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## Exempt Action: Final Regulation Agency Background Document

<b>Agency name</b>	Virginia State Police
<b>Virginia Administrative Code (VAC) Chapter citation(s)</b>	19 VAC 30-101
<b>VAC Chapter title(s)</b>	Regulations Governing Purchases of Handguns Within a 30-Day Period
<b>Action title</b>	2023 Amendments to the Regulations Governing Purchases of Handguns within a 30-Day Period– EO19-FINAL /EXEMPT
<b>Final agency action date</b>	9-26-2023
<b>Date this document prepared</b>	10-19-2023

This information is required for executive branch review pursuant to Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19. In addition, this information is required by the Virginia Registrar of Regulations pursuant to the Virginia Register Act (§ 2.2-4100 et seq. of the Code of Virginia). Regulations must conform to the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

### Brief Summary

*Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.*

These regulations provide guidance for gun dealers and purchasers to assist them in complying with the provisions of 18.2-380.2:2 (R) as enacted by Chapters 991 and 992, Acts of Assembly, 2020 (Regular Session) which limit the purchase of handguns to one every thirty days. They also address the exceptions and application process to the general prohibition.

Makes technical corrections to and eliminates some sections from the Regulations Governing Purchases of Handguns within a 30-Day Period following a full review of the Regulation as mandated by Executive Order 19. This Action amends sections 19VAC30-101-20, 19VAC30-101-30, 19VAC30-101-40, 19VAC30-101-70, 19VAC30-101-90, and repeals 19VAC30-101-110. These changes resulted in the removal of six mandates and the easing of identification requirements.

## Mandate and Impetus

*Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, "mandate" has the same meaning as defined in the ORM procedures, "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."*

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Executive Order 19 (EO-19) and Executive Directive 1 (ED-1) ordered all Executive Branch Agencies of the Commonwealth to review all their regulations with a focus on ensuring agency regulatory requirements are enacted in a manner so as to ensure they meet the needs of the Commonwealth while imposing the least burden and cost on business and citizens of the Commonwealth. As a result of that review these amendments make technical corrections to the Regulations Governing Purchases of Handguns within a 30-Day Period.

## Statement of Final Agency Action

*Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.*

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On September 26, 2023, the Virginia State Police adopted final amended regulations for 19VAC30-101, Regulations Governing Purchases of Handguns within a 30-Day Period. The amendments alter certain sections in 19VAC30-101 as follows:

- **19VAC30-101-20** Notification of sale or transfer. Conforms the firearm holding provision to the statutory five-day period instead of the three-day period listed. Removes the requirement to provide VSP telephonic notification. A reduction of one mandate.
- **19VAC30-101-30** Application for multiple handgun purchase. Amended to no longer require local law enforcement to process requests. A reduction of one mandate.
- **19VAC30-101-40** Identification requirements. Expands the acceptable forms of identification thus easing the burden to produce a photo-identification in certain cases.
- **19VAC30-101-70** Enhanced background check. Amended to no longer require local law enforcement to process requests. A reduction of one mandate.
- **19VAC30-101-90** Retention of certificate. Removes unnecessary reference to non-dealer transfers. A reduction of one mandate.
- **19VAC30-101-110** Agents certified to receive applications and issue certificates (Repealed.) Amended to no longer require local law enforcement to process requests. A reduction of three mandates.