



**2022 Virginia General Assembly Summary Report
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Virginia Association of Chiefs of Police
Virginia Association of Campus Law Enforcement
Administrators
May 5, 2022**

2022 SESSION

SESSION STATISTICS

[House Committee Statistics](#) | [Senate Committee Statistics](#)

Type	<u>Introduced</u>	<u>Passed</u> <u>House</u>	<u>Passed</u> <u>Senate</u>	<u>Passed</u> <u>House</u>	<u>Cont'd to</u> <u>next session</u>	<u>Failed</u>	<u>Pending</u>	<u>Approved</u>	<u>Vetoed</u>
	-	-	-	-	-	-	-	-	-
H.B.	1364	600	500	469	104	791	0	444	10
H.J.R.	456	413	410	410	1	45	0	0	0
H.R.	239	232	0	232	0	7	0	0	0
S.B.	777	389	490	371	99	307	0	340	16
S.J.R.	222	203	210	203	8	11	0	0	0
S.R.	85	0	82	82	1	2	0	0	0
Totals	3143	1837	1692	1767	213	1163	0	784	26

APPROVED LEGISLATION (goes into effect July 1, 2022 unless otherwise indicated in the legislation)

HB 67 Projecting vehicle loads; flagging.

Projecting vehicle loads; flagging. Requires any commercial motor vehicle transporting a load that extends beyond the sides of the vehicle by more than four inches or beyond the rear of a vehicle by more than four feet to have the extremities of the load marked by one or more red or orange fluorescent warning flags, located as specified in the bill, at least 18 inches both in length and width. The bill has a delayed effective date of July 1, 2023.

HB 179 Permanent farm use placard; an owner or lessee to obtain for vehicle from DMV.

Department of Motor Vehicles; permanent farm use placard. Requires an owner or lessee of a vehicle claiming a farm use exemption from the registration, licensing, and decal requirements for a motor vehicle, trailer, or semitrailer to obtain a nontransferable permanent farm use placard from the Department of Motor Vehicles and to display the farm use placard on the vehicle at all times. The bill requires the applicant to provide specified information about the vehicle and its usage, pay a \$15 fee, and certify that the vehicle is insured. The provisions of the bill requiring the owner or lessee of a farm vehicle to obtain and display a farm use placard have a delayed effective date of July 1, 2023. This bill incorporates HB 33 and is identical to SB 186.

HB 283 Human trafficking; training for law-enforcement personnel.

Human trafficking training for law-enforcement personnel. Requires the Department of Criminal Justice Services to establish training standards for law-enforcement personnel regarding the recognition, prevention, and reporting of human trafficking. This bill is identical to SB 467.

HB 434 Criminal sexual assault; broadens definition of intimate parts, penalty.

Criminal sexual assault; definition of intimate parts; penalty. Includes in the definition of "intimate parts," for the purposes of criminal sexual assault, the chest of a child under the age of 15.

HB 451 Stalking; venue, penalty.

Stalking; venue; penalty. Allows a person to be prosecuted for a stalking charge in the jurisdiction where the person resided at the time of such stalking. The bill also provides that evidence of any conduct that occurred outside the Commonwealth may be admissible, if relevant, in any prosecution for stalking. Currently, such evidence is admissible as long as the prosecution is based upon conduct occurring within the Commonwealth.

HB 540 Driver's license; extension of validity.

Driver's license; extension of validity. Extends (i) from three years to six years the period for which a driver's license extension may be granted to certain persons in service to the United States government and (ii) from one year to two years the period for which a driver's license extension may be granted for good cause shown.

HB 632 Exhaust systems; regulation of noise from vehicle on a highway, etc.

Exhaust systems; excessive noise. Makes certain secondary offenses related to loud exhaust systems that are not in good working order primary offenses and exempts local ordinances related to such exhaust systems from the prohibition on law-enforcement officers stopping a vehicle for a violation of a local ordinance unless it is a jailable offense.

HB 671 Permanent protective orders; Hope Card Program created.

Permanent protective orders; Hope Card Program created. Requires the Office of the Executive Secretary of the Supreme Court of Virginia to develop and all district courts and circuit courts to implement the Hope Card Program (the Program) for the issuance of a Hope Card to any person who has been issued a permanent protective order by any district court or circuit court. The bill provides that a Hope Card issued pursuant to the Program shall be a durable, plastic, wallet-sized card containing, to the extent possible, essential information about the protective order, such as the identifying information and characteristics of the person subject to the protective order, the issuance and expiration date of the protective order, the terms of the protective order, and the names of any other persons protected by the protective order.

HB 719 Physical evidence recovery kits; victim's right to notification, storage.

Physical evidence recovery kits; victim's right to notification; storage. Provides that for a physical evidence recovery kit that (i) was collected by the Office of the Chief Medical Examiner as part of a routine death investigation and the medical examiner and the law-enforcement agency agree that analysis is not warranted, (ii) was determined by the law-enforcement agency not to be connected to a criminal offense, or (iii) is connected to an offense that occurred outside of the Commonwealth or another law-enforcement agency has taken over responsibility of the investigation and such kit is not transferred to another law-enforcement agency, the law-enforcement agency that received the physical evidence recovery kit shall store such kit for a period of 10 years or until 10 years after the victim reaches the age of majority if the victim was a minor at the time of collection, whichever is longer. The bill provides that after the mandatory retention period, the law-enforcement agency may destroy the physical evidence recovery kit, or in its discretion, may elect to retain the physical evidence recovery kit for a longer period of time. The bill also provides that when a state or local law-enforcement agency located within the Commonwealth has taken over responsibility for the investigation related to the physical evidence recovery kit, unless one of the other exceptions for submitting such kit to the Department of Forensic Science applies, the physical evidence recovery kit shall be transferred to such law-enforcement agency and such law-enforcement agency shall submit the physical evidence recovery

kit to the Department of Forensic Science within 60 days of receipt from the original receiving law-enforcement agency.

The bill also requires the law-enforcement agency to inform the victim, parent, guardian, or next of kin of the unique identification number assigned to the physical evidence recovery kit utilized by the health care provider and the personal identification number required to view the status of the physical evidence recovery kit and provide information regarding the Physical Evidence Recovery Kit Tracking System, unless disclosing this information would interfere with the investigation or prosecution of the offense, in which case the victim, parent, guardian, or next of kin shall be informed of the estimated date on which the information may be disclosed, if known. This bill is identical to SB 658.

HB 731 Juvenile law-enforcement records; inspection of records.

Juvenile law-enforcement records; inspection. Provides that a juvenile, the parent, guardian, or other custodian of the juvenile, and counsel for the juvenile may inspect a law-enforcement record concerning such juvenile if (i) no other law or rule of the Supreme Court of Virginia requires or allows withholding of the record; (ii) the parent, guardian, or other custodian requesting the record is not a suspect, offender, or person of interest in the record; and (iii) any identifying information of any other involved juveniles is redacted. This bill is identical to SB 149.

HB 734 Virginia Freedom of Information Act; disclosure of certain criminal records.

Virginia Freedom of Information Act; disclosure of certain criminal records. Provides that (i) criminal investigative files relating to a criminal investigation or proceeding that is not ongoing are excluded from the mandatory disclosure provisions of the Virginia Freedom of Information Act, though they may be disclosed by the custodian of such records to certain individuals except as otherwise provided in the bill, and (ii) with the exception of disclosure to an attorney representing a petitioner or inspection by an attorney or a person proceeding pro se in a petition for a writ of habeas corpus or writ of actual innocence or any other federal or state post-conviction proceeding or pardon, no criminal investigative file or portion thereof shall be disclosed to any requester except (a) the victim; (b) the victim's immediate family members, if the victim is deceased and the immediate family member to which the records are to be disclosed is not a person of interest or a suspect in the criminal investigation; or (c) the victim's parent or guardian, if the victim is a minor and the parent or guardian is not a person of interest or a suspect in the criminal investigation or proceeding, unless the public body has made reasonable efforts to notify any such individual of the request for such information. Upon receipt of notice that a public body has received a request for criminal investigative files, such persons shall have 14 days to file in an appropriate court for an injunction to prevent disclosure of the records and the time period within which the public body has to respond to the underlying request shall be tolled pending the notification process and any subsequent disposition by the court. The bill requires the court to consider certain information in making its determination and provides that a public body shall be prohibited from responding to the request until at least 14 days have passed from the time notice was received by any such individual listed in clauses (a), (b), or (c) and shall not disclose any criminal investigative files if the court awards an injunction. This bill incorporates HB 890.

HB 740 Catalytic converters; penalty.

Catalytic converters; penalties. Makes it a Class 6 felony for a person to willfully break, injure, tamper with, or remove any part or parts of any vehicle, aircraft, boat, or vessel for the purpose of injuring, defacing, or destroying said vehicle, aircraft, boat, or vessel, or temporarily or permanently preventing its useful operation, or for any purpose against the will or without the consent of the owner, or to in any other manner willfully or maliciously interfere with or prevent the running or operation of such vehicle,

aircraft, boat, or vessel, when such violation involves the breaking, injuring, tampering with, or removal of a catalytic converter or the parts thereof. The bill also provides that prosecution for such felony is a bar to a prosecution or proceeding under the Code section prohibiting the injuring, etc., of any property, monument, etc., for the same act. Current law makes such violation a Class 1 misdemeanor.

Additionally, the bill requires that the copies of the documentation that scrap metal purchasers are required to maintain for purchases of catalytic converters or the parts thereof (i) establish that the person from whom they purchased the catalytic converter or the parts thereof had lawful possession of it at the time of sale or delivery and (ii) detail the scrap metal purchaser's diligent inquiry into whether the person selling had a legal right to do so. The bill also requires that such documentation be maintained for at least two years after the purchase and that copies be made available upon request to any law-enforcement officer, conservator of the peace, or special conservator of the peace in the performance of his duties who presents his credentials at the scrap metal purchaser's normal business location during normal business hours. This bill is identical to SB 729.

HB 741 Annual public elementary and secondary school safety audits; creation or review of school building.

Annual public elementary and secondary school safety audits; creation or review of school building floor plans required. Requires each local school board, as part of each annual school safety audit, to create a detailed and accurate floor plan for each public school building in the local school division or certify that the existing floor plan for each such school is sufficiently detailed and accurate but provides that such floor plan may be withheld from public disclosure.

HB 750 Arrest and summons quotas; prohibition.

Arrest and summons quotas; prohibition. Prohibits (i) any agency of the Commonwealth or director or chief executive of any agency or department employing law-enforcement officers, (ii) any sheriff, (iii) any police force, or (iv) the Department of State Police from establishing a formal or informal quota that requires a law-enforcement officer to make a specific number of arrests or issue a specific number of summonses within a designated period of time. The bill also provides that the number of arrests made or summonses issued by a law-enforcement officer shall not be used as the sole criterion for evaluating the law-enforcement officer's job performance. This bill is identical to SB 327.

HB 763 Charitable gaming; electronic gaming is restricted to social organizations, etc.

Charitable gaming; social organizations and social quarters; electronic gaming. Provides that the conduct of electronic gaming, defined in the bill, is restricted to qualified social organizations on their premises or other qualified organizations that lease the premises of a qualified social organization pursuant to the guidelines set out in the bill. The bill eliminates the exceptions related to the sale of instant bingo, pull tabs, or seal cards or the conduct of bingo games in current law for veterans and fraternal organizations. The bill provides that such qualified organizations shall be subject to two prohibitions that, under current law, apply to all other organizations, as defined in relevant law: (i) they are prohibited from selling instant bingo, pull tabs, or seal cards or conducting bingo games outside of their home locality and (ii) they are prohibited from offering such games at an establishment that has been granted a license by the Alcoholic Beverage Control Authority unless they hold such license. The bill provides that, with the exception of social organizations qualified under § 501(c)(7) of the Internal Revenue Code, all gross receipts attributable to electronic gaming shall be reported to the Department of Agriculture and Consumer Services (the Department) and shall be subject to application, audit, and administration fees. Under the provisions of the bill, social organizations that are exempt from taxation pursuant to § 501(c)(7) of the Internal Revenue Code are permitted to conduct electronic gaming until such organizations reach \$200,000 in electronic gaming adjusted gross receipts, defined in the bill, during any

12-month period. Such organizations are required to report their adjusted gross receipts to the Department and are subject to application, audit, and administration fees based on their adjusted gross receipts. The bill provides that application fees shall be paid to the Department by the qualified organization and that audit fees may be paid to the Department either by the qualified organization or the electronic gaming manufacturer that provides electronic gaming devices to such organization. The bill imposes on any person or organization conducting charitable gaming without a permit a civil penalty of not less than \$25,000 and not more than \$50,000 per incident. Finally, the bill sets out via a second enactment provisions that require qualified organizations permitted to conduct electronic gaming to report and pay all required fees to the Department based on such organization's electronic gaming adjusted gross receipts. The provisions of the first enactment of the bill requiring the use of a qualified organization's electronic gaming gross receipts for the purpose of reporting and payment of required fees has an expiration date of July 1, 2024. The provisions of the second enactment of the bill requiring the use of a qualified organization's electronic gaming adjusted gross receipts for the purpose of reporting and payment of required fees has a delayed effective date of July 1, 2024. This bill is identical to SB 403.

HB 793 Traffic incident mgmt. vehicles; definition, vehicle may be equipped w/ secondary warning lights.
Traffic incident management vehicles. Authorizes traffic incident management vehicles, defined in the bill, operated by persons who complete certain training and recertification requirements to be equipped with flashing red or red and white secondary warning lights. This bill is identical to SB 450.

HB 813 Law-enforcement agencies; acquisition of military property.
Acquisition of certain military property by law-enforcement agencies. Changes the limitation on the acquisition or purchase of military property by a law-enforcement agency from firearms of .50 caliber or higher to rifles of .50 caliber or higher and from ammunition of .50 caliber or higher to rifle ammunition of .50 caliber or higher. This bill is identical to SB 328.

HB 920 Careless driving; vulnerable road users.
Careless driving; vulnerable road users. Provides that a person is guilty of a Class 1 misdemeanor if he operates a vehicle in a careless or distracted manner and causes the death or serious bodily injury of a vulnerable road user. Current law only imposes the penalty if such careless or distracted operation causes serious bodily injury to the vulnerable road user. The bill also allows a court to suspend the driver's license or restrict the driver's license of a person convicted of careless driving for up to six months. This bill is identical to SB 247.

HB 1080 Sex offenders in emergency shelters; notification, registration, penalty.
Sex offenders in emergency shelters; notification registration. Provides that a registered sex offender who enters an emergency shelter designated by the Commonwealth or any political subdivision thereof and operated in response to a declared state or local emergency shall, as soon as practicable after entry, notify a member of the shelter's staff who is responsible for providing security of such person's status as a registered sex offender. This bill provides that no person shall be denied entry solely on the basis of his status as a sex offender unless such entry is otherwise prohibited by law. The bill requires that the Department of State Police provide to any registered sex offender at the time of his initial registration a summary of his obligation to inform the staff of an emergency shelter of his status as a registered sex offender.

HB 1129 School safety audits; law-enforcement officers.

School safety audits; law-enforcement officers. Requires each local school board to require its schools to collaborate with the chief law-enforcement officer of the locality or his designee when conducting required school safety audits. Under current law, the division superintendent is required to make the results of such audits available to the chief law-enforcement officer upon request. The bill also requires that the completed walk-through checklist using the standardized checklist provided by the Virginia Center for School and Campus Safety be made available to the chief law-enforcement officer of the locality or his designee. Current law requires that the completed walk-through checklist be made available to the chief law-enforcement officer or his designee upon request. This bill is identical to SB 600.

HB 1130 Law-enforcement officers, retired sworn; purchase of service handguns or other weapons.

Purchase of service handguns or other weapons by retired sworn law-enforcement officers. Removes the requirement that a sworn law-enforcement officer be employed in a full-time capacity at the time of his retirement to purchase his service handgun. This bill is identical to SB 207.

HB 1191 Marcus alert system; participation in the system is optional for localities, etc.

Marcus alert system; participation. Extends the date by which localities shall establish voluntary databases to be made available to the 9-1-1 alert system and the Marcus alert system to provide relevant mental health information and emergency contact information for appropriate response to an emergency or crisis from July 1, 2021, to July 1, 2023, and provides an exemption to the requirement that localities establish protocols for local law-enforcement agencies to enter into memorandums of agreement with mobile crisis response providers regarding requests for law-enforcement back-up during mobile crisis or community care team response and minimum standards, best practices, and a system for the review and approval of protocols for law-enforcement participation in the Marcus alert system for localities with a population that is less than or equal to 40,000, so that localities with a population that is less than or equal to 40,000 may but are not required to establish such protocols. The bill also requires the Department of Behavioral Health and Developmental Services to include in its annual report to the Governor and the Chairmen of the House Committees for Courts of Justice and on Health, Welfare and Institutions, the Senate Committees on the Judiciary and Education and Health, and the Behavioral Health Commission information regarding barriers to establishment of local Marcus alert programs and community care or mobile crisis teams to provide mobile crisis response in geographical areas served by community services boards or behavioral health agencies in which such programs and teams have not been established and a plan for addressing such barriers. This bill is identical to SB 361.

HB 1282 Sharing of forfeited assets; promoting law enforcement.

Sharing of forfeited assets; promoting law enforcement. Specifies that the forfeited property and assets paid to the state treasury into a special fund of the Department of Criminal Justice Services that shall be made available to federal, state, and local agencies to promote law enforcement may include expenditures to strengthen the relationships between the community and law enforcement, encourage goodwill between the community and law enforcement, or promote cooperation with law enforcement.

SB 17 Law-enforcement officers; exemption from certain training requirements.

Employment of retired law-enforcement officers; exemption from certain training requirements. Provides that the Director of the Department of Criminal Justice Services shall exempt a law-enforcement officer who has demonstrated sensitivity to cultural diversity issues, had previous experience and training as a law-enforcement officer, is currently receiving or is eligible to receive a service retirement allowance, and has a break in service of no longer than 60 calendar months between

retirement and new employment as a law-enforcement officer from the mandatory attendance of all courses that are required for the successful completion of the compulsory minimum training standards established by the Criminal Justice Services Board.

SB 78 Driver education programs; parent/student driver education component.

Board of Education; driver education programs; parent/student driver education. Requires the Board of Education to include an additional minimum 90-minute parent/student driver education component as part of the classroom portion of its driver education program for all public school divisions and provides that participation in such component shall be required in Planning District 8 (Northern Virginia) and shall be encouraged but shall not be required outside of Planning District 8. Under current law, participation in such parent/student driver education component is required in Planning District 8 and optional outside of Planning District 8. The bill also requires such parent/student driver education component to emphasize the dangers of distracted driving.

SB 82 City reversion; disposition of police department or sheriff's department motorcycles.

City reversion; disposition of police department or sheriff's department motorcycles. Provides that when a city reverts to a town and the police department or sheriff's department of the former city ceases to exist, officers of the former city police department or sheriff's department shall be entitled to purchase motorcycles that previously belonged to the police department or sheriff's department at the same cost as the city's original purchase price.

SB 102 Arrest warrant; offenses committed during a close pursuit.

Criminal acts committed during a close pursuit; arrest warrant. Provides that if a law-enforcement officer makes an arrest without a warrant when in close pursuit and such arrest is made beyond the boundary of the county or city from which the arrestee fled, then the law-enforcement officer shall procure a warrant from the magistrate serving the county or city wherein the arrest was made, charging the accused with the offense committed in the county or city from which he fled and any offense committed during the close pursuit in the county or city where such offense was committed. Under current law, such officer would not be able to obtain a warrant from the magistrate serving the county or city wherein the arrest was made for a criminal act committed during the close pursuit beyond the boundary of the county or city from which the arrestee fled.

SB 139 Minors; issuance of original driver's licenses.

Issuance of original driver's licenses to minors. Authorizes the chief juvenile and domestic relations district court judge to waive the ceremonial requirements for the issuance within the district of original driver's licenses to minors or order that the licensing ceremony be conducted in an alternative manner. This bill is identical to HB 1050.

SB 227 Misdemeanor sexual offenses where the victim is a minor; statute of limitations, penalty.

Misdemeanor sexual offenses where the victim is a minor; statute of limitations; penalty. Provides that the prosecution of the misdemeanor offense of causing or encouraging acts rendering children delinquent where the alleged adult offender has consensual sexual intercourse with a minor who is 15 years of age or older at the time of the offense shall be commenced no later than five years after the victim reaches majority provided that the alleged adult offender was more than three years older than the victim at the time of the offense. Under current law, the prosecution of such offense shall be commenced within one year after commission of the offense.

SB 249 Sexual abuse of animals; definitions, penalty.

Sexual abuse of animals; penalty. Provides that any person who knowingly (i) engages in sexual contact with an animal; (ii) causes another person by force, threat, or intimidation to engage in sexual contact with an animal; (iii) advertises, solicits, offers, sells, purchases, or possesses an animal with the intent that the animal be subject to sexual contact; (iv) permits sexual contact with an animal to be conducted on any premises under his ownership or control; or (v) produces, distributes, publishes, sells, transmits, finances, possesses, or possesses with the intent to distribute, publish, sell, or transmit an obscene item depicting a person engaged in sexual contact with an animal is guilty of a Class 6 felony. The bill also provides that any person convicted of sexual abuse of an animal shall be prohibited from possessing, owning, or exercising control over any animal and may be ordered to attend an appropriate treatment program or obtain psychiatric or psychological counseling.

SB 268 Emergency custody and temporary detention; transportation, transfer of custody, alternative custody.

Emergency custody and temporary detention; transportation; transfer of custody. Provides that when a magistrate orders alternative transportation for an individual under a temporary detention order, the primary law-enforcement agency that executes the order may transfer custody of the person to the alternative transportation provider immediately upon execution of the order. Such alternative transportation provider shall maintain custody of the person from the time custody is transferred to the alternative transportation provider by the primary law-enforcement agency until such time as custody of the person is transferred to the temporary detention facility, as is appropriate. The bill adds employees of and persons providing services pursuant to a contract with the Department of Behavioral Health and Developmental Services to the list of individuals who may serve as alternative transportation providers. The bill clarifies that if no alternative transportation provider is available, the magistrate shall order a person to be kept in law-enforcement custody. The bill also requires the Department of Behavioral Health and Developmental Services to amend an existing contract or enter into a new contract for alternative custody of persons who are subject to temporary detention orders, to the extent funding for such alternative custody is available. This bill incorporates SB 176, SB 650, and SB 682.

SB 279 Vicious dogs; law-enforcement officer, etc., to apply to a magistrate for a summons, etc.

Vicious dogs. Requires a law-enforcement officer or animal control officer to apply to a magistrate for a summons for a vicious dog if such officer is located in either the jurisdiction where the vicious dog resides or in the jurisdiction where the vicious dog committed one of the acts set forth in the definition of a vicious dog. Current law requires such action only if the law-enforcement officer or animal control officer is located in the jurisdiction where the vicious dog resides. The bill also requires any evidentiary hearing or appeal to be held not less than 30 days from the date of the summons or appeal, unless good cause is found by the court.

SB 325 Alcoholic beverage control; transportation of alcoholic beverages purchased.

Alcoholic beverage control; transportation of alcoholic beverages. Increases from one gallon to three gallons the amount of alcoholic beverages that a person may transport into the Commonwealth and consolidates current law regarding the transportation of alcoholic beverages into or within the Commonwealth. The bill contains technical amendments.

SB 362 Bicycles and certain other vehicles; riding two abreast.

Bicycles and certain other vehicles; riding two abreast. Prohibits persons riding bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, or motorized skateboards or scooters two abreast from impeding the normal and reasonable movement of traffic and requires such

persons to move into a single-file formation as quickly as is practicable when being overtaken from the rear by a faster-moving vehicle.

SB 404 Search warrants; copy of search warrant and affidavit given to at least one adult occupant.

Search warrants; copy of search warrant and affidavit given to occupants. Clarifies that if the owner of the place to be searched is not present, a copy of the search warrant and affidavit shall be given to at least one adult occupant of the place to be searched.

SB 439 Higher educational institutions, nonprofit and public; hazing policies.

Institutions of higher education; hazing; policies. Establishes mandates at nonprofit private institutions of higher education and public institutions of higher education relating to hazing and defines different types of organizations at such institutions to which the mandates apply. The bill requires each such institution to provide to each current member, new member, and potential new member of each student organization with new members hazing prevention training that includes extensive, current, and in-person education about hazing, the dangers of hazing, including alcohol intoxication, and hazing laws and institution policies and information explaining that the institution's disciplinary process is not to be considered a substitute for the criminal legal process and provides that if a student organization with new members has an advisor, such advisor shall receive such hazing prevention training. The bill requires the governing board of each institution to include as part of its policy, code, rules, or set of standards governing sexual violence a provision for immunity from disciplinary action based on hazing or personal consumption of drugs or alcohol where such disclosure is made in conjunction with a good faith report of an act of hazing in advance of or during an incident of hazing that causes injury to a person. Beginning with the 2022–2023 academic year, the bill requires each institution to maintain and publicly report actual findings of violations of the institution's code of conduct or of federal or state laws pertaining to hazing that are reported to campus authorities or local law enforcement. This bill shall be known as Adam's Law. This bill is identical to HB 525.

SB 468 Line of Duty Act; Virginia licensed health practitioners required to conduct medical reviews.

Virginia Retirement System; Line of Duty Act; medical reviews to be conducted by Virginia practitioners. Provides that, for any medical review of a claim made pursuant to the provisions of the Line of Duty Act, the Virginia Retirement System shall require that such review be conducted by a doctor, nurse, or psychologist who is licensed in Virginia or a contiguous state. The bill has a delayed effective date of July 1, 2023.

SB 493 Sexually explicit visual material to another; civil action for dissemination of images, penalty.

Civil action for the dissemination of sexually explicit visual material to another. Provides that any person 18 years of age or older who knowingly transmits an intimate image, as defined in the bill, by computer or other electronic means to the computer or electronic communication device of another person 18 years of age or older when such other person has not consented to the use of his computer or electronic communication device for the receipt of such material or has expressly forbidden the receipt of such material shall be considered a trespass and shall be liable to the recipient of the intimate image for actual damages or \$500, whichever is greater, in addition to reasonable attorney fees and costs.

SB 593 Emergency custody or temporary detention order; custody and transportation of persons, etc.

Custody and transportation of persons subject to emergency custody or temporary detention order; alternative custody; auxiliary police officers. Allows auxiliary police officers to provide transportation for a person subject to an emergency custody or temporary detention order. The bill also directs the Department of Criminal Justice Services to establish compulsory minimum training standards for

auxiliary police officers who are called into service solely for the purpose of providing transportation for such person subject to an emergency custody order or providing transportation for a person in the temporary detention process.

SB 649 Juvenile law-enforcement records; disclosures to school principals.

Juvenile law-enforcement records; disclosures to school principals. Changes from discretionary to mandatory that the chief of police of a city or chief of police or sheriff of a county disclose to a school principal all instances where a juvenile at the principal's school has been charged with a violent juvenile felony, an arson offense, or a concealed weapon offense and adds an offense that requires a juvenile intake officer to make a report with the school division superintendent to the list of such instances that must be disclosed to a school principal for the protection of the juvenile, his fellow students, and school personnel.

SB 675 Firearms; criminal history record information check required to sell, exception.

Criminal history record information check required to sell firearm; exception for purchase of service weapon. Provides that the purchase of a service weapon by a retired law-enforcement officer is not subject to a criminal history record information check.

SB 741 Facial recognition technology; authorized uses.

Facial recognition technology; authorized uses; penalty. Authorizes local law-enforcement agencies, campus police departments, and the Department of State Police (the Department) to use facial recognition technology for certain authorized uses as defined in the bill. The bill requires that the appropriate facial recognition technology be determined by the Division of Purchases and Supply and that such facial recognition technology be evaluated by the National Institute of Standards and Technology and have an accuracy score of at least 98 percent true positives across all demographic groups. The bill directs the Department to develop a model policy regarding the investigative uses of facial recognition technology to be posted publicly no later than January 1, 2023, and requires local law-enforcement agencies or campus police departments that use facial recognition technology to either adopt the Department's model policy or develop an individual policy that meets or exceeds the standards set by the Department's model policy. The bill directs local law-enforcement agencies, campus police departments, and the Department to collect and maintain certain data related to the use of facial recognition technology and to publish an annual report to provide information to the public regarding the agency's use of facial recognition technology. The bill clarifies that any match made through facial recognition technology shall not be used in an affidavit to establish probable cause for the purposes of a search or arrest warrant. Additionally, any facial recognition technology operator employed by a local law-enforcement agency, campus police department, or the Department who violates the agency's or department's policy for the use of facial recognition technology or conducts a search for any reason other than those authorized by the bill is guilty of a Class 3 misdemeanor for a first offense, and is guilty of a Class 1 misdemeanor for a second or subsequent offense.

SB 743 Law-enforcement officers, former; retention of identification and badge.

Former law-enforcement officers; retention of identification and badge. Provides that a former law-enforcement officer with at least 10 years of service who has been diagnosed with post-traumatic stress disorder or is disabled shall, upon request, be issued a photo identification and badge indicating that he honorably served, both of which will be mounted by the employing department or agency in such a manner that it will be impossible for anyone to carry it on his person.

SB 758 Switchblade; selling or possessing.

Selling or possessing switchblade. Eliminates the prohibition for selling, bartering, giving, furnishing, or possessing with the intent of selling, bartering, giving, or furnishing a switchblade.

SB 777 Front and rear bumpers; height limits.

Front and rear bumper height limits; emergency. Provides that no passenger car or pickup or panel truck shall be operated on a public highway if the suspension, frame, or chassis has been modified by any means so as to cause the height of the front bumper to be four or more inches greater than the height of the rear bumper. The bill contains an emergency clause – LAW WENT INTO EFFECT 3/22/2022.

VETOED BY GOVERNOR

HB 670 Independent policing auditor; county manager plan of government.

County manager plan of government; independent policing auditor. Allows the governing body of any county with the county manager plan of government (Arlington County) to appoint an independent policing auditor. The independent policing auditor shall support any law-enforcement civilian oversight body created by the governing body and shall have all the powers of the law-enforcement civilian oversight body, to the extent that such powers are delegated to the independent policing auditor by the oversight body. The independent policing auditor shall serve at the pleasure of the governing body.

FAILED IN GENERAL ASSEMBLY

HB 8 School security officers; scope of employment, certain veterans permitted to carry.

School security officers; scope of employment; carrying firearm in performance of duties. Provides that each school security officer, in addition to performing each enumerated duty, is responsible for carrying out any other duty assigned to him by the local school board, excluding enforcement of discipline reserved solely and exclusively to school administrators. The bill permits a school security officer to carry a firearm in the performance of his duties if (i) within 10 years immediately prior to being hired by the local school board or private or religious school, he was an active duty member in the Armed Forces of the United States who served on active duty for at least 10 years and received an honorable discharge from such service and (ii) he has provided proof of completion of the required training course.

HB 10 Resident concealed handgun permits; fees.

Fees for resident concealed handgun permits. Eliminates the fees that may be charged for the processing of an application for or issuing of a resident concealed handgun permit, including any costs associated with the clerk's consultation with law-enforcement agencies.

HB 14 Handguns; limitation on purchases.

Purchase of handguns; limitation on handgun purchases. Removes the prohibition on any person who is not a licensed firearms dealer from purchasing more than one handgun in a 30-day period. Current law makes it a Class 1 misdemeanor for a violation of this provision, subject to certain exemptions.

HB 23 Dangerous weapons; carrying to place of religious worship.

Carrying dangerous weapon to place of religious worship; repeal. Repeals the prohibition on the carrying of dangerous weapons in a place of worship without good and sufficient reason while a meeting for religious purposes is being held at such place.

HB 26 Firearms; control by localities of possession or carrying.

Control of firearms by localities. Removes the authority for a locality by ordinance to prohibit the possession or carrying of firearms, ammunition, or components or any combination thereof in (i) any building, or part thereof, owned or used by such locality for governmental purposes; (ii) any public park owned or operated by the locality; (iii) any recreation or community center facility; or (iv) any public street, road, alley, or sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit. The bill provides that any firearm received by the locality pursuant to a buy-back program shall be offered for sale by public auction or sealed bids to a person licensed as a dealer. Current law provides that any such firearm shall be destroyed by the locality unless the person surrendering the firearm requests in writing that the firearm be offered for sale. The bill also limits the authority of localities and state governmental entities to bring lawsuits against certain firearms manufacturers and others.

HB 37 School boards; employment of at least one school resource officer in public middle and high school.

School boards; school resource officers; employment; threat assessment. Requires each school board to enter into a collaborative agreement with the local law-enforcement agency to employ at least one school resource officer in each public middle and high school in the local school division and at least one school resource officer per five public elementary schools in the local school division, who is required to serve in each such elementary school on a rotating basis. The bill also requires each division superintendent to include on the threat assessment team established for each public elementary and secondary school in the local school division at least one school resource officer employed in the school.

HB 38 Constitutional officers; appointed deputies, dual office holding.

Constitutional officers; appointed deputies; dual office holding. Subjects any person appointed by a constitutional officer to serve as deputy as provided by law to the same dual office holding requirements and prohibitions applicable to the constitutional officer.

HB 42 Improper driving; person may be charged with offense when conduct constitutes reckless driving.

Improper driving. Provides that a person may be charged with the offense of improper driving when his conduct is of the kind that constitutes reckless driving but when his degree of culpability is slight. Currently, a law-enforcement officer is not able to charge a person with improper driving, but a charge of reckless driving may be reduced to improper driving by the court or the attorney for the Commonwealth.

HB 51 Damage to motor vehicles; penalties.

Damage to motor vehicles; penalties. Makes it a Class 6 felony for a person to commit larceny of a catalytic converter from a motor vehicle, regardless of the converter's value. The bill also makes it a Class 6 felony for a person to willfully break, injure, tamper with, or remove any part or parts of any vehicle, aircraft, boat, or vessel for the purpose of injuring, defacing, or destroying said vehicle, aircraft, boat, or vessel, or temporarily or permanently preventing its useful operation, or for any purpose against the will or without the consent of the owner, or to in any other manner willfully or maliciously interfere with or prevent the running or operation of such vehicle, aircraft, boat, or vessel, when such violation causes damage to such vehicle, aircraft, boat, or vessel of \$1,000 or more. Current law makes such violation a Class 1 misdemeanor with no limit on the amount of damage. Under the bill, the penalty for damage of less than \$1,000 remains a Class 1 misdemeanor.

HB 59 School principals; incident reports.

School principals; incident reports. Requires that school principals report to law enforcement certain enumerated acts that may constitute a misdemeanor offense and report to the parents of any minor student who is the specific object of such act that the incident has been reported to law enforcement. Under current law, principals are required to make such reports only for such acts that may constitute a felony offense.

HB 66 Secondary roads; use of certain utility vehicles.

Use of utility vehicles on secondary roads. Provides that a person with a valid driver's license and insurance may operate a utility vehicle equipped with certain equipment on secondary roads located in counties with a population of 100,000 or less.

HB 70 Law-Enforcement Officers Procedural Guarantee Act; minimum rights.

Law-Enforcement Officers Procedural Guarantee Act; minimum rights. Provides that the rights accorded to law-enforcement officers in the Law-Enforcement Officers Procedural Guarantee Act are minimum rights and all law-enforcement agencies shall adopt grievance procedures that are consistent with such rights. The bill removes the current exception from the provisions of the Law-Enforcement Officers Procedural Guarantee Act for any law-enforcement officer or law-enforcement agency that serves under the authority of a locality that has established a law-enforcement civilian oversight body.

HB 79 Traffic offenses, certain; issuing citations.

Issuing citations; certain traffic offenses. Removes the provisions that provide that no law-enforcement officer may lawfully stop a motor vehicle for operating (i) without a light illuminating a license plate, (ii) with defective and unsafe equipment, (iii) without brake lights or a high mount stop light, (iv) without an exhaust system that prevents excessive or unusual levels of noise, (v) with certain sun-shading materials and tinting films, and (vi) with certain objects suspended in the vehicle, and the accompanying the exclusionary provisions.

HB 89 Disorderly conduct in public places; provisions shall not apply to student in grades kindergarten-8.

Disorderly conduct; students in grades kindergarten through grade eight. Provides that the crime of disorderly conduct shall not apply to any student in grades kindergarten through eight if the disorderly conduct occurred on the property of any elementary or secondary school, on a school bus, or at any activity conducted or sponsored by any elementary or secondary school. Current law provides that disorderly conduct shall not apply to any elementary or secondary school student in such locations and at such activities.

HB 109 Search warrants; removes certain provisions in regard to execution of warrants.

Search warrants; execution. Removes provisions requiring that search warrants for the search of any place of abode be executed by initial entry of the abode only in the daytime hours between 8:00 a.m. and 5:00 p.m.

HB 110 Law-enforcement civilian oversight bodies; removes the authority of a locality to establish.

Law-enforcement civilian oversight bodies. Removes the authority of a locality to establish a law-enforcement civilian oversight body. Under current law, law-enforcement civilian oversight bodies may (i) receive, investigate, and issue findings on complaints from civilians regarding conduct of law-enforcement officers and civilian employees; (ii) investigate and issue findings on incidents, including the use of force by a law-enforcement officer, death or serious injury to any person held in custody,

serious abuse of authority or misconduct, allegedly discriminatory stops, and other incidents regarding the conduct of law-enforcement officers or civilian employees; (iii) make binding disciplinary determinations in cases that involve serious breaches of departmental and professional standards; (iv) investigate policies, practices, and procedures of law-enforcement agencies and make recommendations regarding changes to such policies, practices, and procedures; (v) review all investigations conducted internally by law-enforcement agencies and issue findings regarding the accuracy, completeness, and impartiality of such investigations and the sufficiency of any discipline resulting from such investigations; (vi) request reports of the annual expenditures of law-enforcement agencies and make budgetary recommendations; (vii) make public reports on the activities of the law-enforcement civilian oversight body; and (viii) undertake any other duties as reasonably necessary for the law-enforcement civilian oversight body to effectuate its lawful purpose to effectively oversee the law-enforcement agencies as authorized by the locality.

HB 122 Issuing citations; certain traffic offenses, exclusion of evidence.

Issuing citations; certain traffic offenses; exclusion of evidence. Removes the provisions stating that no law-enforcement officer may lawfully stop a motor vehicle for operating (i) with an expired registration sticker prior to the first day of the fourth month after the original expiration date; (ii) with defective and unsafe equipment; (iii) without tail lights or brake lights; (iv) without an exhaust system in good working order; (v) with certain signs, posters, stickers or decals; (vi) with objects or other equipment suspended so as to obstruct the driver's view; or (vii) with an expired inspection prior to the first day of the fourth month after the original expiration date, as well as the accompanying exclusionary provisions.

HB 131 Virginia Retirement System; enhanced retirement benefits for 911 dispatchers.

Virginia Retirement System; enhanced retirement benefits for 911 dispatchers. Adds 911 dispatchers to the list of local employees eligible to receive enhanced retirement benefits for hazardous duty service. Under current law, localities may provide such benefits to first responders, including firefighters and emergency medical technicians, and certain other hazardous duty positions. The bill provides that such benefits would be available only to dispatchers hired starting on or after January 1, 2022.

HB 133 Firearms or other weapons; possession on school property.

Possession of firearms or other weapons on school property. Removes preschools and licensed child day centers that are not operated at the residence of the provider or of any of the children from the list of schools where possessing a firearm or other weapon on school property or on a school bus is prohibited.

HB 134 Involuntary commitment; release of person before expiration of order.

Involuntary commitment; release of person before expiration of order. Provides that no person who is the subject of an order for involuntary commitment shall be released from a state hospital or licensed hospital and that no community services board shall petition for rescission of a mandatory outpatient treatment order or order authorizing discharge to mandatory outpatient treatment following inpatient treatment during the 96-hour period immediately following entry of the order, unless in the opinion of (i) the psychiatrist or clinical psychologist treating the person, based on an evaluation conducted by the psychiatrist or clinical psychologist, and (ii) a second psychiatrist or clinical psychologist who has evaluated the person, the person will not meet the criteria for involuntary commitment if released.

HB 135 Emergency custody and temporary detention; transportation of person when transfer of custody.

Emergency custody and temporary detention; transportation; transfer of custody. Provides that, in cases in which transportation of a person subject to an emergency custody order or temporary detention

order is ordered to be provided by an alternative transportation provider, the primary law-enforcement agency that executes the order may transfer custody of the person to the alternative transportation provider immediately upon execution of the order, and that the alternative transportation provider shall maintain custody of the person from the time custody is transferred to the alternative transportation provider by the primary law-enforcement agency until such time as custody of the person is transferred to the community services board or its designee that is responsible for conducting the evaluation or the temporary detention facility, as is appropriate. The bill also adds employees of and persons providing services pursuant to a contract with the Department of Behavioral Health and Developmental Services to the list of individuals who may serve as alternative transportation providers.

HB 159 Emergency custody and temporary detention orders; transportation of minor, acceptance of custody.

Emergency custody and temporary detention orders; custody. Requires a facility or location to which a minor or adult who is subject to an emergency custody or temporary detention order is transported to accept custody of the minor or adult upon completion of transportation and arrival of the minor or adult at the facility and specifies that the primary law-enforcement agency shall provide transportation of a person who is involved in the involuntary commitment process, rather than a sheriff, as provided under current law.

HB 162 Virginia Retirement System; enhanced retirement benefits for animal control officers.

Virginia Retirement System; enhanced retirement benefits for animal control officers. Adds animal control officers to the list of local employees eligible to receive enhanced retirement benefits for hazardous duty service. Under current law, localities may provide such benefits to first responders, including firefighters and emergency medical technicians, and certain other hazardous duty positions.

HB 163 Emergency custody and temporary detention; governing transportation & custody of minors and adults.

Emergency custody and temporary detention; transportation and custody. Amends numerous sections governing emergency custody and temporary detention of minors and adults to clarify duties of law-enforcement agencies and mental health facilities with regard to custody. The bill requires facilities to take custody of a minor or person who is the subject of an emergency custody order or temporary detention order immediately upon completion of transportation and arrival of the minor or person at the facility; specifies that if a facility does not take custody of a minor or person immediately upon completion of transportation and arrival at the facility, the order is void and the minor or person shall be released; provides that emergency custody orders shall not be extended; and makes other changes to clarify the role and obligations of law enforcement in the emergency custody and temporary detention process.

HB 181 Criminal records; sealing of records.

Criminal records; sealing of records; repeal. Repeals provisions not yet effective allowing for the automatic and petition-based sealing of police and court records for certain convictions, deferred dispositions, and acquittals and for offenses that have been nolle prossed or otherwise dismissed.

HB 261 Speed limits; local authority.

Reduction of speed limits; local authority. Authorizes localities to reduce the speed limit by up to 10 miles per hour on any highway within its boundaries if indicated by lawfully placed signs and based on a traffic engineering study and analysis. Current law authorizes localities to reduce the speed limit to less

than 25 miles per hour, but not less than 15 miles per hour, on highways within its boundaries that are located in a business district or residence district and maintained by the locality.

HB 308 School principals; incident reports.

School principals; incident reports. Requires that school principals report to law enforcement certain enumerated acts that may constitute a misdemeanor offense and report to the parents of any minor student who is the specific object of such act that the incident has been reported to law enforcement. Under current law, principals are required to make such reports only for such acts that may constitute a felony offense.

HB 325 Firearms; reporting lost or stolen, civil penalty.

Reporting lost or stolen firearms; civil penalty. Repeals the requirement that, if a firearm is lost or stolen from a person who lawfully possessed it, such person shall report the loss or theft of the firearm to any local law-enforcement agency or the Department of State Police within 48 hours after such person discovers the loss or theft or is informed by a person with personal knowledge of the loss or theft. Under current law, a violation is punishable by a civil penalty of not more than \$250.

HB 399 Plastic firearms and unfinished frames, etc.; manufacture, import, sale, transfer, etc., penalties.

Manufacture, import, sale, transfer, or possession of plastic firearms and unfinished frames or receivers and unserialized firearms; penalties. Creates a Class 5 felony for any person who manufactures, imports, sells, transfers, or possesses any firearm with a major component, as defined in the bill, that when subjected to inspection by the types of detection devices, including X-ray machines, commonly used at airports for security screening does not generate an image that accurately depicts the shape of the component. The bill updates language regarding the types of detection devices that are used at airports for detecting plastic firearms.

The bill also creates several Class 1 misdemeanors, which are punishable as a Class 4 felony for a second or subsequent offense, making it unlawful (i) for any person to knowingly possess, transport, or receive an unfinished frame or receiver unless the party possessing or receiving the unfinished frame or receiver is a federal firearms importer, manufacturer, or dealer or the unfinished frame or receiver is required by federal law to be, and has been, imprinted with a serial number by a federal firearms importer, manufacturer, or dealer and (ii) for any person to knowingly sell, offer to sell, transfer, or purchase an unfinished frame or receiver unless the party selling, offering to sell, transferring, or purchasing the unfinished frame or receiver is a federal firearms importer, manufacturer, or dealer or the unfinished frame or receiver is required by federal law to be, and has been, imprinted with a serial number by a federal firearms importer, manufacturer, or dealer. The provisions related to the prohibition for possessing, transporting, or receiving an unfinished frame or receiver have a delayed effected date of January 1, 2023.

HB 428 Drug-related investigations; use of confidential informants.

Use of confidential informants in drug-related investigations. Directs the Department of Criminal Justice Services to establish a model policy for the use of confidential informants in drug-related investigations and to include in such model policy that (i) no individual currently on probation may serve as a confidential informant without notice to his probation or parole officer, (ii) no individual who has recently violated the terms of his probation or parole shall serve as a confidential informant, (iii) law-enforcement personnel shall obtain approval from the appropriate local attorney for the Commonwealth prior to working with a confidential informant, and (iv) such confidential informant shall not unlawfully use or possess any controlled substances.

HB 493 Virginia Freedom of Information Act; required release of law-enforcement disciplinary records.
Virginia Freedom of Information Act; required release of law-enforcement disciplinary records; exceptions. Requires the release of law-enforcement disciplinary records related to completed disciplinary investigations. The bill defines "law-enforcement disciplinary records" as any record created in furtherance of a law-enforcement disciplinary proceeding or any other administrative or judicial proceeding arising from the law-enforcement officer's conduct, whether such proceeding takes place in the Commonwealth or in another jurisdiction. The bill allows for the redaction of certain personal contact information of the law-enforcement officer, complainant, and witness and of their families; social security numbers; certain medical and identifying information of the law-enforcement officer and complainant; and any technical infraction, as defined in the bill, by the law-enforcement officer. This bill is a recommendation of the Virginia Freedom of Information Advisory Council.

HB 509 Firearms; removal from persons posing substantial risk, penalties.
Firearms; removal from persons posing substantial risk; penalties. Repeals the procedure by which any attorney for the Commonwealth or law-enforcement officer may apply to a general district court, circuit court, or juvenile and domestic relations district court judge or magistrate for an emergency substantial risk order to prohibit a person who poses a substantial risk of injury to himself or others from purchasing, possessing, or transporting a firearm. The bill also removes the substantial risk order registry for the entry of orders issued.

HB 593 Law-enforcement officers; pensions and benefits, death before retirement.
Pensions; law-enforcement officers; death before retirement. Provides that when a member of the State Police Officers' Retirement System or the Virginia Law Officers' Retirement System or a local law-enforcement officer who is eligible for similar benefits dies before retirement by suicide or in the line of duty, the retirement allowance payable to his beneficiary shall include any hazardous duty supplement for which the member or local law-enforcement officer was eligible.

HB 611 Early Identification System (EIS); DCJS to establish.
Conduct of law-enforcement officers; establishment of an Early Identification System. Requires the Department of Criminal Justice Services (the Department) to establish a best practices model for the implementation, training, and management of an Early Identification System (EIS). The bill defines an EIS as a system through which a law-enforcement agency collects and manages data to identify and assess patterns of behavior, including misconduct and high-risk behavior, or performance of law-enforcement officers and law-enforcement agency employees. The bill directs each sheriff or chief of police to implement an EIS by July 1, 2024, and requires that law-enforcement officers receive training prior to implementation of the EIS and annually thereafter. The bill also directs the Department to establish and administer written policies and procedures for law-enforcement agencies to report to the Office of the Attorney General all judgments or settlements in cases relating to negligence or misconduct of a law-enforcement officer.

HB 613 Arrest/prosecution of individual experiencing mental health emerg.; assault against law enforcement.
Arrest and prosecution of individual experiencing a mental health emergency; assault or assault and battery against a law-enforcement officer. Provides that no individual shall be subject to arrest or prosecution for an assault or assault and battery against a law-enforcement officer if at the time of the assault or assault and battery (i) the individual (a) is experiencing a mental health emergency or (b)

meets the criteria for issuance of an emergency custody order and (ii) the law-enforcement officer subject to the assault or assault and battery was responding to a call for service requesting assistance for such individual. The bill provides that no law-enforcement officer acting in good faith shall be found liable for false arrest if it is later determined that the person arrested was immune from prosecution.

HB 742 Workers' compensation; anxiety disorder or depressive disorder incurred by law-enforcement, etc.

Workers' compensation; anxiety disorder or depressive disorder incurred by law-enforcement officers and firefighters. Provides that an anxiety disorder or depressive disorder, as both are defined in the bill, incurred by a law-enforcement officer or firefighter is compensable under the Virginia Workers' Compensation Act on the same basis as post-traumatic stress disorder. The bill provides that a mental health professional must diagnose the law-enforcement officer or firefighter as suffering from anxiety disorder or depressive disorder as a result of a qualifying event, as defined in the Code, and includes other conditions for compensability.

HB 747 Photo speed monitoring devices; locality-designated highway segments.

Photo speed monitoring devices; locality-designated highway segments. Authorizes localities to, by ordinance, authorize their local law-enforcement agency to place and operate photo speed monitoring devices in certain locations named in the ordinance, provided that (i) the highway has a posted speed limit of 35 miles per hour or greater; (ii) the ordinance identifies the locality-designated speeding offense to be enforced by the photo speed monitoring device; (iii) speeding, crash, or fatality data support the need for stronger enforcement against speeding; (iv) in counties and towns whose roads are subject to the control and jurisdiction of the Department of Transportation, the locality-designated highway segment is in the secondary state highway system; and (v) the Superintendent of State Police, upon request of the chief law-enforcement officer for the locality, annually certifies that the speed limit on the locality-designated highway segment cannot be safely enforced without the use of a photo speed monitoring device. The bill directs the locality to also identify the speeding violations that may be enforced by a photo speed monitoring device. Current law authorizes the use of photo speed monitoring devices in highway work zones and school crossing zones.

HB 759 Window tinting; vehicle stop.

Window tinting; vehicle stop. Removes the prohibition on a law-enforcement officer from stopping a motor vehicle for a violation of provisions related to window tinting and the prohibition of evidence discovered or obtained at such stop from being admissible in court.

HB 790 Collective bargaining; law enforcement, transparency and accountability.

Collective bargaining; law enforcement; transparency and accountability. Prohibits a county, city, or town from entering into a collective bargaining contract with a labor union or other employee association representing law-enforcement officers or employees of a law-enforcement agency that (i) prevents the Attorney General from seeking equitable relief against a law-enforcement agency engaging in a pattern or practice of unconstitutional misconduct; (ii) includes any stipulation that delays officer interviews or interrogations after alleged wrongdoing for a set length of time; (iii) provides officers with access to evidence before interviews or interrogations about alleged wrongdoing; (iv) mandates the destruction or purging of disciplinary records from personnel files after a set length of time, or limits the consideration of disciplinary records in future employment actions; (v) prohibits the interrogation, investigation, or punishment of officers on the basis of alleged wrongdoing if a set length of time has elapsed since its alleged occurrence, or since the initiation of the investigation; (vi) prohibits supervisors

from interrogating, investigating, or disciplining officers on the basis of anonymous civilian complaints; or (vii) requires arbitration of disputes related to disciplinary penalties or termination.

HB 834 Pensions; hazardous duty pay.

Pensions; hazardous duty pay. Provides that service in the Fire and Rescue Department of the Virginia Air National Guard shall be treated as service in a hazardous position for purposes of the hazardous duty supplement or increased retirement multiplier in the State Police Officers' Retirement System, in the Virginia Law Officers' Retirement System, or as a local law-enforcement officer eligible for similar benefits. The bill applies to creditable service earned before July 1, 2022, but only allows additional benefits to be paid prospectively.

HB 838 Lane filtering; motorcycles.

Lane filtering; motorcycles. Authorizes the operator of a two-wheeled motorcycle to pass another vehicle that is stopped or traveling at no more than 10 miles per hour in the same lane, provided that there are at least two lanes of travel in each direction, such motorcycle does not exceed a speed of 20 miles per hour, and the operator executes such passing safely.

HB 863 Local law enforcement; certain reports to school principals and division superintendents.

Local law enforcement; certain reports to school principals and division superintendents; form and scope. Requires local law-enforcement authorities to report in writing, and the principal or his designee and the division superintendent to receive each such report, on (i) any suspected offense, offense for which any charge has been filed, or offense that is subject to investigation, that was committed by a student enrolled at the school if the offense would be a felony if committed by an adult or would be a violation of the Drug Control Act and occurred on a school bus, on school property, or at a school-sponsored activity, or would be an adult misdemeanor involving certain enumerated incidents, and (ii) whether the student is released to the custody of his parent or, if 18 years of age or older, is released on bond. Current law does not require such reports to be in writing and only applies to student offenses but does not specify whether such reports are required to be made for student offenses that are suspected, charged, or subject to investigation.

HB 870 Law-enforcement officers; conduct of investigation.

Law-enforcement officers; conduct of investigation. Requires that a law-enforcement officer who is under investigation for an officer-involved shooting or an instance of alleged use of excessive force be questioned not more than 24 hours after the incident is reported.

HB 890 Va. Freedom of Information Act; release of certain law-enforcement criminal incident information.

Virginia Freedom of Information Act; repeal; release of certain law-enforcement criminal incident information and criminal investigative files. Repeals the provisions in the Virginia Freedom of Information Act (i) regarding the release of criminal investigative files that relate to a criminal investigation or proceeding that is not ongoing; (ii) that provide limitations to the mandatory release of criminal incident information relating to felony offenses and certain criminal investigative files; and (iii) that allow for, in the case of a request for certain criminal investigative files, an additional 60 work days to respond to such request after the initial allowable five-work-day response period. This bill is incorporated into HB 734.

HB 1018 Failure to wear a seatbelt; primary offense.

Failure to wear a seatbelt; primary offense. Changes from a secondary offense to a primary offense the failure to wear a seatbelt as required by law. A primary offense is one for which a law-enforcement officer may stop a motor vehicle.

HB 1037 Emergency custody and temporary detention; transportation of person when transfer of custody.

Emergency custody and temporary detention; transportation; transfer of custody. Provides that, in cases in which transportation of a person subject to an emergency custody order or temporary detention order is ordered to be provided by an alternative transportation provider, the primary law-enforcement agency that executes the order may transfer custody of the person to the alternative transportation provider immediately upon execution of the order, and that the alternative transportation provider shall maintain custody of the person from the time custody is transferred to the alternative transportation provider by the primary law-enforcement agency until such time as custody of the person is transferred to the community services board or its designee that is responsible for conducting the evaluation or the temporary detention facility, as is appropriate. The bill also adds employees of and persons providing services pursuant to a contract with the Department of Behavioral Health and Developmental Services to the list of individuals who may serve as alternative transportation providers.

The bill also requires the Department of Behavioral Health and Developmental Services to expand its existing contract for the provision of alternative transportation of a person who is subject to a temporary detention order or enter into new contracts for alternative transportation of a person who is subject to a temporary detention order to ensure sufficient availability of alternative transportation providers to take custody of and provide alternative transportation for all persons for whom alternative transportation is ordered.

HB 1096 Law-enforcement officers; exemption from prohibition on carrying firearms, etc., in Capitol Square.

Law-enforcement officers; retired law-enforcement officers; carrying a firearm or explosive material within Capitol Square and the surrounding area. Exempts any law-enforcement officer from the prohibition on carrying a firearm or explosive material within the Capitol of Virginia and Capitol Square and the surrounding area. The bill further allows any law-enforcement officer or qualified retired law-enforcement officer to carry a firearm or explosive material within any building owned or leased by the Commonwealth or any agency thereof, or any office where employees of the Commonwealth or agency thereof are regularly present to perform their official duties. Under current law, a law-enforcement officer is exempted only while acting in the conduct of his official duties, and a retired law-enforcement officer is limited to carrying a firearm while visiting a gun range owned or leased by the Commonwealth. The bill also clarifies that "Capitol Square and the surrounding area" as defined in current law does not include any public road or highway.

HB 1142 Virginia Community Policing Act; collection of data and reporting requirements.

Virginia Community Policing Act; collection of data and reporting requirements. Expands the type and detail of information required to be collected by a law-enforcement officer during a motor vehicle stop or other investigatory stop, or when responding to a motor vehicle accident, in order to comply with the Virginia Community Policing Act.

HB 1147 Temporary detention; alternative custody.

Temporary detention; alternative custody. Provides that if the facility indicated on a temporary detention order is a state facility, no bed for the person detained or in custody pursuant to the

temporary detention order is immediately available at such state facility, and an employee or designee of such state facility is available to take custody of such person, such employee or designee of the state facility may assume custody of such person wherever such person is located and maintain custody of such person and transport such person to such state facility or to an alternative facility of temporary detention. The bill also provides that a person who is an inmate who is subject to an order authorizing treatment shall remain in law-enforcement custody at all times prior to admission to the facility designated for treatment of the person pursuant to such order.

HB 1183 Motor vehicles; operating with accumulated snow or ice, penalty.

Operating motor vehicle with accumulated snow or ice; penalty. Provides that it is a traffic infraction punishable by a fine of \$100 for a person to operate a moving motor vehicle with any amount of accumulated snow or ice on its exposed surfaces where, were the snow or ice to become dislodged from such vehicle, such accumulated snow or ice could interfere with the operation of another motor vehicle or cause injury to persons or property. The bill exempts from the infraction a person operating an emergency vehicle, a vehicle engaged in snow or ice removal and control operations, or a vehicle operated during adverse weather conditions arising after operation of the vehicle began that result in the accumulation of snow or ice on such vehicle.

HB 1198 Attorney General; instituting/conducting crim. prosecutions for certain violence against children.

Attorney General; instituting or conducting criminal prosecutions for cases involving criminal sexual assault. Authorizes the Attorney General to institute or conduct criminal prosecutions in cases involving violations of criminal sexual assault when such crimes are committed against children.

HB 1209 Law-enforcement officers; prohibition on use of show-up identification.

Prohibition on use of show-up identification by law-enforcement officers. Prohibits the use of a show-up identification by any law-enforcement officer. The bill defines a "show-up identification" as an identification procedure in which an eyewitness is presented with a single suspect or single photograph of a suspect for the purpose of determining whether the eyewitness identifies such suspect as the perpetrator. The bill provides that no evidence discovered or obtained as the result of a show-up identification shall be admissible in any trial, hearing, or other proceeding. The bill also requires the written policy and procedures for conducting in-person and photographic lineups established by Department of State Police and each local police department and sheriff's office to include a prohibition on the use of a show-up identification.

SB 18 Virginia Retirement System; retired law-enforcement officers employed as school security officers.

Virginia Retirement System; retired law-enforcement officers employed as school security officers. Provides that if a retired law-enforcement officer was employed by a local school division as a school security officer on January 1, 2020, and had a bona fide break in service of at least one month between retirement and employment as a school security officer, such person is not required to establish a 12-month break in service that would otherwise be required by law.

SB 105 Law-enforcement officers; evidence obtained during prohibited stop.

Chapters 45 and 51 of the Acts of Assembly of 2020, Special Session I; retroactive and prospective effect. Provides that the provisions of Chapters 45 and 51 of the Acts of Assembly of 2020, Special Session I, shall be given retroactive and prospective effect. The bill also provides that its provisions shall not create any cause of action for damages against the Commonwealth or any of its political subdivisions, nor shall it form the basis for relief in any habeas corpus proceeding or appellate proceeding.

SB 116 Bicycle operators; failure to stop at a stop sign.

Bicycle operators; failure to stop at a stop sign. Imposes a \$500 fine on the operator of a bicycle who fails to stop at a stop sign. The bill also provides that the bicycle shall be impounded for a period of six months.

SB 240 Newspersons; crossing established police lines, exemption.

Newspersons crossing established police lines; exemption. Clarifies that a credentialed newsperson shall be exempt from the offense of crossing or remaining within police lines or barricades unless such persons are obstructing police, firefighters, or emergency medical services personnel in the performance of their duties within such police lines or barricades.

SB 246 Law-enforcement officer; purpose of traffic stop.

Law-enforcement officer; purpose of traffic stop. Provides that the operator of a motor vehicle, trailer, or semitrailer that has stopped on the signal of any law-enforcement officer shall exhibit his registration card, learner's permit, or temporary driver's permit for the purpose of establishing his identity upon being advised of the purpose of the stop within a reasonable time by the law-enforcement officer. Current law requires that such materials be exhibited upon the law-enforcement officer's request.

SB 289 Workers' compensation; anxiety disorder or depressive disorder incurred by law-enforcement, etc.

Workers' compensation; anxiety disorder or depressive disorder incurred by law-enforcement officers and firefighters. Provides that an anxiety disorder or depressive disorder, as both are defined in the bill, incurred by a law-enforcement officer or firefighter is compensable under the Virginia Workers' Compensation Act on the same basis as post-traumatic stress disorder. The bill provides that a mental health professional must diagnose the law-enforcement officer or firefighter as suffering from anxiety disorder or depressive disorder as a result of a qualifying event, as defined in the Code, and includes other conditions for compensability.

SB 379 Capital murder; death penalty for willful, deliberate, etc., killing of a law-enforcement officer.

Capital murder; death penalty for the willful, deliberate, and premeditated killing of a law-enforcement officer. Authorizes punishment by death for the willful, deliberate, and premeditated killing of a law-enforcement officer.

SB 682 Temporary detention; alternative custody.

Temporary detention; alternative custody. Provides that if the facility indicated on a temporary detention order is a state facility, no bed for the person detained or in custody pursuant to the temporary detention order is immediately available at such state facility, and an employee or designee of such state facility is available to take custody of such person, such employee or designee of the state facility may assume custody of such person wherever such person is located and maintain custody of such person and transport such person to such state facility or to an alternative facility of temporary detention. The bill also provides that a person who is an inmate who is subject to an order authorizing treatment shall remain in law-enforcement custody at all times prior to admission to the facility designated for treatment of the person pursuant to such order. This bill was incorporated into SB 268.

CARRIED OVER TO NEXT LEGISLATIVE SESSION

HB 116 Pulaski, Town of; regional criminal justice academy.

Regional criminal justice academy; Town of Pulaski. Allows the Town of Pulaski to withdraw from the Cardinal Criminal Justice Academy and send its cadets to the New River Criminal Justice Training Academy without penalty.

HB 736 Search warrants; execution.

Changes the hours of execution of a search warrant for the search of any place of abode from the daytime hours between 8:00 a.m. and 5:00 p.m. to between 6:00 a.m. and 10:00 p.m.

HB 1078 Firearms; limitations on use or transfer.

Limitations on use or transfer of firearms. Provides that certain provisions related to the sale or transfer of firearms do not prohibit the lawful transfer of firearms between certain family members. The bill also removes the brandishing of a firearm in such manner as to reasonably induce fear in the mind of another while assembled with one or more persons for the purpose of and with the intent to intimidate any person or group of persons from actions constituting the offense of unlawful paramilitary activity.

SB 277 DMV; applicants for driver's licenses, etc., to provide his race & ethnicity.

Department of Motor Vehicles; Virginia Community Policing Act; race and ethnicity data. Requires the Department of Motor Vehicles to require an applicant for an original driver's license, driver privilege card, special identification card with or without a photograph, and identification privilege card or the renewal or reissue of such license or card to provide his race and ethnicity. The bill prohibits displaying any such data in a readable form on a credential issued by the Department and requires such data to be encoded in the barcode on the back of such license or card. The bill prohibits the release of such data to any entity other than the Department of State Police to be used exclusively for the Virginia Community Policing Act Database.

SB 373 Emergency custody; magistrate may extend custody order, medical testing, observation, or treatment.

Emergency custody; extension; medical testing, observation, or treatment. Provides that a magistrate may, upon the sworn petition of the Commissioner of Behavioral Health and Developmental Services or his designee, issue an order extending an emergency custody order for a period of up to 48 hours upon finding that probable cause exists to believe that the behaviors upon which a finding that the person meets the criteria for emergency custody are the result of a medical or physical condition, including substance intoxication or withdrawal, and that the medical standard of care for such medical or physical condition calls for testing, observation, or treatment to prevent harm to the person resulting from such medical or physical condition. Upon issuance of an order extending the period of emergency custody, the person shall be transported to and detained in an appropriate medical care facility for testing, observation, and treatment.

SB 702 Marijuana; criminal history information, disclosure to state & local governments by job applicants.

Marijuana criminal history information; disclosure to state and local governments by job applicants. Allows the Commonwealth or a locality to require a job applicant or other applicant who is seeking a license, permit, registration, or other government service to disclose his prior criminal history for marijuana offenses. Under current law, the Commonwealth and its localities are prohibited from requiring the disclosure of such information for such purposes.

SB 752 Virginia Law Officers' Retirement System; eligibility.

Virginia Law Officers' Retirement System; eligibility. Adds sworn members of the enforcement division of the Department of Motor Vehicles and conservation officers of the Department of Conservation and Recreation to the membership of the Virginia Law Officers' Retirement System.