

HR-218

Okay, what is HR 218?

...an individual who is a qualified law enforcement officer and who is carrying the identification required by subsection (d) may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce, subject to subsection (b).

For whom does HR 218 apply?

This law applies to persons who meet the definition listed below of a "Qualified Law Enforcement Officer."

Qualified law enforcement officer means an employee of a governmental agency who--

- ` (1) is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and has statutory powers of arrest;
- ` (2) Is authorized by the agency to carry a firearm;
- ` (3) Is not the subject of any disciplinary action by the agency?
- ` (4) Meets standards, if any, established by the agency which require the employee to regularly qualify in the use of a firearm;
- ` (5) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and
- ` (6) Is not prohibited by Federal law from receiving a firearm.

What kind of "Identification" is Necessary under HR 218?

(d) The identification required by this subsection is the **photographic identification** [emphasis added] issued by the governmental agency for which the individual is employed as a law enforcement officer.

What Does HR 218 prohibited me from Carrying?

(e) As used in this section, the term `firearm' does not include--

`(1) any machinegun (as defined in section 5845 of the National Firearms Act);

`(2) Any firearm silencer (as defined in section 921 of this title); and

`(3) Any destructive device (as defined in section 921 of this title).

What about us Retired Guys?

Yes, HR 218, the Law Enforcement Officer Safety Act of 2004, applies to retired officers who meet the law's definition of "qualified retired law enforcement officer."

How does the Law Define "Qualified Retired LEO?"

(c) As used in this section, the term `qualified retired law enforcement officer' means an individual who--

`(1) retired in good standing from service with a public agency as a law enforcement officer, other than for reasons of mental instability;

`(2) Before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;

`(3) (A) before such retirement, was regularly employed as a law enforcement officer for an aggregate of 15 years or more; or

`(B) Retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;

`(4) Has a no forfeitable right to benefits under the retirement plan of the agency;

`(5) During the most recent 12-month period, has met, at the expense of the individual, the State's standards for training and qualification for active law enforcement officers to carry firearms;

`(6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

`(7) Is not prohibited by Federal law from receiving a firearm.

What about Identification for Retired Officers?

(d) The identification required by this subsection is--

`(1) a **photographic identification** [emphasis added] issued by the agency from which the individual retired from service as a law enforcement officer that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active law enforcement officers to carry a firearm of the same type as the concealed firearm; or

`(2)(A) a photographic identification issued by the agency from which the individual retired from service as a law enforcement officer; and

`(B) a certification issued by the State in which the individual resides that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the State to meet the standards established by the State for training and qualification for active law enforcement officers to carry a firearm of the same type as the concealed firearm.

Can Perroni's Tactical Training Academy provide this training for retired officers in Virginia?

Yes, All the Instructors at Perroni's Tactical Training Academy are Certified Virginia DCJS Firearms Instructors. You may contact Tom Perroni with any questions, concerns or comments at: tom@perronitactical.com (540) 786-3627 or <http://perronitactical.com> please visits our web site for further training information.