

# 2026 SESSION

INTRODUCED

26100568D

1                           **SENATE BILL NO. 27**

2                           Offered January 14, 2026

3                           Prefiled November 17, 2025

4                           A BILL to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 11.2, consisting of sections  
5                           numbered 59.1-148.5, 59.1-148.6, and 59.1-148.7, relating to firearm industry members; standards of  
6                           responsible conduct; civil liability.

7                           Patron—Carroll Foy

8                           Referred to Committee for Courts of Justice

9                           Be it enacted by the General Assembly of Virginia:

10                          1. That the Code of Virginia is amended by adding in Title 59.1 a chapter numbered 11.2, consisting of  
11                          sections numbered 59.1-148.5, 59.1-148.6, and 59.1-148.7, as follows:

12                          CHAPTER 11.2.

13                          VIRGINIA FIREARM INDUSTRY STANDARDS OF RESPONSIBLE CONDUCT.

14                          § 59.1-148.5. Definitions.

15                          As used in this chapter, unless the context requires a different meaning:

16                          "Firearm" means any handgun, shotgun, or rifle that will or is designed to or may readily be converted to  
17                          expel single or multiple projectiles by action of an explosion of a combustible material.

18                          "Firearm accessory" means an attachment or device designed or adapted to be inserted into, affixed onto,  
19                          or used in conjunction with a firearm that is designed, is intended, or functions to alter or enhance the firing  
20                          capabilities of a firearm, the lethality of the firearm, or a shooter's ability to hold and use a firearm.

21                          "Firearm industry member" means a person engaged in the sale, manufacturing, distribution, importing,  
22                          or marketing of a firearm-related product.

23                          "Firearm-related product" means a firearm, ammunition, a firearm component, including unfinished  
24                          frames or receivers, or a firearm accessory that was (i) sold, made, distributed, or marketed in the  
25                          Commonwealth; (ii) intended to be sold, made, distributed, or marketed in the Commonwealth; or (iii)  
26                          possessed in the Commonwealth, and it was reasonably foreseeable that the product would be possessed or  
27                          used in the Commonwealth.

28                          "Firearm trafficker" means a person who acquires, transfers, or attempts to acquire or transfer a firearm  
29                          for purposes of unlawful commerce.

30                          "Frame" and "receiver" have the same meanings attributed to them in 18 U.S.C. § 921 et seq. and  
31                          regulations issued pursuant thereto.

32                          "Public nuisance" means a condition that injures, endangers, or threatens to injure or endanger or  
33                          contributes to the injury or endangerment of the health, safety, peace, comfort, or convenience of others or  
34                          otherwise constitutes a public nuisance under common law.

35                          "Reasonable controls" means reasonable procedures, safeguards, and business practices that are  
36                          designed to (i) prevent the sale or distribution of a firearm-related product to a straw purchaser, a firearm  
37                          trafficker, a person prohibited from possessing a firearm under state or federal law, or a person who the  
38                          firearm industry member has reasonable cause to believe is at substantial risk of using a firearm-related  
39                          product to harm themselves or unlawfully harm another or of unlawfully possessing or using a firearm-  
40                          related product; (ii) prevent the loss of a firearm-related product or theft of a firearm-related product from a  
41                          firearm industry member; (iii) ensure that the firearm industry member complies with all provisions of state  
42                          and federal law and does not otherwise promote the unlawful manufacture, sale, possession, marketing, or  
43                          use of a firearm-related product; or (iv) ensure that the firearm industry member does not engage in an act  
44                          or practice in violation of the Virginia Consumer Protection Act (§ 59.1-196 et seq.).

45                          "Straw purchaser" means an individual who conceals, or intends to conceal, from a person that the  
46                          purchase of a firearm-related product is being made on behalf of a third party. A "straw purchaser" does not  
47                          include a bona fide gift to a person who is not prohibited by law from possessing or receiving a firearm-  
48                          related product. For purposes of this chapter, a gift to a person is not a bona fide gift if the person has  
49                          offered or given the purchaser a service or thing of value to acquire the firearm-related product for the  
50                          person.

51                          "Unfinished frame or receiver" means a forging, casting, printing, extrusion, machined body, or similar  
52                          item that (i) is designed to or may readily be completed, assembled, or otherwise converted to function as a  
53                          frame or receiver or (ii) is marketed or sold to the public to become or be used as the frame or receiver of a  
54                          functional firearm once completed, assembled, or otherwise converted. However, "unfinished frame or  
55                          receiver" does not include a component designed and intended for use in an antique weapon.

56                          § 59.1-148.6. Firearm industry standards of responsible conduct; civil liability.

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59       A. A firearm industry member, by conduct unlawful in itself or unreasonable under all the circumstances,  
60       may not knowingly or recklessly create, maintain, or contribute to a public nuisance through the sale,  
61       manufacturing, importing, or marketing of a firearm-related product.

62       B. A firearm industry member shall establish and implement reasonable controls regarding the  
63       manufacture, sale, distribution, use, and marketing of the firearm industry member's firearm-related  
64       products.

65       C. A violation of subsection A or B is a public nuisance.

66       D. A firearm industry member's conduct constitutes a proximate cause of the public nuisance if the harm  
67       to the public is a reasonably foreseeable effect of the conduct, notwithstanding any intervening actions,  
68       including criminal actions by third parties.

69       E. Whenever it appears to the Attorney General or the local county or city attorney that a firearm industry  
70       member has engaged in or is engaging in conduct in violation of this section, the Attorney General or local  
71       county or city attorney may commence an action to seek and obtain (i) an injunction prohibiting the firearm  
72       industry member from continuing the conduct or engaging in the conduct or doing any acts in furtherance of  
73       the conduct; (ii) an order providing for abatement of the public nuisance at the expense of the firearm  
74       industry member; (iii) an order of restitution; (iv) an award of compensatory and punitive damages; (v) an  
75       award of reasonable attorney fees and costs of the action; and (vi) any other appropriate relief that may be  
76       awarded by the court.

77       F. Any person that has been injured as a result of a firearm industry member's acts or omissions in  
78       violation of this section may commence an action to seek and obtain (i) an injunction prohibiting the firearm  
79       industry member from continuing the conduct or engaging in the conduct or doing any acts in furtherance of  
80       the conduct, (ii) an award of compensatory and punitive damages, and (iii) an award of reasonable attorney  
81       fees and costs of the action.

82       G. To prevail in an action under this section, the party seeking relief is not required to demonstrate that  
83       the firearm industry member acted with the intent to engage in a public nuisance or otherwise cause harm to  
84       the public.

85       H. This section shall not be construed or implied to limit or impair in any way (i) the right of a person to  
86       pursue a legal action under any other law or (ii) an obligation or requirement placed on a firearm industry  
87       member by any other law.

88       Nothing in this section is intended to restrict or alter the availability of an action for relief from or to  
89       remedy a public nuisance at common law.

90       **§ 59.1-148.7. Limitation of action; venue.**

91       A. An action brought pursuant to § 59.1-148.6 shall be commenced within two years after the cause of  
92       action accrues.

93       B. An action brought pursuant to § 59.1-148.6 may be brought in the county or city of the Commonwealth  
94       (i) in which all or a substantial part of the acts or omissions that form the basis for the cause of action  
95       occurred, (ii) where any defendant resided when the cause of action arose or where the principal office of  
96       any defendant is located, or (iii) where the plaintiff resides if the plaintiff is a natural person.