

A person who answers "yes" to any of the questions below may be prohibited from purchasing or possessing a firearm pursuant to state or federal law.

1. Are you under indictment for a felony offense?
2. Are you the subject of an active misdemeanor or felony arrest warrant from any state?
3. Have you ever been convicted, as an adult, in any court of a felony offense?
4. If you are 28 years old or younger, have you ever been adjudicated delinquent as a juvenile 14 years of age or older at the time of offense of a delinquent act, which would be a felony if committed by an adult?
5. Were you adjudicated as a juvenile 14 years of age or older at the time of the offense of murder in violation of [§ 18.2-31](#) or [18.2-32](#), kidnapping in violation of [§ 18.2-47](#), robbery by the threat or presentation of firearms in violation of [§ 18.2-58](#), or rape in violation of [§ 18.2-61](#)? (If adjudicated as a delinquent for these offenses, you must answer yes. You are ineligible regardless of your current age and prohibited for life unless allowed by restoration of rights by the Governor of Virginia and order of the circuit court in the jurisdiction in which you reside.)
6. Have you ever been convicted in any court of a misdemeanor crime punishable by more than 2 years even if the maximum punishment was not received?
7. Is there an outstanding protective or restraining order against you from any court that involves your spouse, a former spouse, an individual with whom you share a child in common, or someone you cohabited with as an intimate partner?
8. Is there an outstanding protective or restraining order against you from any court that alleges or involves child abuse or neglect, stalking, sexual battery, abuse of a family or household member, or acts of violence?
9. Is there an outstanding emergency substantial risk order or substantial risk order against you issued by any tribunal of another state, the United States or any of its territories, possessions, or commonwealths or the District of Columbia?
10. Are you an unlawful user of, or addicted to, marijuana, or any depressant, stimulant, or narcotic drug, or any controlled substance? The Federal Gun Control Act defines an addicted person, or unlawful user, as a person who has a conviction for use or possession of a controlled substance within the past year or persons found through a drug test to use a controlled substance unlawfully, provided that the test was administered within the past year.

11. Have you ever been acquitted by reason of insanity?
12. Have you ever been adjudicated legally incompetent or mentally incapacitated, or adjudicated an incapacitated person?
13. Have you ever been involuntarily admitted to a facility or involuntarily ordered to outpatient mental health treatment?
14. Have you ever been the subject of a temporary detention order and subsequently agreed to voluntarily admission for mental health treatment?
15. Have you been discharged from the Armed Forces under dishonorable discharge?
16. Are you an alien illegally in the United States?
17. Are you a nonimmigrant alien? A nonimmigrant alien is prohibited from receiving a firearm unless he or she falls within an exception to the nonimmigrant alien prohibition (e.g., hunting license/permit; waiver).
18. Are you a person who, having been a citizen of the United States, has renounced your citizenship?
19. Have you ever been convicted for the misdemeanor crime of domestic violence? This includes all misdemeanors that involve the use, threat of, or attempted use of physical force (e.g., simple assault, assault and battery) if the offense is committed by one of the following parties: a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, parent or guardian, or by a person similarly situated to a spouse, parent or guardian of the victim.
20. Have you purchased a handgun within the past 30 days. This will include private transactions.
21. Are you a person who, within a 36 month period, within the last 5 years, has been convicted under Virginia law of 2 misdemeanor offenses for Possession of Controlled Substance or Possession of Marijuana? (Handgun Purchases Only)
22. Have you been convicted as an adult or adjudicated as a juvenile of an offense that occurred on or after July 1, 2021 of a misdemeanor assault & battery on a family or household member as defined in [§ 18.2-308.1-8](#) or any substantially similar law of any other jurisdiction?
23. Are you currently enrolled into the Virginia Voluntary Do Not Sell Firearms List? Any person enrolled in the Voluntary Do Not Sell Firearms List pursuant to Chapter 12 (§ 52-50) of Title 52 is prohibited from purchasing, possessing, or transporting a firearm in Virginia.

Virginia Firearms Transaction Program



Appeal Guide

Department of State Police
Firearms Transaction Center
P.O. Box 85608
Richmond, Virginia 23285-5608

Phone: 804-674-2292
Fax: 804-674-2791
Email: firearms@vsp.virginia.gov
www.vsp.virginia.gov

If you are denied the purchase or pawn redemption of a firearm and do not believe that you are prohibited by state or federal law from purchasing or possessing a firearm, you may:

Contact the Firearms Transaction Center (FTC) at (804) 674-2292 or by E-mail at firearms@vsp.virginia.gov to discuss the ineligible determination or to provide additional information deemed pertinent to the final determination of eligibility. Fingerprint comparison may be necessary in some instances, and may support the issuance of a Unique Firearms Identification Number, (UFIN) to facilitate future purchase approvals.

Exercise your right to institute a civil action pursuant to Section 9.1-135 of the Code of Virginia, provided that any such action is initiated within 30-days of the denial.

Direct your challenge to the accuracy of a record, in writing, to: FBI, NICS Operations Center, Criminal Justice Information Services Division, Attn: Criminal History Analysis Team 1, BTC 3, 1000 Custer Hollow Road, Clarksburg, West Virginia 26306. Electronically submitted appeal requests must be made through the NICS Appeal Website at <http://www.fbi.gov/nics-appeals>.

This process of appeal is authorized by 28 Code of Federal Regulations 25.10.

You may obtain a copy of your Virginia criminal history record by completion of a Criminal History Record Request Form SP-167.

This form can be viewed, downloaded and/or printed by visiting the Virginia State Police website's "Forms" page. This form is also available by calling or writing the following:

Virginia State Police,
Criminal Justice Information
Services Division,
Central Criminal Records Exchange,
Post Office Box C-85076,
Richmond, VA 23261-5076.

The completed form may be mailed to the above address or presented in person during regular business hours to:

Virginia State Police
Administrative Headquarters,
7700 Midlothian Turnpike,
Richmond, Virginia.

You may request correction of your Virginia criminal record if the record is found to be in error, pursuant to Section 9.1-132, Code of Virginia, provided that any such action is initiated within 30-days of the denial.

To request a copy of your criminal record from a state other than Virginia, you must communicate directly with that state authority for receipt, update, or correction purposes.

Restoration of Rights

One who is convicted of a felony automatically loses his or her firearm rights under state and federal law. If you have been convicted of a felony as described in Section 18.2-308.2 of the Code of Virginia, you may still be eligible to purchase a firearm if your rights have been restored under both state and federal law as follows:

Virginia Restorations:

If your rights were restored PRIOR TO January 1, 2021: It is your responsibility to provide evidence of the restoration of rights to the state police.

If your rights were restored ON or AFTER JANUARY 1, 2021: Effective January 1, 2021, restoration of firearms rights completed in accordance with Section 18.2-308.2(c) Code of Virginia requires the clerk of the circuit court to forward to the Central Criminal Records Exchange (CCRE) a copy of the firearm restoration order and a complete set of the petitioner's fingerprints in order for the criminal history to be updated to reflect such restoration.

You have been pardoned or have had your political disabilities removed pursuant to Article V, Section 12 of the Constitution of Virginia, and if the executive order does not place any conditions upon the reinstatement of your right to ship, transport, possess or receive firearms. OR

You have been granted permission by the Circuit Court of the jurisdiction in which you reside to possess or carry a firearm (with no restrictions on the type of firearm) and one of the following: you have had all other political rights restored by the Governor, or, you have had your federal disabilities removed by the Bureau of Alcohol, Tobacco, Firearms, and Explosives. OR

You have had your political rights restored by the Governor of Virginia or the Governor of the State in which you were convicted and one of the following: the reinstatement of rights included the right to ship, transport, possess or receive firearms, or you have had your firearms rights restored by the Virginia Circuit Court in the jurisdiction in which you reside, or you have had your federal disabilities removed by the Bureau of Alcohol, Tobacco, Firearms, and Explosives.

THE ABOVE DOES NOT APPLY IF YOUR CONVICTION OCCURRED IN A FEDERAL COURT. UNDER FEDERAL LAW, A STATE COURT DOES NOT HAVE THE AUTHORITY TO REMOVE FIREARM DISABILITIES IMPOSED BY A FEDERAL COURT.