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## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	Virginia State Police
<b>Virginia Administrative Code (VAC) citation(s)</b>	19 VAC 30-115
<b>Regulation title(s)</b>	Reporting and Return of Firearms Confiscated or Recovered by Law-Enforcement Agencies
<b>Action title</b>	Adoption of Regulations Governing the Reporting and Return of Firearms Confiscated or Recovered by Law-Enforcement Agencies (FINAL)
<b>Final agency action date</b>	Sept 19, 2016
<b>Date this document prepared</b>	Sept 23, 2016

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA) or an agency's basic statute, the agency is not required, however, is encouraged to provide information to the public on the Regulatory Town Hall using this form. Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, Executive Orders 17 (2014) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

### Brief summary

*Please provide a brief summary of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.*

ATF's National Tracing Center (NTC) is the only organization authorized to trace U.S. and foreign manufactured firearms for international, Federal, State, and local law enforcement agencies. Its purpose is to provide investigative leads in the fight against violent crime and terrorism and to enhance public safety. Chapter 214 Acts of Assembly 2016 amended § 52-25.1 of the Code of Virginia eliminating the Virginia Firearms Clearinghouse and requiring Virginia law enforcement agencies to report firearms confiscated or recovered by the agency DIRECTLY

to the ATF National Tracing Center. These regulations provide agencies with the information necessary for them to comply with § 52-25.1.

### Statement of final agency action

*Please 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On Sept 19, 2016, the Virginia State Police repealed the provisions of 19 VAC 30-110, Regulations Governing the Creation of a Criminal Firearms Clearinghouse and adopted 19 VAC 30-115, Reporting and Return of Firearms Confiscated or Recovered by Law-Enforcement Agencies, to comply with changes to §52-25.1 enacted by the Virginia General Assembly.

### Family impact

*Please assess the impact of this regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.*

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The following changes are to ensure the Regulations are consistent with the controlling Virginia laws and to ensure the safety of Virginia families by providing for the prompt reporting of firearms recovered by Virginia law enforcement agencies.