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Exempt Action: Final Regulation Agency Background Document

Agency name	Department of State Police
Virginia Administrative Code (VAC) Chapter citation(s)	19 VAC 30 - 101
VAC Chapter title(s)	Regulations Governing Purchases of Handguns Within a 30-Day Period
Action title	Promulgate Regulations Governing Purchases of Handguns Within a 30-Day Period - 2020
Final agency action date	8 JUN 2020
Date this document prepared	10 JUN 2020

Although a regulatory action may be exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the *Code of Virginia*, the agency is still encouraged to provide information to the public on the Regulatory Town Hall using this form. However, the agency may still be required to comply with the Virginia Register Act, Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1VAC7-10), 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.

Promulgate new regulations governing the requirements, procedures, and forms for purchases of multiple handguns within a 30-Day Period. This regulation is required to comply with the mandate in § 18.2-308.2:2 (R) as created by Chapter 991, Acts of Assembly (2020 Regular Session). The regulation also includes an appeal process for persons whose application is denied.

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). "Mandate" is defined as "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the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

The adoption of these regulations is mandated by §18.2-308.2:2 ® as created by Chapter 991, Acts of Assembly (2020 Regular Session).

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.

On June 8, 2020, The Department of State Police adopted final "Regulations Governing Purchases of Handguns Within a 30-Day Period" setting forth the procedures and forms for persons to follow when they seek to purchase more than one handgun in a thirty (30) day period. Part I, 19 VAC30-101-20, of the new regulations requires firearms dealers to screen handgun purchases with the State Police and notify state police if any person is attempting to purchase more than one handgun in a thirty day period. Part II, 19VAC30-101-30, 19VAC 30-101-40, 19VAC30-101-50, and 19VAC30-101-60 covers the application process and required forms for any person seeking to purchase more than one handgun in any given thirty day period. Part III, 19VAC30-101-70, explains the required background check for persons seeking to purchase more than one handgun in any thirty day period. Part IV, 19VAC30-101-80 and 19VAC30-101-90, covers the issuance of a certificate authorizing a multiple handgun purchase and retention requirements for those certificates. Part V, 19VAC30-101-100, establishes and appeals process for those individuals who application for a multiple handgun purchase was denied. Part VI, 19VAC30-101-110, provides a process for local law enforcement agencies to request permission to act as an agent of the Department of State Police in processing applications under these regulations. The required Forms were also published.