GENERAL ASSEMBLY WEAPONS POLICY

Authority for Policy

The Joint Rules Committee has the authority and responsibility for ensuring the safety of every member, full and part-time employee, page, intern, visitor, and guest of the General Assembly and legislative branch agencies. In furtherance of this responsibility, the policy of the Joint Rules Committee relating to the carrying of weapons in those areas and within those agencies under the legal authority of the Joint Rules Committee is contained herein.

Purpose of Policy

The purpose of this policy is to ban the open carrying and carrying of concealed weapons in offices or spaces occupied or controlled by legislative branch agencies, with certain exceptions as set forth herein.

Applicability

A. This policy applies to all buildings owned, leased, or controlled in whole or in part by or for a legislative branch agency.

B. This policy applies to the open carrying of firearms or the concealed carrying of firearms.

C. The prohibition against the open carrying of a firearm or carrying a concealed firearm does not apply to law-enforcement officers, authorized security personnel, or military personnel as defined herein.

Definitions

As used in this policy:
"Authorized security personnel" means a natural person who is employed to (i) perform the functions of observation, detection, reporting, or notification of
appropriate authorities or designated agents regarding persons or property on the premises he is assigned to protect; (ii) safeguard and protect persons and property on the premises he is assigned to protect; or (iii) deter theft, loss, or concealment of any tangible or intangible personal property on the premises he is assigned to protect. Authorized security personnel must be approved by the Division of Capitol Police or the Department of General Services.

"Firearm" means any handgun, pistol, revolver, or other weapon designed or intended to propel or expel a projectile or missile of any kind by action of an explosion of any combustible material; rifle, shotgun, automatic or semi-automatic gun; assault firearm as defined in Section 18.2-308.2:2 of the Code of Virginia; machine gun; 3D printed gun; or similar weapon. Firearm does not include any ceremonial firearm currently on display in a legislative branch agency. The Chief of the Division of Capitol Police is authorized to develop a list of firearms covered by this policy.

"Law-enforcement officer" means a natural person who is a full-time paid employee of (i) the Division of Capitol Police, (ii) a police department or sheriff’s office that is a part of or administered by the Commonwealth of Virginia or any political subdivision thereof, or (iii) a law-enforcement agency of the United States. Law-enforcement officer only includes a person who is on duty and on the premises of a legislative branch office or space for the purpose of conducting official agency business.

"Legislative branch agency" means any administrative unit of state government in the legislative branch, including the House of Delegates, the Senate of Virginia or any department, division, commission, or other body, however designated, within the legislative branch.

"Legislative branch office or space" means any building, portion or space of a building, owned, leased, or controlled by or for a legislative branch agency including any office or space assigned to a member of the House of Delegates or the Senate of Virginia or their support staff in the Pocahontas Building, the Capitol, the new General Assembly building, or any building on the premises of Capitol Square. This includes that portion of any building open to others and then used exclusively for functions or activities sponsored by a legislative branch agency tenant or tenants while such functions are taking place. It shall not include parking facilities.
“Military personnel” means a member of the armed forces of the United States who is on duty and on the premises of a legislative branch office or space for the purpose of conducting official agency business.

Carrying and Possession of Firearms Prohibited

The open carrying of any firearm or the possession or carrying of any concealed firearm by any person is prohibited in legislative branch offices or spaces. Entry upon a legislative branch office or space in violation of this prohibition is expressly forbidden. This prohibition does not apply to law-enforcement officers, authorized security personnel, or military personnel as defined herein.

Required Lease Terms for Legislative Branch Offices or Spaces

All leases entered into where a legislative branch agency is the lessor shall contain a prohibition on the open carrying of a firearm and the carrying of concealed firearms consistent with this policy. All leases entered into for the benefit of a legislative branch agency shall contain the prohibitions herein to indicate the lessor's acknowledgment. Exceptions may be allowed where approved in writing by the Joint Rules Committee.

Posting of Signs

A. Posting location. Signs shall be posted at all legislative branch offices or spaces indicating the prohibition against the open carrying of firearms or carrying concealed firearms. Where the entire premises are owned or occupied by a legislative branch agency, signs shall be displayed at every entrance, which shall satisfy all requirements for the posting of signs. Where only a portion of the premises are owned or leased for a legislative branch agency, the signs shall be displayed within the leased space.

B. Size and design. Signs shall be of a size and design approved by the Department of General Services in consultation with the Division of Capitol Police. For legislative branch agencies within the limits of Capitol Square or located in the Pocahontas Building, the Division of Capitol Police shall obtain and post such signs. For all other legislative branch agencies, such agencies shall be
responsible for obtaining signage design from the Department of General Services and for posting of the signs.

**Enforcement**

The Division of Capitol Police shall be responsible for enforcing this policy within the limits of Capitol Square and within the Pocahontas Building. For all other legislative branch offices or spaces, the occupying agency shall be responsible for enforcing this policy.

In enforcing this policy, the Division of Capitol Police is authorized to search or screen all persons entering a legislative branch office or space within the limits of Capitol Square or within the Pocahontas Building, with the exception of current members of the General Assembly of Virginia. The Division of Capitol Police is not authorized to search or screen current members of the General Assembly to avoid any interference with a member fulfilling his legislative responsibilities. Any person found to be violating this policy shall be immediately removed from the Capitol Building or the Pocahontas Building by the Division of Capitol Police.

**Other Weapons**

The prohibition described above against the open carrying or possession or concealed carrying of any firearm in a legislative branch office or space as described above applies with full force and effect and under the same conditions to the open carrying or possession or concealed carrying of any weapon described in clauses (ii) through (v) of subsection A of Section 18.2-308 of the Code Virginia and any stun gun as defined under Section 18.2-308.1 of the Code of Virginia, with the exception of a pocket knife having a folding metal blade of less than three inches. The prohibition with respect to weapons other than firearms shall not apply to (a) any person possessing a knife customarily used for food preparation or service and using it for such purpose, (b) any person who possesses a knife or blade which he uses customarily in his trade and using it in such trade, (iii) any tool used by a person customarily in his trade and being used pursuant to a contract with a legislative branch agency, or (iv) any tool used by a state employee as a condition of his position and being used in the scope of employment. The prohibition with respect to weapons other than firearms shall not apply to any ceremonial weapon currently on display or use in a legislative branch agency.
The Chief of the Division of Capitol Police is authorized to develop a list of other weapons covered by this policy.

**Exclusions**

This policy shall not apply to any office or space within the limits of Capitol Square under the control of an executive branch agency. This policy shall also not apply in the district office of a member of the General Assembly provided that such office is not located within the limits of Capitol Square or within the Pocahontas Building.

**Effective Date**

This policy shall become effective upon adoption of the Joint Rules Committee and shall be implemented by the Division of Capitol Police and legislative branch agencies beginning at 11:59 p.m. on the day of such adoption.

**Coordination with Previous Policies**

Any firearm or other weapon not allowed on the premises of Capitol Square, the Pocahontas Building, or any legislative branch office or space under a previous policy of the Joint Rules Committee shall continue to be disallowed.

Adopted by Joint Rules Committee – January 10, 2020
Adopted by House Rules Committee – January 10, 2020
Effective 11:59 p.m., January 10, 2020