, allows Virginians to be able to carry in most of those states. Virginia residents may not use a permit from another state to carry in Virginia. They must have a Virginia permit. *Permit holders from other states have been peacefully carrying in Virginia for years. This bill is an unjust and demeaning slap in the face to law-abiding Virginia gun owners, as it will reduce the number of states where a Virginia permit holder can carry a handgun for self-defense. This bill makes Virginians who are traveling less safe! It will also discourage gun owners outside of Virginia from visiting the Commonwealth, affecting the state’s economy. This bill is a solution in search of a problem.*

SB 27, Senator Carroll Foy, allows a highly regulated industry, the firearms industry, to be sued civilly for a variety of already illegal actions. It also holds the manufacturers and sellers of even the most benign of firearm accessories, like a butt stock or a gun case, liable to a civil lawsuit if it doesn’t “properly” protect that item from theft or misuse by a criminal! *How could a firearm accessory seller reasonably know if they were selling a gun sling or a holster to a prohibited person? If an automobile parts store sells a seat cover to a driver who subsequently drives drunk and kills a family, it would make no sense to allow the store and the seat cover manufacturer to be sued. This bill is designed to have a chilling effect on all aspects of the firearms industry and nothing else.*

SB 38, Senator Favola, requires a person with a protective order against them or a person with a domestic violence conviction to surrender, sell, or turn their guns over to someone 21-years-old or older and someone who does not live with them. It requires the person to be advised that if a police officer believes they have not turned over all their guns, that the officer can get a search warrant to look for any such guns. *There are multiple problems with the bill as written. If a husband and wife co-own a shotgun for home defense, for example, and the husband gets a protective order issued against him, the wife would no longer have access to that co-owned shotgun. That punishes the wife and needlessly endangers her life. There is also the question of not allowing a person 18 to 20-years-old to retain the guns. A person in that age range can legally possess rifles, shotguns, and handguns. Why can’t young adults be used to hold the guns?*

HB 40, Delegate Simon, makes unfinished firearm frames and receivers and un-serialized commercially made firearms unlawful to possess, purchase, sell, or transfer unless they are serialized. *Even a chunk of aluminum, if sold to the public to become a frame or receiver once completed, must be serialized under this bill. The bill doesn’t grandfather existing homemade firearms. This bill is unconstitutional, as there was no analog in the history or traditions of firearms with any such limitations at the time the Bill of Rights was adopted. Homemade guns have been legal since before the United States existed. And, of course, government, our servant, exempts itself from all this foolishness.*

Bills That VCDL Strongly Opposes (Cont'd)

HB 93, Delegate Bennett-Parker, requires a person with a protective order against them or a person with a domestic violence conviction to surrender, sell, or turn their guns over to someone 21-years-old or older and someone who does not live with them. It requires the person to be advised that if a police officer believes they have not turned over all their guns, that the officer can get a search warrant to look for any such guns. *There are multiple problems with the bill as written. If a husband and wife co-own a shotgun for home defense, for example, and the husband gets a protective order issued against him, the wife would no longer have access to that co-owned shotgun. That punishes the wife and needlessly endangers her life. There is also the question of not allowing a person 18 to 20-years-old to retain the guns. A person in that age range can legally possess rifles, shotguns, and handguns. Young adults should be able to hold the guns.*

HB 110, Delegate Laufer, creates a \$500 civil penalty and subjects a vehicle to towing if a person leaves a visible handgun in an unattended vehicle. *The car owner should not be at fault even if a criminal opens an unlocked car door to steal a firearm. It is the criminal who is solely to blame. This bill would put a handgun in the possession of, and under the control of, a tow truck company! Punish criminals and stop harassing good people.*

SB 115, Senator Pekarsky, severely restricts concealed handgun permit recognition with other states. Currently, Virginia honors permits from all other states, which, in turn, allows Virginians to be able to carry in most of those states. Virginia residents may not use a permit from another state to carry in Virginia. They must have a Virginia permit. *Permit holders from other states have been peacefully carrying in Virginia for years. This bill is an unjust and demeaning slap in the face to law-abiding Virginia gun owners, as it will reduce the number of states where a Virginia permit holder can carry a handgun for self-defense. This bill makes Virginians who are traveling less safe! It will also discourage gun owners outside of Virginia from visiting the Commonwealth, effecting the state's economy. This bill is a solution in search of a problem.*

SB 160, Senator Perry, makes battery in a “dating relationship” a misdemeanor and takes away the right to purchase, possess, or transport a firearm for three years. *Misdemeanors should never take away a civil right.*

SB 173, Senator Williams Graves, prohibits firearms, or knives with a blade longer than 3.5 inches, in facilities that provide mental health services or developmental services, including hospitals, emergency departments, or emergency medical care facilities, if they offer such services. *Disarming visitors and guests, including concealed handgun permit holders, at such facilities violates their right to protect themselves in an emergency. A U.S. District Court in the 2nd Circuit has restrained enforcement of just such a law for being unconstitutional under New York State Rifle and Pistol Association v Bruen Supreme Court ruling.*

HB 207, Delegate Keys-Gamarra, creates a \$500 tax on suppressors. *The last case of a legally owned suppressor being used in a crime in Virginia was back in 2019 in a Virginia Beach “gun-free zone.” Suppressors don’t eliminate a gun’s sound. They merely lower the sound to a more hearing-safe level. They reduce a sound-level as loud as a jet plane taking off down to the sound-level of a jackhammer. The reduced sound-level is more neighbor-friendly when target shooting. Suppressors also protect a hunter’s hearing. Some suppressors are priced around \$300, so this would be a 160% tax! What exactly does such a high tax achieve, other than purposely pricing poor people out of the market, discouraging target shooters from reducing the sound-level heard by neighbors, or making it harder for a hunter to protect his hearing?*

Bills That VCDL Strongly Opposes (Cont'd)

HB 217, Delegate Helmer, prohibits the sale, possession, transfer, and transport of an “assault firearm” made on or after July 1, 2026. It also prohibits sale, possession, transfer, and transport of an “assault firearm” to anyone under the age of 21. Magazines that hold more than 10 rounds and were made on or after July 1, 2026, are prohibited. *The U.S. Supreme Court has said in both DC v Heller, and recently The New York State Rifle and Pistol Association v Bruen, that any firearm “in common use” is protected by the Second Amendment. The guns and magazines targeted by this bill are among the most common guns and magazines in the United States, making this bill unconstitutional. There are conservatively estimated to be over 20 million AR-15s and 700 million magazines that hold more than 10 rounds in civilian hands.*

HB 229, Delegate Hernandez, prohibits firearms, or knives with a blade longer than 3.5 inches, in facilities that provide mental health services or developmental services, including hospitals, emergency departments, or emergency medical care facilities, if they offer such services. *Disarming visitors and guests, including concealed handgun permit holders, at such facilities violates their right to protect themselves in an emergency. A U.S. District Court in the 2nd Circuit has restrained enforcement of just such a law for being unconstitutional under New York State Rifle and Pistol Association v Bruen Supreme Court ruling.*

SB 272, Senator Deeds, restricts firearms at public institutions of higher education by requiring such firearms be part of an authorized program or activity inside a building. *A solution in search of a problem. Higher education students are adults and have a right to self-defense.*

SB 312, Senator Ebbin, bans the carry of 1) a semi-automatic centerfire rifle or pistol that has a fixed magazine that holds more than 10 rounds or 2) a semi-automatic centerfire rifle or pistol that accepts a detachable magazine of any size and has any of a variety of cosmetic features or 3) a semi-automatic shotgun with a fixed magazine that holds more than 7 rounds of the longest ammunition for which it is chambered or has a detachable magazine of any size, with any of a variety of cosmetic features, on or about a person on a public street, road, alley, sidewalk, public right-of-way, in a park, or in any place open to the public. *Under this bill, a person couldn't even carry such a firearm from the gun store, which is open to the public, to their car! It doesn't matter if the firearm is unloaded. Concealed handgun permit holders and licensed security guards are no longer exempt from this code section, even though neither one has caused any legal issues by carrying such loaded firearms publicly for over a decade. Of course, the government, our servant, exempts itself from all this nonsense. The U.S. Supreme Court has already ruled that citizens have the right to carry firearms outside of their homes and in public, so this bill is unconstitutional on its face.*

HB 626, Delegate Callsen, restricts firearms at public institutions of higher education by requiring such firearms be part of an authorized program or activity inside a building. *A solution in search of a problem. Higher education students are adults and have a right to self-defense.*

Bills That VCDL Strongly Opposes (Cont'd)

HB 700, Delegate Hayes, requires that a person must wait five days before a purchased or rented firearm can be transferred to them. *Gun sales, both private and commercial, will require a buyer to make two trips to a dealer to get the firearm, and such trips could be lengthy. The bill will also do severe harm to gun shows, as most are only two days long and would therefore require all purchasers to travel to a gun store, possibly across the state, to pick up the firearm. There are many sad cases where someone who urgently needed a firearm for self-defense was murdered while in the waiting period. California has a 10-day waiting period, with plenty of mass murders and a violent crime rate more than double that of Virginia in 2023. Virginia has the 14th lowest crime rate in the U.S.* (<https://www.statista.com/statistics/200445/reported-violent-crime-rate-in-the-us-states/>). *So much for the promise to citizens that the system would be an “instant check” when that law was passed. This bill would also make renting a gun at a gun range to try it out, or to take a firearm-safety class before you buy your first gun, pretty much impossible.*

HB 702, Delegate Cole, creates a “Virginia Firearm Give-Back Program and Fund.” The sole purpose is for either the State Police, or, optionally, local law enforcement, to collect and destroy any firearms that are voluntarily turned in. *Destroying what might be perfectly functional, and possibly quite valuable, firearms is a waste of money. The State could offset any costs by selling the firearms to licensed gun dealers through an auction. The name of the program implies that the Commonwealth gives firearms to citizens and now wants citizens to give them back. That is not the case. This program is a “turn in” and not a “give-back” program.*

HB 871, Delegate Downey, requires all firearms in a home, that are not being carried on or about a person, to be unloaded and placed in a locked container if there is a minor in the home or if there is a prohibited person in the home. A gun may only be stored loaded if it is in a biometric safe. Gun dealers must post signage about the law and there is also a provision to educate the public on firearm storage. *Biometric safes are more expensive than non-biometric safes. Biometric safes can be unreliable when being used under stress and they also require batteries to work. Why are biometric safes the only option for storing a loaded firearm? There are plenty of other locking mechanisms for safes that are just as secure.*

HB 901, Delegate Sullivan, expands the Red Flag law by allowing more categories of people to petition for someone to be Red Flagged. The expanded types of petitioners cover various kinds of counselors and medical professionals. It now also includes immediate family or household members and intimate partners. *The recent lawful acquisition of a firearm or ammunition is considered possible evidence that someone might need to be Red Flagged! This bill will discourage someone from getting medical or counselling help, as the person will not be able to trust that any information he shares won't be used against him. The expanded list of petitioners will greatly increase abuse of the Red Flag law by someone with a grudge.*

HB 907, Delegate Shin, requires gun dealers who don't work out of their residence to have security cameras filming inside and outside where firearms are stored; bars or security screens, etc. on all outside doors and windows where guns are stored; a continuously monitored burglar alarm system where guns are stored; “if practicable”, whatever that means, having physical barriers to prevent vehicles from ramming the building where guns are stored; and a requirement on how guns are to be stored after business hours that makes no sense. *There are a lot of problems with this bill. 1) Some gun dealers simply cannot comply with all the requirements based on where their gun store is located, such as in a mall. 2) The wording on how guns are to be stored after hours is so poorly written as to be unintelligible. 3) The requirements are going to be too onerous for some gun dealers and will drive up costs for the consumer.*

Bills That VCDL Strongly Opposes (Cont'd)

HB 909, Delegate Shin, expands the prohibition on the carry of firearms from 40 feet to 100 feet outside of a polling place or outside a building where the local electoral board is meeting. *Even 40 feet was too much considering that there was never an issue with citizens lawfully carrying a firearm for self-defense at polling places or outside buildings where local electoral boards meet. This bill will increase the chance of innocent gun owners being entrapped if carrying a firearm and unaware of the arbitrary boundary set in this bill.*

HB 919, Delegate Lopez, creates an 11% excise tax on firearms and ammunition manufacturers for gross sales into the Commonwealth. *Is there going to be an excise tax for book publishers, raising the cost for people who want to exercise their First Amendment rights? This is a "sin tax," that affects a basic civil right. Owning a gun is not a sin. Guns are used to save hundreds of thousands of lives every year.*

HB 926, Delegate Lopez, allows localities to ban the discharge of a firearm on property that has less than 5 acres. Any berm or backstop must be at least 10 feet from a property line and reasonable care must be taken to prevent the projectile from leaving the shooter's property. *This is a one-size-fits-all situation. If there are no homes close to the shooter's property, one could safely shoot on a much smaller lot with a berm or other backstop.*

HB 969, Delegate Price, creates a state agency named the Virginia Gun Violence Prevention Center. *The Center would only be targeting violence committed using firearms and ignoring the root causes of crime, as well as all the other ways violence is inflicted on victims – knives, blunt objects, hands and feet, etc. Half of violent crimes are not committed with a firearm! The term "Gun Violence" in the name of the agency gives away the true agenda: "gun violence" is a term coined by the gun-control lobby to blame guns, which are inanimate objects, and not the criminals that misuse guns. If a police officer shoots someone, the officer gets the blame, not his gun. But, if a criminal shoots someone, the gun gets the blame and not the criminal. No one says, "tire iron violence" or "hand and feet violence." Instead, it is just called "violence." But there is a disarmament agenda with firearms and "gun violence" is just an excuse to go after firearms with more useless gun control.*

HB 1015, Delegate Tran, prohibits a person convicted of a misdemeanor assault and battery hate crime from being able to possess firearms. *Misdemeanors should never take away a person's civil rights. The bill is unconstitutional under the U.S. Supreme Court's New York State Rifle and Pistol Association v. Bruen decision.*

HB 1071, Delegate Laufer, requires training on how to use Red Flag laws by threat assessment teams in public elementary and secondary schools and public institutions of higher education. *Red Flag laws do not provide any help for someone suffering from a mental health crisis and they do not provide due process for weeks after someone's firearms are seized.*

HB 1094, Delegate Laufer, creates an 11% excise tax on firearms and ammunition manufacturers for gross sales into the Commonwealth. *Is there going to be an excise tax for book publishers, raising the cost for people who want to exercise their First Amendment rights? This is a "sin tax," that affects a basic civil right. Owning a gun is not a sin. Guns are used to save hundreds of thousands of lives every year.*

Bills That VCDL Strongly Opposes (Cont'd)

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Bills That VCDL Opposes

SB 109, Senator Pekarsky, requires schools to notify parents by text and on the school's website, within 30-days of the start of school, that the parents are responsible for making sure they have secured their firearms from their children, as required under 18.2-56.2. *This bill leaves it up to school boards to come up with their own wording, and that leaves the warnings subject to anti-gun mischief— such as discouraging gun ownership by the parents.*

Bills That VCDL Opposes (Cont'd)

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Bills on Which VCDL is Neutral

HB 201, Delegate Cohen, requires schools to notify parents by text and on the school's website, within 30-days of the start of school, that the parents are responsible for making sure they have secured their firearms from their children, as required under 18.2-56.2.

HB 208, Delegate Williams, creates an anti-harassment order. The order does not affect a person being able to get a CHP.

HB 916, Delegate Lopez, changes the concealed handgun permit training requirements to replace "2. Completing any National Rifle Association or United States Concealed Carry Association firearms safety or training course;" with a more general, "2. Completing a handgun shooting class or course that teaches (i) efficient, effective, and responsible use of a concealed handgun for self-defense outside the home; (ii) state laws pertaining to handguns; and (iii) proper handgun storage techniques;"

Bills on Which VCDL is Neutral (Cont'd)

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