

2016 Law Enforcement Legislative Update Master List

Bill No.	Topic	Title	Bill Summary	Link to Full Text of Bill
HB 0137	Animals Livestock Wildlife	Feral hogs; employees of DGIF & federal agencies allowed to hunt or kill from aircraft, etc.	Killing feral hogs. Allows employees of the Department of Game and Inland Fisheries and federal agencies having responsibility for fisheries and wildlife management to hunt or kill, from aircraft and with the permission of the landowner, feral hogs in False Cape State Park and Back Bay National Wildlife Refuge, except during waterfowl season.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0116+hil
HB 0476	Animals Livestock Wildlife	Animal Control	Submission of animal intake policy. Requires animal control officers, law-enforcement officers, humane investigators, animal shelters, humane societies, and releasing agencies to annually submit a copy of their intake policy to the State Veterinarian.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0678+hil
HB 1211 SB 0651	Animals Livestock Wildlife	Animal control officers; training.	Animal control officers; training. Requires animal control officers hired on or after July 1, 2017, to complete a basic animal control course within one year after the date of hire, or within two years of the date of hire if the officer is attending a law-enforcement academy. Current law requires completion of such training course within two years after the date of hire.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0172+hil
HB 1231	Animals Livestock Wildlife	Dogs chasing livestock; district court may order dog to be transferred to a different owner, etc.	Dogs injuring, chasing, or killing livestock or poultry. Allows the district court to order that any dog that has been found to have injured or killed only poultry be microchipped and either confined securely or transferred to another owner whom the court deems appropriate. Under current law, the court is required to order that such a dog be killed immediately or removed to another state.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0757+hil
SB 0037	Animals Livestock Wildlife	Black vultures; control of those that pose danger to agricultural animals, etc.	Black vultures; agreements for control. Authorizes the Commissioner of Game and Inland Fisheries to enter into agreements with local and state agencies or other persons for the control of black vultures and other wildlife that pose a danger to agricultural animals. Current law allows such agreements for the control of coyotes.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0059+hil
SB 0268	Animals Livestock Wildlife	Animal disease violations; criminal and civil penalties.	Animal disease violations. Authorizes the Board of Agriculture and Consumer Services to assess civil penalties not to exceed \$1,000 per violation in lieu of criminal penalties for violations of the laws controlling livestock and poultry diseases and shooting enclosures, with the exception of violations of regulations to prevent and control avian influenza in the live-bird marketing system, which remain subject to both criminal and existing civil penalties. The bill designates moneys generated from any such civil penalties to be deposited into the Livestock and Poultry Disease Fund (the Fund), created by the bill. Moneys in the Fund are to be disbursed to control the spread of infectious diseases among animals. The bill contains technical amendments that reorganize the penalty provisions of Chapter 60 of Title 3.2 into a single new article.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0563+hil

2016 Law Enforcement Legislative Update Master List

SB 0009	Animals Livestock Wildlife	Civil immunity; forcible entry of motor vehicle to remove unattended companion animal.	Civil immunity; first responders; forcible entry of motor vehicle to remove unattended companion animal. Provides that first responders who forcibly enter a motor vehicle to remove an unattended companion animal that is at risk of serious bodily injury or death are immune from liability for property damage to the vehicle or injury to the animal resulting from the forcible entry and removal of the animal.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0679+hil
HB 1142	Animals Livestock Wildlife	Slingshot; hunting of wild birds and wild animals, except deer, etc., unless shooting is prohibited.	Hunting with a slingshot. Allows the hunting of wild birds and wild animals, except deer, bear, elk, and turkey, with a slingshot unless shooting is expressly prohibited.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0486+hil
HB 1329	Animals Livestock Wildlife	Trespass by hunters using dogs; penalty.	Trespass by hunters using dogs; penalty. Punishes as a Class 3 misdemeanor the intentional release by a person of hunting dogs on the lands of another to hunt without the consent of the landowner. The bill punishes a second or subsequent offense committed within three years as a Class 1 misdemeanor and provides for the revocation of the person's hunting license for a period of one year upon conviction.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0373+hil
SB 0344	Animals Livestock Wildlife	Sunday hunting; exempts any person who hunts rail (Rallidae) or other wetland birds.	Sunday hunting; rails. Exempts any person who hunts Rallidae, the family of birds that includes rails and other wetland birds, from the prohibition on hunting on Sunday. The exemption is subject to geographical limitations established by the Director of the Department of Game and Inland Fisheries and is not allowed within 200 yards of a place of worship or any accessory structure thereof. Current law allows, under certain circumstances, people who hunt raccoons or waterfowl or hunt on private property to do so on Sundays. The bill contains technical amendments.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0010+hil
SB 0367	Animals Livestock Wildlife	Coyotes; county or city ordinances, permits hunting with a rifle caliber larger than .22 rimfire.	Hunting of coyotes; county or city ordinances. Adds the hunting of coyotes with a rifle of a caliber larger than .22 rimfire to the list of firearm-hunting topics about which a county or city is authorized to adopt ordinances. Current law allows the governing body of a county or city to adopt ordinances prohibiting hunting with certain types of shotguns, permitting groundhog hunting under certain conditions, permitting hunting with muzzleloaders, and specifying permissible ammunition types. The bill contains technical amendments.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0064+hil

2016 Law Enforcement Legislative Update Master List

HB 0771 SB 0423	Asset Forfeiture	Asset forfeiture; seizure of property, report.	Asset forfeiture. Prohibits a law-enforcement agency from requesting, requiring, or otherwise inducing a person who asserts a lawful right to property seized for the purpose of forfeiture to waive his interest in or rights to the property until an information is filed. The bill allows attorneys for the Commonwealth to electronically notify the Department of Motor Vehicles, in a manner approved by the Commissioner, that a vehicle has been seized. A provision is added allowing a forfeiture proceeding to be stayed if it is also related to a warrant. The Department of Criminal Justice Services will be required to prepare an annual report to the Governor and General Assembly regarding information on all drug and nondrug asset seizures and forfeitures. The report shall be available to the public. This bill is a recommendation of the Virginia State Crime Commission.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0203+hil
SB 0457	Asset Forfeiture	Asset forfeiture; changes burden of proof.	Asset forfeiture; burden of proof. Changes the Commonwealth's burden of proof to clear and convincing evidence from preponderance of the evidence in proving that the property is subject to forfeiture in civil asset forfeiture cases.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0664+hil
HB 0600	Child Abuse	Child welfare; imposes certain mandates related to protection and encouragement of children.	Child welfare mandates. Imposes certain mandates related to the protection and encouragement of children, including a requirement that certain information and options be given to a child in connection with foster care plans, the imposition of certain age-appropriate restrictions, and requirements of both the courts and the Department of Social Services regarding foster care plans. The bill adds to the definition of abused or neglected child any child who has been identified as a victim of sex trafficking or severe forms of trafficking as defined by the federal law.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0631+hil
HB 1189	Child Abuse	Child welfare agency; operating without a license, abuse and neglect of child, penalty.	Operation of a child welfare agency without a license; child abuse and neglect; penalty. Provides that operating or engaging in the conduct of a child welfare agency without first obtaining a license when it is known that such license is required or after such license has been revoked or has expired constitutes a willful act or willful omission for purpose of the crime of abuse and neglect of a child. Under current law, a parent, guardian, or other person responsible for the care of a child who by willful act or omission causes or permits serious injury to the life or health of such child is guilty of abuse and neglect of a child, which is punishable as a Class 4 felony.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0705+hil

2016 Law Enforcement Legislative Update Master List

HB 0227 SB 0358	Child Abuse	Hearsay exceptions; admissibility of statements by children in certain cases.	Hearsay; exception; children; certain felonies. Establishes a hearsay exception to certain out-of-court statements made by a child under the age of 13 at the time of trial in cases involving a violation or attempted violation of an "offense against children." The bill contains a list of certain felony sex offenses and certain felony offenses resulting in physical injury that fall within the definition of an "offense against children." The court must hold a hearing prior to trial and find that the time, content, and totality of the circumstances provide sufficient indicia of reliability so as to render such statement inherently trustworthy. The bill provides factors for the court to consider in making such a determination. Notice of intent to offer the statement and the particulars of the statement must be given to the adverse party at least 14 days in advance of the proceedings.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0553+hil
HB 0177	Child Abuse	Sex Offender and Crimes Against Minors Registry Act; crimes against nature, penalty.	Sex Offender and Crimes Against Minors Registry Act; penalty. Adds to the offenses for which registration is required on the Sex Offender and Crimes Against Minors Registry the crimes of (i) procuring a person for prostitution and receiving money from the earnings of a person engaged in prostitution if the crime involves a minor and (ii) aggravated malicious wounding if the perpetrator of the crime was an adult and the victim was under the age of 13. The bill also provides that only persons who committed such crimes on or after July 1, 2016, are required to register.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0586+hil
HB 0510 SB 0354	Child Abuse	Sexual crimes against minors; extends statute of limitations.	Statute of limitations; sexual crimes against minors. Extends the statute of limitations to one year after the victim reaches 18 years of age for misdemeanor violations of the following crimes: carnal knowledge of offender by employee of bail bond company, sexual battery, infected sexual battery, sexual abuse of a child age 13 or 14 by an adult, attempted sexual battery, and tongue penetration by adult of mouth of child under age 13. Under existing law, there is a one-year statute of limitations on most misdemeanors. This bill is a recommendation of the <u>Virginia State Crime Commission</u> .	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0233+hil
HB 0628	Child Abuse	Sex Offender and Crimes Against Minors Registry Act; public dissemination.	Sex Offender and Crimes Against Minors Registry Act; public dissemination. Adds the current work address and the name of any institution of higher education at which he is currently enrolled to the information that must be made publicly available by means of the Internet for a person convicted of an offense for which registration on the Sex Offender and Crimes Against Minors Registry is required.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0335+hil

2016 Law Enforcement Legislative Update Master List

HB 0920	Child Abuse	Barrier crimes; conviction or finding not guilty by reason of insanity.	Barrier crimes. Adds conviction or a finding that a person is not guilty by reason of insanity of any offense that results in the offender's requirement to register with the Sex Offender and Crimes Against Minors Registry to the list of crimes that constitute a barrier to licensure as a child welfare agency or assisted living facility, approval as a foster or adoptive parent by a child-placing agency, approval as a family day home by a family day system, or employment or serving as a volunteer at a children's residential facility, assisted living facility, adult day care center, or child welfare agency.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0580+hil
HB 1101	Child Abuse	Automatic notification of registration of sex offenders; common interest communities.	Automatic notification of registration of sex offenders; common interest communities. Provides that the association for a common interest community may request and receive from the State Police notice of the registration or reregistration of sex offenders whose registered address is in the same or a contiguous zip code as that of the common interest community.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0424+hil
HB 0497	Child Custody	Uniform Child Custody Jurisdiction and Enforcement Act; exclusive, continuing jurisdiction.	Uniform Child Custody Jurisdiction and Enforcement Act; exclusive, continuing jurisdiction. Provides that the Commonwealth has exclusive, continuing jurisdiction to modify a child custody order that is subject to the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) so long as a parent of the child continues to live in the Commonwealth. Under current state law, both parents must reside in the Commonwealth for the court to retain exclusive, continuing jurisdiction. The bill conforms the law to the UCCJEA. This bill is a recommendation of the Boyd-Graves Conference.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0179+hil
HB 0624	Courts	Retention of court records; violent felonies and acts of violence.	Retention of court records; violent felonies and acts of violence. Requires that the circuit court case files involving a conviction on crimes that are considered to be violent felonies or acts of violence be retained for 50 years or until the sentence term ends, whichever comes later.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0180+hil
HB 0789	Courts	Exhumations; clerk of circuit court to send notice to next of kin, exception.	Exhumations; notice to next of kin. Establishes procedures for notification of the next of kin of a dead person upon receipt by the circuit court of a report regarding an investigation that requires an exhumation or filing of a petition for exhumation. The bill provides that in cases in which the exhumation is requested as part of an investigation by the Chief Medical Examiner or other medical examiner, upon request of the attorney for the Commonwealth and a finding that good cause exists, a judge may order for a period not to exceed 90 days that notification of the next of kin of the dead person be withheld, the report and order for exhumation be sealed, and any parties involved in the investigation or exhumation not disclose to the next of kin of the dead person or to any other person that the court may deem appropriate that the investigation or exhumation has occurred. Such order may be extended for additional periods of up to 90 days upon petition of the attorney for the Commonwealth and a finding that good cause for such extension exists.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0356+hil

2016 Law Enforcement Legislative Update Master List

SB 0454	Courts	Juvenile court; retained jurisdiction, procedures in case of adults, penalties.	Juvenile court; retained jurisdiction; procedures; penalties. Specifies procedures to be used for adults under the age of 21 who are subject to the retained jurisdiction of the juvenile court for criminal offenses committed as juveniles. The bill requires that a proceeding against such person be commenced by petition and that parents not be notified or involved. The bill specifies dispositional alternatives and a maximum jail sentence. The bill increases the maximum jail sentence to 12 months for each offense, not to exceed a total of 36 months. Under current law, the maximum jail sentence is 12 months for a single offense or multiple offenses. The bill also states that such persons are entitled to good conduct credit. As introduced, this bill was a recommendation of the Virginia Criminal Justice Conference.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0626+hil
HB 1294	Courts	Multi-jurisdiction grand juries; access to record of testimony and evidence.	Multi-jurisdiction grand juries; access to record of testimony and evidence. Permits access to the transcript of multi-jurisdiction grand jury proceedings and the evidence presented to such grand jury by the attorney for the Commonwealth or United States attorney of any jurisdiction where the offense investigated by such grand jury could be prosecuted or investigated. The bill also permits a person being prosecuted with evidence presented to a multi-jurisdiction grand jury <u>similar access</u> .	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0626+hil
SB 0285	Courts	Bail appeal; presumption against bail.	Bail appeal; presumption against bail. Requires a district court to stay the imposition of its order granting bail in cases where there was a presumption against bail if the court receives notice that the Commonwealth is going to appeal the court's decision to the circuit case. The stay is limited to five days but can be waived if the defendant <u>requests a hearing outside the five days</u> .	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0621+hil
HB 1275	Courts Magistrates	Magistrates; complaint made by complainant, the written complaint shall be returned to complainant.	Copies of statements in support of arrest warrants. Provides that if an officer authorized to issue criminal warrants does not issue an arrest warrant in response to a written complaint, the written statement shall be <u>returned to the complainant</u> .	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0204+hil
HB 0147 SB 0424	DCJS	Criminal Justice Services, Department of; issuance of photo-identification cards.	Department of Criminal Justice Services; photo identification. Provides that the Department of Criminal Justice Services (the Department) shall design and approve the issuance of photo-identification cards to every person who is issued a private security services registration by the Department. The photo-identification card shall contain the name, registration number, registration category, and photograph of the recipient; the date of issuance; the date of expiration; and the name of the issuer in the form "Department of Criminal Justice Services, Commonwealth of Virginia." The Department may enter into an agreement with the Department of Motor Vehicles to produce the photo-identification cards. The bill has a delayed effective date of July 1, 2017.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0197+hil

2016 Law Enforcement Legislative Update Master List

HB 1102	DCJS	Trauma-informed sexual assault investigation; DCJS to establish.	Department of Criminal Justice Services; trauma-informed sexual assault investigation training. Requires the Department of Criminal Justice Services, in consultation with the State Council of Higher Education for Virginia and the Virginia Association of Campus Law Enforcement Administrators, to develop multidisciplinary curricula on trauma-informed sexual assault investigation.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0560+hil
HB 1126	DCJS	DCJS; training standards and model policies for law-enforcement personnel, powers and duties.	Department of Criminal Justice Services; training standards and model policies for law-enforcement personnel. Reorganizes the Department of Criminal Justice Services' powers and duties for establishing training standards and publishing model policies for law-enforcement personnel by combining each discrete subject into one list. The bill also requires the Department to periodically update such model policies.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0235+hil
HB 0815	Death Penalty	Department of Corrections; pharmacies	Authorizes the Director of the Department of Corrections to enter into contracts with a pharmacy or outsourcing facility for the compounding of drugs necessary to carry out an execution by lethal injection and provides that the compounding of such drugs (i) does not constitute the practice of pharmacy; (ii) is not subject to the jurisdiction of the Board of Pharmacy, the Board of Medicine, or the Department of Health Professions; and (iii) is exempt from the laws governing pharmacies and the Drug Control Act (§ 54.1-3400 et seq.). The bill also provides that the identities of any pharmacy or outsourcing facilities that enters into such a contract with the Department of Corrections, any officer or employee of such pharmacy or outsourcing facility, and any person or entity used by such pharmacy or outsourcing facility to facilitate the compounding of such drugs shall be confidential and exempt from the Freedom of Information Act (§ 2.2-3700 et seq.) and shall not be subject to discovery or introduction as evidence in any civil proceeding unless good cause is shown. The bill also sets forth labeling requirements for any drug compounded pursuant to such a contract.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0747+hil
HB 0485	Domestic Violence	Assault; person charged with simple assault against family or household member.	Assault; family or household member. Provides that a first offense of simple assault against a family or household member may be subject to deferral and dismissal. Under current law, first offender status is only available to a person who commits assault and battery against a family or household member.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0742+hil
HB 0588	Domestic Violence	Protective orders; definition of "physical presence," authorization of emergency orders.	Protective orders; contacts. Provides that an emergency protective order may prohibit the respondent from being in the physical presence of the petitioner or the petitioner's family or household members. The bill provides that the term "physical presence" includes (i) intentionally maintaining direct visual contact with the petitioner or (ii) unreasonably being within 100 feet of the petitioner's residence or place of employment.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0455+hil

2016 Law Enforcement Legislative Update Master List

HB 0610	Domestic Violence	Protective orders; penalty.	Violations of protective orders; penalty. Provides that it is a Class 6 felony to stalk a party protected by a protective order or to commit an assault and battery upon a party protected by a protective order if such assault and battery results in bodily injury. Currently, the Class 6 felony is only applicable if the person commits an assault and battery that results in serious bodily injury to the protected party.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0583+hil
HB 0711	Domestic Violence	Protective orders in cases of family abuse; possession of premises.	Protective orders in cases of family abuse; possession of premises. Provides that in a protective order in the case of family abuse, a person who is not a tenant or authorized occupant of the dwelling unit and who has obtained a protective order from a court of competent jurisdiction granting such person possession of the premises to the exclusion of one or more co-tenants or authorized occupants may provide a copy of such order to the landlord and submit a rental application to become a tenant in such dwelling unit within 10 days of the entry of such order. If such person's rental application meets the landlord's tenant selection criteria, such person may become a tenant in such dwelling unit under a written rental agreement. If such person submits a rental application and does not meet the landlord's tenant selection criteria, such person shall vacate the dwelling unit no later than 30 days after the date the landlord gives such person written notice that his rental application has been rejected. If such person does not provide a copy of the protective order to the landlord and submit a rental application to the landlord within 10 days as required, such person shall vacate the dwelling unit no later than 30 days after the date of the entry of such order. Such person shall be liable to the landlord for failure to vacate the dwelling unit. The bill provides that any tenant obligated on a rental agreement shall pay the rent and otherwise comply with any and all requirements of the rental agreement and any applicable laws and regulations. The landlord may pursue all of its remedies under the rental agreement and applicable laws and regulations, including filing an unlawful detainer action to obtain a money judgment and to evict any persons residing in such dwelling unit. The bill contains a technical amendment.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0595+hil
HB 0752 SB 0339	Domestic Violence	Stalking; penalty.	Stalking; penalty. Provides that contacting or following or attempting to contact or follow the person at whom stalking conduct is directed after being given actual notice that the person does not want to be contacted or followed is prima facie evidence that the person intended to place the other person, or reasonably should have known that the other person was placed, in reasonable fear of death, criminal sexual assault, or bodily injury to himself or a family or household member. This bill is a recommendation of the Virginia State Crime Commission.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0745+hil

2016 Law Enforcement Legislative Update Master List

HB 0886	Domestic Violence	Stalking; second offense, Class 6 felony.	Stalking; penalty. Provides that a second offense of stalking committed within five years of a prior stalking conviction is punishable as a Class 6 felony. Under current law, a second offense of stalking only qualifies for the Class 6 penalty if the person convicted had also been convicted of certain offenses involving assaults or bodily woundings or of violating a protective order.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0696+hil
HB 1056	Domestic Violence	Family abuse protective orders; extension of order.	Family abuse protective orders; extensions. Corrects a reference to a member of the respondent's family or household to be consistent with the defined term "family or household member," relating to petitioners in proceedings for extensions of protective orders in cases of family abuse.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0102+hil
HB 1334	Domestic Violence	Assault and battery; persons charged with first offense against family or household member, penalty.	Assault and battery against a family or household member; first offense; education and treatment programs. Requires a court to order that a person placed on first offender status for assault and battery against a family or household member (i) be placed with a local community-based probation services agency and complete all education and treatment programs required by the agency or (ii) complete any education or treatment program that the court determines is best suited to the needs of the person. Under current law, the court may order that the person complete such education or treatment programs, but is not required to do so.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0422+hil
SB 0162	Domestic Violence	Family violence fatality review teams; definition of fatal family violence incident.	Family violence fatality review teams; definition of fatal family violence incident. Specifies that for the purpose of referring such incident to a local family violence fatality review team, "fatal family violence incident" means any fatality that occurred or that is suspected of having occurred in the context of abuse between family members or intimate partners.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0307+hil
HB 1391 SB 0049	Domestic Violence Firearms	Protective orders; prohibits person who is subject to order from possessing firearms, penalties.	Protective orders; possession of firearms; penalty. Provides that it is a Class 6 felony for a person who is subject to a permanent protective order (i.e., a protective order with a maximum duration of two years) for family abuse to possess a firearm while the order is in effect. The bill also provides that such person may continue to possess and transport a firearm for 24 hours after being served with the order for the purposes of selling or transferring the firearm to another person. Under current law, it is a Class 1 misdemeanor for a person subject to a protective order to purchase or transport a firearm.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0049+hil
HB 1087 SB 0323	Domestic Violence Firearms	Firearms; no person who is subject to an emergency protective order.	Violation of protective order; firearm or other deadly weapon; penalty. Provides that any person who violates a protective order with which he has been served while knowingly armed with a firearm or other deadly weapon is guilty of a Class 6 felony.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0638+hil
HB 0170	Drugs	Controlled paraphernalia; unlawful to possess or distribute, exceptions, penalty.	Possession of controlled paraphernalia. Provides that possession of controlled paraphernalia and distribution of controlled paraphernalia, both of which are punishable as Class 1 misdemeanors, are distinct offenses.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0229+hil

2016 Law Enforcement Legislative Update Master List

HB 0629	Drugs	Prescription drugs; pharmacies may participate in voluntary drug disposal programs.	Prescription drug disposal. Provides that pharmacies may participate in voluntary drug disposal programs, provided that such programs are operated in accordance with state and federal law by a pharmacy, and requires the Board of Pharmacy to maintain a list of such pharmacies on a website maintained by the Board. The bill also provides that no person that participates in a drug disposal program shall be liable for any theft, robbery, or other criminal act related to participation in the pharmacy drug disposal program or for any acts of simple negligence in the collection, storage, or destruction of prescription drugs collected through such pharmacy drug disposal program, provided that the pharmacy practice site is acting in good faith and in accordance with applicable state and federal law and regulations.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0095+hil
HB 0657	Drugs	Prescription Monitoring Program; indicators of misuse, disclosure of information.	Prescription Monitoring Program; indicators of misuse; disclosure of information. Directs the Director of the Department of Health Professions to develop, in consultation with an advisory panel that shall include representatives of the Boards of Medicine and Pharmacy, criteria for indicators of unusual patterns of prescribing or dispensing of covered substances by prescribers or dispensers and authorizes the Director to disclose information about the unusual prescribing or dispensing of a covered substance by an individual prescriber or dispenser to the Enforcement Division of the Department of Health Professions.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0098+hil
HB 0699 SB 0691	Drugs	Industrial hemp; lawful for a person with a license to manufacture products or engage in research.	Production of industrial hemp. Clarifies that it is lawful for a person with a license to manufacture industrial hemp products or engage in scientific, agricultural, or other research involving the applications of industrial hemp and that no person shall be prosecuted for the possession, cultivation, or manufacture of industrial hemp plant material or products. The current law authorizes the Board of Agriculture and Consumer Services to adopt regulations necessary to license persons to grow industrial hemp or administer a research program. The bill requires the Commissioner of Agriculture and Consumer Services to establish a licensure program, with a maximum license fee of \$250.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0170+hil
HB 1059	Drugs	Heroin possession; Virginia Criminal Sentencing Commission to evaluate sentencing guidelines.	Virginia Criminal Sentencing Commission; heroin. Directs the Virginia Criminal Sentencing Commission to evaluate judge-sentencing and jury-sentencing patterns and practices in cases of manufacturing, selling, giving, distributing, or possessing with intent to manufacture, sell, give, or distribute heroin across the Commonwealth and recommend adjustments in the sentencing guidelines previously adopted by the Commission.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0398+hil
HB 1077 SB 0480	Drugs	Drug Control Act; adds certain chemical substances to Schedule I.	Drug Control Act; Schedule I. Adds certain chemical substances to Schedule I of the Drug Control Act. The Board of Pharmacy has added these substances to Schedule I in an expedited regulatory process. A substance added via this process is removed from the schedule after 18 months unless a general law is enacted adding the substance to the schedule.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0103+hil

2016 Law Enforcement Legislative Update Master List

HB 1292	Drugs	Schedule IV drugs; adds eluxadoline to list.	Schedule IV drugs; eluxadoline. Adds eluxadoline to the list of Schedule IV drugs. The bill contains a technical amendment.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0499+hil
SB 0701	Drugs	Cannabidiol oil and THC-A oil; permitting of pharmaceutical processors to manufacture and provide.	Cannabidiol oil and THC-A oil; permitting of pharmaceutical processors to manufacture and provide. Authorizes a pharmaceutical processor, after obtaining a permit from the Board of Pharmacy (the Board) and under the supervision of a licensed pharmacist, to manufacture and provide cannabidiol oil and THC-A oil to be used for the treatment of intractable epilepsy. The bill sets limits on the number of permits that the Board may issue and requires that the Board adopt regulations establishing health, safety, and security requirements for permitted processors. The bill provides that only a licensed practitioner of medicine or osteopathy who is a neurologist or who specializes in the treatment of epilepsy may issue a written certification to a patient for the use of cannabidiol oil or THC-A oil. The bill also requires that a practitioner who issues a written certification for cannabidiol oil or THC-A oil, the patient issued such certification, and, if the patient is a minor or incapacitated, the patient's parent or legal guardian register with the Board. The bill requires further that a pharmaceutical processor shall not provide cannabidiol oil or THC-A oil to a patient or a patient's parent or legal guardian without first verifying that the patient, the patient's parent or legal guardian if the patient is a minor or incapacitated, and the practitioner who issued the written certification have registered with the Board. Finally, the bill provides an affirmative defense for agents and employees of pharmaceutical processors in a prosecution for the manufacture, possession, or distribution of marijuana. An enactment clause provides that except for provisions requiring the Board to promulgate regulations, the provisions of the bill do not become effective unless reenacted by the 2017 Session of the General Assembly.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0577+hil
HB 0090	Firearms	Virginia National Guard; possession of handguns by members at certain facilities.	Possession of handguns by members of the Virginia National Guard. Allows a member of the Virginia National Guard to possess a concealed handgun owned by him at National Guard facilities and facilities under contract with the National Guard if such member has a valid concealed handgun permit. The bill also provides that the member's commanding officer may prohibit the member from possessing a concealed handgun while participating in any training or other exercises where the commanding officer reasonably determines that (i) such possession would interfere with the conduct of such training or other exercises, (ii) such possession may result in mission impairment, or (ii) the member is unfit to carry a handgun.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0740+hil

2016 Law Enforcement Legislative Update Master List

HB 0206	Firearms	Firearms, certain; identification requirement.	Transfer of certain firearms; identification requirement. Allows Virginia residents to purchase a firearm by presenting only one photo-identification form issued by a governmental agency of the Commonwealth or by the U.S. Department of Defense that demonstrates that the prospective purchaser resides in Virginia. The bill provides that a member of the armed forces whose photo identification issued by the Department of Defense does not have a Virginia address may establish his Virginia residency with such photo identification and permanent orders assigning the purchaser to a duty post, including the Pentagon, in Virginia or his Leave and Earnings Statement. Current law requires photo identification and another document that establishes residency, such as a lease or utility bill, and that includes an address that matches the photo identification.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0727+hil
HB 0332 SB 0544	Firearms	Concealed handgun permits; judge, etc., may carry wherever he travels in the Commonwealth.	Concealed handgun permit; judges exempt. Provides that a judge or justice of the Commonwealth may carry a concealed handgun throughout the Commonwealth without a permit.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0672+hil
HB 0784	Firearms	Firearms; possession by persons adjudicated delinquent, military service exception.	Possession of firearms by persons adjudicated delinquent; military service exception. Provides that an individual who was adjudicated delinquent when 14 years of age or older of a delinquent act that would be a felony if committed by an adult and has completed a term of enlistment of no less than two years in the Armed Forces of the United States and, if such person has been discharged from the Armed Forces of the United States, received an honorable discharge is not disqualified from obtaining a concealed handgun permit and may possess or transport any firearm or ammunition for a firearm, any stun weapon, or any explosive material. Under current law, such an individual would be eligible to apply for a concealed handgun permit and to possess a firearm at age 29. The bill does not apply to individuals adjudicated delinquent of certain serious felonies.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0337+hil
HB 0810	Firearms	Assault weapon; transfer of firearm, proof of citizenship.	Transfer of assault weapon; proof of citizenship. Makes consistent the type of identification and other documentation that a purchaser of a firearm must present when purchasing any type of firearm from a licensed dealer by removing the additional requirement for the purchase of an assault weapon that a person who purchases such a weapon must present proof of citizenship. The bill does not alter the provisions prohibiting the sale of assault firearms to noncitizens or persons who have not been lawfully admitted for permanent residence.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0697+hil

2016 Law Enforcement Legislative Update Master List

HB 1163 SB 0610	Firearms	Concealed handgun permits; recognition of out-of-state permits.	Recognition of out-of-state concealed handgun permits; photo identification. Provides that the holder of an out-of-state concealed handgun permit who is at least 21 years of age is authorized to carry a concealed handgun in Virginia if (i) the other state has a 24-hour-a-day means of verification of the validity of the permits issued in that state, if available, (ii) the person carries a government-issued photo identification and displays it upon demand of a law-enforcement officer, and (iii) the person has not previously had a Virginia concealed handgun permit revoked. The bill requires the Superintendent of State Police (Superintendent) to enter into agreements for reciprocal recognition with other states that require an agreement to be in place before the state will recognize a Virginia concealed handgun permit as valid in the state. The bill provides that if the Superintendent determines that another state requires the Attorney General to execute or formally approve such agreement, the Attorney General will execute or approve such agreement within 30 days of written notification by the Superintendent that the Attorney General is required to execute or approve such agreement. Current law recognizes concealed handgun permits issued by states that (i) provide a 24-hour-a-day means of verification of the validity of the permits issued in that state and (ii) have requirements and qualifications that are adequate to prevent possession of a permit by persons who would be denied a permit in Virginia. In addition, the bill requires the Superintendent, within 60 days of the effective date of the bill, to enter into agreements for reciprocal recognition of concealed handgun permits or licenses with other states where agreements were in existence on December 1, 2015.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0047+hil
HB 1281	Firearms	Concealed weapons; exemption for certain retired officers from prohibition to carry.	Carrying concealed weapons; exception for certain retired officers. Decreases from 15 to 10 the number of years of service required for certain retired officers to be exempt from the prohibition on carrying a concealed weapon.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0421+hil
HB 1386 SB 0715	Firearms	Firearms shows; voluntary background checks by Department of State Police.	Firearms shows; voluntary background checks; penalties. Requires the Department of State Police to be available to perform background checks for non-dealer sales at firearms shows if requested by a party involved in a transaction. The promoter of the firearms show shall furnish the Department of State Police sufficient facilities to perform the background checks. In order for the bill to become effective, the U.S. Department of Justice must approve the policies and procedures that the Department of State Police will use to implement the provisions of the bill.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0045+hil
SB 0198	Firearms	Concealed weapons; adds any employee with internal investigations authority designated by DOC.	Carrying concealed weapons; exceptions. Adds any employee with internal investigations authority designated by the Department of Corrections pursuant to subdivision 11 of Â§ 53.1-10 of the Code of Virginia retired from the Department of Corrections to listed individuals who may carry a concealed handgun, provided that he carries written proof of the need to carry.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0209+hil

2016 Law Enforcement Legislative Update Master List

SB 0479	Firearms	Law-enforcement officers, retired; authority to carry concealed handguns.	Retired law-enforcement officers; concealed handguns. Clarifies provisions relating to the authority of retired law-enforcement officers, special agents of the State Corporation Commission and Virginia Alcoholic Beverage Control Board, members of the enforcement division of the Department of Motor Vehicles, and investigators of the security division of the Virginia Lottery to carry concealed handguns. Such officers, agents, members, and investigators who resigned after 20 years of service to accept a position covered by a retirement system authorized under Title 51.1 of the Code of Virginia fall under the same provisions as retired law-enforcement officers, agents, members, and investigators. Such retired officers, agents, members, and investigators who annually meet the training and qualification standards for active law-enforcement officers are authorized to carry concealed handguns in airports and schools and are deemed to have been issued a concealed handgun permit.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0257+hil
SB 0608	Firearms	Firearms; confiscation, reporting, and return by law enforcement.	Confiscation, reporting, and return of firearms by law enforcement. Replaces current requirements that law-enforcement agencies report information regarding confiscated firearms to the Department of State Police with a requirement that such information be reported to a firearms tracing system maintained by the U.S. Department of Justice. The bill requires law-enforcement agencies to return stolen firearms to the rightful owner unless the person is prohibited from possessing the firearm or it is needed in a criminal prosecution.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0214+hil

2016 Law Enforcement Legislative Update Master List

<p>HB 0817 SB 0494</p>	<p>FOIA</p>	<p>Virginia Freedom of Information Act; record exclusions, rule of redaction, etc.</p>	<p>Virginia Freedom of Information Act (FOIA); record exclusions; rule of redaction; no weight accorded to public body's determination. Reverses the holding of the Virginia Supreme Court in the case of Department of Corrections v. Surovell, by setting out the general rule of redaction, which provides that no provision of FOIA is intended, nor shall it be construed or applied, to authorize a public body to withhold a public record in its entirety on the grounds that some portion of the public record is excluded from disclosure by FOIA or by any other provision of law. Further, the bill states that a public record may be withheld from disclosure in its entirety only to the extent that an exclusion from disclosure under FOIA or other provision of law applies to the entire content of the public record. Otherwise, only those portions of the public record containing information subject to an exclusion under FOIA or other provision of law may be withheld, and all portions of the public record that are not so excluded shall be disclosed. The bill defines the term "information" and provides that it is declaratory of the law as is it existed prior to the September 17, 2015, decision of the Supreme Court of Virginia in the case of the Department of Corrections v. Surovell. The bill also reverses that part of the holding of the Virginia Supreme Court in the case of Department of Corrections v. Surovell by providing that in a FOIA enforcement action, no court shall be required to accord any weight to the determination of a public body as to whether an exclusion applies. The bill contains technical amendments.</p>	<p>http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0620+hil</p>
<p>HB 0818</p>	<p>FOIA</p>	<p>Virginia Freedom of Information Act; designation of officer, posting of rights and responsibilities.</p>	<p>Virginia Freedom of Information Act (FOIA); designation of FOIA officer; posting of FOIA rights and responsibilities. Requires certain local public bodies to post a FOIA rights and responsibilities document on their respective public government website. The bill also requires all state public bodies created in the executive branch of state government, including state authorities, and all local public bodies that are subject to FOIA to designate and publicly identify one or more FOIA officers whose responsibility is to serve as a point of contact for members of the public in requesting public records and to coordinate the public body's compliance with the provisions of FOIA. The bill sets out where contact information for the designated FOIA officer is to be posted. The bill requires that any such FOIA officer shall possess specific knowledge of the provisions of FOIA and be trained at least annually by legal counsel for the public body or the Virginia Freedom of Information Advisory Council.</p>	<p>http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0748+hil</p>

2016 Law Enforcement Legislative Update Master List

HB 1318 SB 0727	FOIA	Virginia Freedom of Information Act; noncriminal incidents and reports.	Virginia Freedom of Information Act (FOIA); noncriminal incidents and reports. Clarifies that the FOIA exclusion for noncriminal incidents and reports applies to any public body that engages in criminal law-enforcement activities and does not rely on the definition of "noncriminal incidents records" in Â§ 15.2-1722 of the Code of Virginia. The bill addresses a decision of the Virginia Supreme Court in Fitzgerald v. Loudoun County Sheriff's Office, which held that a noncriminal record must be a compilation in order for the exemption for noncriminal records to apply. The bill was also the subject of a Virginia Freedom of Information Advisory Council opinion (AO-08-15) concerning this exemption, which highlighted the need for clarification of this exemption based on the Fitzgerald holding.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0546+hil
HB 0248 SB 0249	Fraud	Financial exploitation of adults; documentation referred to local law-enforcement agency.	Financial exploitation of adults. Provides that upon receipt of a report or during an adult protective services investigation of suspected financial exploitation of an adult who is 60 years old or older or incapacitated in which financial losses to such adult resulting from the exploitation are suspected to be greater than \$50,000, the local department of social services or adult protective services hotline shall immediately refer the matter to the local law-enforcement agency for investigation.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0408+hil
HB 1319	Fraud	Military status or decorations; fraudulent representation with intent to obtain services, penalty.	False representation of military status; penalty. Provides that any person who, with the intent to obtain any services, falsely represents himself to be a member or veteran of the military, or the recipient of any decoration or medal created by federal or state law to honor members or veterans of the military, and obtains such services is guilty of a Class 1 misdemeanor.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0236+hil
SB 0363	Fraud	Persons with disabilities; rights in public places, fraudulent representation of service dog.	Rights of persons with disabilities in public places and places of public accommodation; fraudulent representation of a service or hearing dog; penalty. Provides that any person who knowingly and willfully fits a dog with a harness, collar, vest, sign, or identification card commonly used by a person with a disability in order to represent that the dog is a service dog or hearing dog to fraudulently gain public access for such dog in a public place is guilty of a Class 4 misdemeanor.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0575+hil
HB 0821	Fraud	Fraud and Abuse Whistle Blower Protection Act; applicability to local governmental entities.	Fraud and Abuse Whistle Blower Protection Act; applicability to local governmental entities. Includes local government and public school divisions under the Fraud and Abuse Whistle Blower Protection Act. Currently this Act is limited to state government and citizen whistle blowers. The bill reduces from \$10,000 to \$5,000 the threshold where the disclosure results in a savings for which a whistle blower disclosing information of wrongdoing or abuse may file a claim for reward. The bill contains technical amendments.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0292+hil

2016 Law Enforcement Legislative Update Master List

HB 1213	Juveniles	Minors; certain education records as evidence.	Minors; education records; evidence. Provides that in any proceeding where a juvenile is alleged to have committed a delinquent act that would be a misdemeanor if committed by an adult on school property, property solely being used for a school-related or school-sponsored activity, or a school bus, the juvenile may introduce into evidence as relevant to whether he acted intentionally or willfully any document created prior to the commission of the delinquent act that relates to certain educational plans or behavioral assessments. The bill provides that such documents shall be admitted as evidence of the facts stated therein, provided that the minor gives notice of his intent to introduce such evidence and copies of such evidence to the attorney for the Commonwealth at least 10 days before trial. The bill allows such reports or documents to be placed under seal by the court.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0726+hil
HB 0541	Juveniles	Juveniles; disclosure of law-enforcement records.	Law-enforcement records concerning juveniles; disclosure. Allows the disclosure of law-enforcement records concerning a juvenile who is referred to a court services unit-authorized diversion program. The bill prohibits further disclosure of such records by the diversion program or participants in the program. Law-enforcement officers may prohibit disclosure to protect a criminal investigation or intelligence information.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0234+hil
HB 0703 SB 0415	Juveniles	Legal age for marriage; emancipation petitions for minors intending to marry, etc.	Legal age for marriage; 18 years of age. Provides that both parties to a marriage must be 18 years of age or older or emancipated at the time of solemnization by removing exceptions that allow marriage at a minimum age of 16 with the consent of the parent or guardian or younger than 16 in the case of pregnancy and with the consent of the parent or guardian and provides that marriages entered into in violation of this law are voidable. The bill also allows a minor to petition the juvenile and domestic relations district court for emancipation based on such minor's desire to enter into a marriage. The bill provides that, to allow emancipation based on such minor's desire to enter into a marriage, the court must make certain written findings, including that it is the minor's own will to enter into the marriage, that the individuals to be married are mature enough to make a decision to marry, that the marriage will not endanger the safety of the minor, and that it is in the best interests of the minor to be emancipated.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0457+hil
HB 0315	Law Enforcement Officers	Conservation police officers; certain officers of Department of Game and Inland Fisheries.	Conservation police officers; retirement. Provides that any conservation police officer who (i) has at least 20 years of service as a conservation police officer, (ii) is a full-time sworn conservation police officer prior to January 1, 2016, and (iii) was transitioned to a civilian position on January 1, 2016 shall be considered a retired law-enforcement officer for the purposes of (i) obtaining a photo identification card, (ii) being excluded from the prohibition on carrying concealed weapons and fee for a concealed handgun permit, and (iii) purchasing a service weapon.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0041+hil

2016 Law Enforcement Legislative Update Master List

HB 0051 SB 0615	Law Enforcement Officers	Weapons other than handguns; purchase by certain officers.	Purchase of weapons other than handguns by certain officers. Allows officers of certain agencies to purchase, at a fair market price and with approval of the agency head, weapons other than handguns that are issued for personal use of an officer so long as the weapon is a type and configuration that can be purchased at a regular hardware or sporting goods store by a private citizen without restrictions other than the instant background check. Current law allows this type of purchase only for the Department of State Police.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0196+hil
HB 0487	Law Enforcement Officers	School resource officers; those employed pursuant to School Resource Officer Grants Program.	School Resource Officer Grants Program school resource officers; conditions of employment. Relieves school resource officers employed pursuant to the School Resource Officer Grants Program from the obligation to enforce school board rules and codes of student conduct as a condition of their employment.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0466+hil
HB 1238 HB 0038	Law Enforcement Officers	General Services, Department of; disposition of surplus materials, police animals.	Department of General Services; disposition of surplus materials; animals trained for police work. Allows the handler last in control of an animal especially trained for police work to purchase the animal for the price of \$1. The bill also allows an immediate survivor of any full-time sworn law-enforcement officer who (i) is killed in the line of duty or (ii) dies in service and has at least 10 years of service to purchase the animal issued to the officer by the agency or institution for the price of \$1.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0400+hil
HB 1345	Law Enforcement Officers	Line of Duty Act; revises Act by codifying revisions.	Line of Duty Act. Revises the Line of Duty Act (the Act) by codifying revisions to the Act from the appropriation act and, among other changes, transferring overall administration of the Act to the Virginia Retirement System (VRS), transferring administration of health insurance benefits under the Act to the Department of Human Resource Management (the Department), and creating separate health benefits plans for beneficiaries under the Act. The bill has a delayed effective date of July 1, 2017, except that a final enactment requiring each nonparticipating employer to pay its pro rata share of estimated implementation costs to the VRS and the Department becomes effective July 1, 2016.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0677+hil
HB 1226	Law Enforcement Officers	Assault and battery; Department of Corrections investigators, penalty.	Assault and battery of Department of Corrections investigators; penalty. Adds employees of the Department of Corrections who have been designated by the Department to conduct internal investigations to the definition of law-enforcement officer for purposes of the crimes of assault and battery. The current punishment for assault and battery against a law-enforcement officer engaged in the performance of his public duties is a Class 6 felony with a six-month mandatory minimum sentence.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0420+hil
HB 0184 SB107	Memorial	Trooper Nathan-Michael W. Smith Memorial Bridge; designating as Rt. 301 bridge over Interstate 95.	Designating the Trooper Nathan-Michael W. Smith Memorial Bridge. Designates the Route 301 bridge in Prince George County at Exit 45 over Interstate 95 the Trooper Nathan-Michael W. Smith Memorial Bridge.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0118+hil

2016 Law Enforcement Legislative Update Master List

SB 0448	Memorial	Trooper Harry Lee Henderson Memorial Bridge; designating as Interstate 66 bridge in Warren County.	Designating the Trooper Harry Lee Henderson Memorial Bridge. Designates the Interstate 66 bridge in Warren County the "Trooper Harry Lee Henderson Memorial Bridge."	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0138+hil
HB 0543 SB 0566	Mental Health	Involuntary psychiatric treatment of an inmate; petition filed by sheriff.	Involuntary psychiatric admission from local correctional facility. Clarifies that for the purposes of petitioning for the involuntary psychiatric treatment of an inmate in a local correctional facility, the petition shall be filed by the sheriff or other person in charge of the local correctional facility where the inmate is incarcerated.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0599+hil
HB 0645	Mental Health	Criminal defendants; orders for mental health evaluations and treatment.	Criminal defendants; orders for competency and sanity evaluations and hospitalization. Requires the clerk of court to provide a copy of the order for an evaluation for sanity, competency to stand trial, and competency restoration to the appointed evaluator or hospital as soon as practicable but no later than the close of business on the next business day following entry of the order. The evaluator or hospital must acknowledge receipt of the order to the clerk on a form developed by the Office of the Executive Secretary of the Supreme Court of Virginia. The bill also requires the same verification of receipt procedures for an order for psychiatric hospitalization of an inmate from a local correctional facility. The bill also provides that no person will be liable for any act or omission relating to any requirement in the bill unless the person was grossly negligent or engaged in willful misconduct.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0446+hil
HB 1110 SB 0567	Mental Health	Temporary detention; notice of recommendation, communication with magistrate.	Temporary detention; notice of recommendation; communication with magistrate. Provides that the magistrate conducting a temporary detention hearing shall consider, if available, information provided by the person who initiated emergency custody. The bill requires the community services board evaluating a person for temporary detention, if the evaluator recommends that the person not be subject to temporary detention, (i) to notify, if present, the person who initiated emergency custody of such recommendation in addition to the current obligation to notify the petitioner and an onsite treating physician; (ii) to promptly inform the person who initiated emergency custody that the community services board will facilitate communication between such person and the magistrate if such person disagrees with the recommendation of the community services board; and (iii) to arrange for the person who initiated emergency custody to communicate, upon request, with the magistrate as soon as practicable prior to the expiration of the period of emergency custody. Finally, the bill imposes a duty on health care providers providing services to a person subject to emergency custody, temporary detention, or involuntary admission proceedings to make a reasonable attempt to notify the person's family member or personal representative and clarifies that such representative includes an agent named in an advance directive; currently, such health care provider has discretion as to whether to make such notification.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0569+hil

2016 Law Enforcement Legislative Update Master List

HB 0189	Miscellaneous	Satisfactory evidence of identity; United States Passport Book and United States Passport Card.	Satisfactory evidence of identity; United States Passport Book and United States Passport Card. Clarifies that both a United States Passport Book and a United States Passport Card are acceptable forms of identification of an individual for notarization. Current law states that a United States Passport is acceptable, but does not specifically include both as acceptable forms of identification. A United States Passport Card is not valid for travel by international air, but does include on it a photograph of the holder. Finally, the bill clarifies that all acceptable forms of identification must be unexpired. The bill contains a technical amendment	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0185+hil
HB 0240	Miscellaneous	Homeless veterans; Secretary of Veterans and Defense Affairs to assist in a identification.	Secretary of Veterans and Defense Affairs; assistance to homeless veterans. Requires the Secretary of Veterans and Defense Affairs to coordinate with federal, state, local, and private partners to assist homeless veterans in obtaining a state-issued identification card, in order to enable these veterans to access the available federal, state, local, and other resources they need to attain financial stability or address other issues that have adversely affected their lives.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0689+hil
HB 0756	Miscellaneous	E-911 Services Board; designating as 9-1-1 Services Board, powers and duties.	9-1-1 Services Board. Renames the E-911 Services Board as the 9-1-1 Services Board (the Board). The powers and duties of the Board are revised to authorize and direct it to (i) support and assist public safety answering points (PSAPs) in the provision of 9-1-1 operations and services; (ii) plan, promote, and assist in the statewide development, deployment, and maintenance of an emergency services IP network to support future 9-1-1 and other public safety applications and technologies; and (iii) consult and coordinate with other entities. An "emergency services IP network," among other things, provides an IP transport infrastructure that supports next generation 9-1-1 service core functions. "Next generation 9-1-1 service" is defined as a service that automatically directs 9-1-1 emergency telephone calls and other emergency service requests in data formats to the appropriate PSAPs by routing using geographical information system data. The measure expands the 9-1-1 Services Board to include a member representing VoIP service providers affiliated with cable companies. The measure also requires the 9-1-1 Services Board to develop or adopt and publish standards for an emergency services IP network and core next generation 9-1-1 services on that network to ensure that enhanced public safety telephone services seamlessly interoperate within the Commonwealth and with surrounding states.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0361+hil

2016 Law Enforcement Legislative Update Master List

SB 0527	Miscellaneous	Bomb threats; reimbursement of expenses incurred in emergency response.	Bomb threats; reimbursement of expenses incurred in emergency response. Authorizes any locality to provide by ordinance that a person convicted of a felony violation of the bomb threat statute or the statute that penalizes the incitement of a bomb threat shall be liable for the reasonable expense, not to exceed \$1,000, of an appropriate emergency response to the threat. Current law allows such an ordinance to subject a person to liability for the expense of the emergency response to an imitation version of a weapon of terrorism or fire bomb or other explosive device.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0213+hil
HB 0010 SB 0025	Motor Vehicles	Motorcycles; general illumination lights.	General illumination lights; motorcycles. Increases from four to five the maximum number of lights allowed on a motorcycle and used for general illumination ahead of the motorcycle. Current law restricts all motor vehicles to no more than four lights, including headlights, fog lights, etc., to provide general illumination ahead of the vehicle.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0195+hil
HB 0117 SB 0719	Motor Vehicles	Boats or other watercraft; excess width permits for transporting vehicles.	Permits for excessive size. Authorizes the Commissioner of the Department of Motor Vehicles to issue permits for vehicles transporting boats or other watercraft that exceed an outside width of 102 inches but do not exceed an outside width of 108 inches; under current law, no such vehicle shall exceed an outside width of 102 inches.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0115+hil
HB 0213	Motor Vehicles	Motor vehicle safety inspection; exceptions to inspection requirement.	Exceptions to motor vehicle inspection requirement. Exempts from the motor vehicle safety inspection requirement vehicles that are parked on a public highway and have been submitted for inspection to an official inspection station. The bill contains technical amendments.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0702+hil
HB 0267	Motor Vehicles	Length of vehicle combinations; clarification of provision limiting vehicles coupled with another.	Length of vehicle combinations. Clarifies that the provision limiting vehicles coupled with another vehicle to a maximum combined length of 65 feet applies to motor homes and buses. The bill is declarative of existing law.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0122+hil
HB 0412	Motor Vehicles	Aircraft, certain; local regulation.	Local regulation of certain aircraft. Provides that no locality may regulate the use of privately owned, unmanned aircraft systems within its boundaries. The provisions of the bill expire on July 1, 2019.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0451+hil
HB 0454 SB 0286	Motor Vehicles	Motor vehicles; vehicles not to be equipped with televisions and video within view of driver.	Motor vehicles equipped with television and video. Provides that motor vehicles may be equipped with visual displays of moving images if the equipment is factory-installed and has an interlock device that disables the equipment when the motor vehicle operator is performing a "driving task," which is defined by the bill. Current law allows equipment with a visual display of a television broadcast or signal if the equipment's interlock disables when the motor vehicle is driven. The bill would allow the viewing of a visual display while the vehicle is being operated autonomously. The bill also provides that vehicles used by universities for vehicle technology research are not required to have government plates.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0707+hil

2016 Law Enforcement Legislative Update Master List

HB 0507	Motor Vehicles	Motor vehicle safety inspection; requirement for purchaser of a trailer, etc., from an auto auction.	Exceptions to motor vehicle inspection requirement. Allows the purchaser of a motor vehicle, trailer, or semitrailer from an auto auction to operate such vehicle without a safety inspection from the auction to an official safety inspection station on the same day the purchaser removes the vehicle from the auto auction if the inspection station is located between the auction and the purchaser's residence or place of business or within a five-mile radius of such residence or place of business. The bill contains technical amendments.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0128+hil
HB 0869	Motor Vehicles	Definitions; nonresident.	Definitions; nonresident. Includes in the definition of "nonresident"; for purposes of Title 46.2 (Motor Vehicles) a person who is in Virginia serving a full-time church service or proselyting mission of not more than 36 months and who is not gainfully employed. The bill provides that if vehicles owned by such nonresidents are registered in another state, those vehicles do not have to be registered in Virginia.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0428+hil
HB 0939	Motor Vehicles	Motorcycles; auxiliary lighting.	State Police; guidelines for approval of auxiliary lighting on motorcycles. Directs the Superintendent of State Police to establish guidelines by January 1, 2017, that set forth a procedure for the submission and approval of auxiliary lights for motorcycles. The bill requires any approved lights or equipment to be posted on the Department of State Police website and for the Department of State Police to notify inspection stations of approved lights or equipment.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0701+hil
HB 1269	Motor Vehicles	Vehicles owned or leased by maritime cargo terminal owners or operators.	Vehicles owned or leased by maritime cargo terminal owners or operators. Creates an exemption from registration for vehicles owned or leased by a maritime cargo terminal owner or operator that transport seagoing containers and are driven on a route of no more than one mile approved by the Department of Motor Vehicles.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0379+hil
HB 1348	Motor Vehicles	Smoking in motor vehicles; presence of minor under age eight, civil penalty.	Smoking in motor vehicles; presence of minor under age eight; civil penalty. Provides that any person who smokes in a motor vehicle, whether in motion or at rest, when a minor under the age of eight is in the motor vehicle is subject to a civil penalty of \$100. The offense may be charged on a uniform traffic summons form. The bill provides that such violation is a secondary offense.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0515+hil
HB 0329 SB 0299	Motor Vehicles	Amber lights, flashing; allows publicly owned or operated transit buses to use.	Amber lights on public transit buses. Allows publicly owned or operated transit buses to use flashing amber lights.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0226+hil
SB 0375	Motor Vehicles	Pickup or panel truck and trucks; amends definitions.	Pickup or panel truck; definitions. Amends the definitions of pickup or panel truck and truck; for purposes of Title 46.2 (Motor Vehicles) so that pickup or panel trucks registered for personal use and with a gross weight in excess of 7,500 pounds but not in excess of 10,000 pounds are not registered as trucks.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0764+hil

2016 Law Enforcement Legislative Update Master List

SB 0464	Motor Vehicles	Gas-powered vehicles; included in definition of low-speed vehicles.	Gas-powered low-speed vehicles. Includes in the definition of "low-speed vehicle"; gas-powered vehicles that have a maximum speed of more than 20 miles per hour but not more than 25 miles per hour and are manufactured to comply with safety standards contained in Title 49 of the Code of Federal Regulations, § 571.500. The current definition of "low-speed vehicle"; only includes electrically powered vehicles that meet these criteria.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0500+hil
SB 0658	Motor Vehicles	Motor vehicle registration; exemptions.	Technical changes; registration exemptions. Clarifies that a person with a registration exemption is not required to obtain a registration certificate, license plates, or decals and makes the corresponding grammatical clarification throughout Article 6 (§ 46.2-662 et seq.) of Chapter 6 of Title 46.2.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0142+hil
HB 1013	Mutual Aid Agreements	Threat assessment teams; dissemination of certain records and information.	Threat assessment teams; local school boards. Excludes from the Virginia Freedom of Information Act any records received by the Department of Criminal Justice Services pursuant to the operation of or for the purposes of evaluating threat assessment teams and oversight committees, school safety audits, and school crisis, emergency management, and medical emergency response plans of public schools and threat assessment teams of public institutions of higher education, to the extent that such records reveal security plans, walk-through checklists, or vulnerability and threat assessment components. The bill allows criminal record, juvenile record, and health record information to be disseminated to members of a threat assessment team established by a local school board. Current law allows only threat assessment teams established by an institution of higher education to access such information. The bill provides that no member of a threat assessment team shall redisclose any such information or use the information beyond the purpose for which the disclosure was made.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0554+hil
SB 0083	Mutual Aid Agreements	Higher educational institutions; required agreements with law enforcement.	Institutions of higher education; required agreements with law enforcement. Requires all mutual aid agreements and memoranda of understanding required between public or private institutions of higher education and adjacent local law-enforcement agencies or the Department of State Police to specify the procedure for sharing information.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0571+hil
HB 1016	Mutual Aid Agreements	Sexual assault response teams; participants in annual meeting, FOIA exclusion for records.	Sexual assault response teams; participants; FOIA exclusion. Adds the Title IX coordinator; representatives from the office of student affairs, human resources, and counseling services; and a representative of campus security of any institution of higher education in the jurisdiction to the list of persons invited to participate in the annual meeting of a sexual assault response team. The bill also excludes records reflecting the substance of meetings in which individual sexual assault cases are discussed by a sexual assault response team from mandatory disclosure under the Virginia Freedom of Information Act. The findings of a sexual assault response team may be disclosed or published in statistical or other aggregated form that does not disclose the identity of specific individuals.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0550+hil

2016 Law Enforcement Legislative Update Master List

HB 1321	Mutual Aid Agreements	Private higher educational institutions, private; memoranda of understanding, sexual assaults.	Private institutions of higher education; memoranda of understanding; sexual assaults. Clarifies that nonprofit private institutions of higher education that have security departments instead of campus police forces are required to enter into a memorandum of understanding with a law-enforcement agency that requires such agency to notify the local attorney for the Commonwealth within 48 hours of beginning any investigation involving felony criminal sexual assault occurring on campus property or other property related to the institution.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0513+hil
HB 1015	Mutual Aid Agreements	Higher educational institutions; memorandum of understanding with local law-enforcement agencies.	Institutions of higher education; law-enforcement agencies; response to sexual assault. Permits each public institution of higher education or nonprofit private institution of higher education to request the cooperation of the primary law-enforcement agency of the locality in which the institution is located to establish a written memorandum of understanding with such law-enforcement agency to address the prevention of and response to criminal sexual assault and requires such law-enforcement agency to cooperate in establishing such memorandum of understanding.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0481+hil
SB 0248	PERKS	Minors; authority to consent to physical evidence recovery kit examination.	Physical evidence recovery kit examination; minors. Provides that if a parent or guardian of a minor refuses to consent to a physical evidence recovery kit examination of the minor, the minor may consent.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0251+hil
HB 1160 SB 0291	PERKS	Physical evidence recovery kits.	Physical evidence recovery kits. Establishes a comprehensive procedure for the collection and analysis of physical evidence recovery kits for victims of sexual assault, including those who elect at the time of the exam not to report a sexual assault to a law-enforcement agency. Kits from victims who elect not to report are known as "anonymous physical evidence recovery kits"; and will be stored at the Division of Consolidated Laboratory Services (the Division) for two years, although the Division, the victim, or the law-enforcement agency may elect for the kits to be retained for a longer period of time. If the victim later elects to report the sexual assault, the victim's kit will be released to law enforcement. Health care providers are required to explain these procedures and time frames to victims. Where the victim elects to report the offense to law enforcement at the time of the exam, law enforcement is required to take possession of the victim's kit forthwith upon notification from the health care provider that the kit has been collected and, with limited exceptions, to submit the kit to the Department of Forensic Science for analysis within 60 days. The bill outlines the exceptions to mandatory submission for analysis, time frames, and storage requirements for retention of analyzed samples; expungement of DNA samples obtained but not connected to a crime; and victims' notification rights.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0698+hil

2016 Law Enforcement Legislative Update Master List

HB 0605	Probation	Restitution; extension of probation.	Restitution; revocation of probation or suspended sentence. Provides that a court may conduct a hearing to revoke a person's probation or suspended sentence within three years after the expiration of the period of probation or suspension if the person has failed to pay restitution before such expiration. Under current law, such a hearing must be conducted within one year after the expiration of the period of probation or suspension.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0718+hil
HB 0608	Probation	Immediate sanction probation programs; extends sunset provision.	Immediate sanction probation programs; extension. Extends the sunset provision on the establishment of immediate sanction probation programs, which provides for expedited proceedings for probation violations for certain nonviolent offenders, from July 1, 2016, to July 1, 2017.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0201+hil
HB 0025	Property Offenses	Firefighting equipment or emergency medical services vehicle; penalty for tampering with, etc.	Tampering, etc., with firefighting equipment; penalty. Provides that a person who injures, destroys, removes, tampers with, or otherwise interferes with the operation of (i) any firefighting equipment or apparatus or (ii) any emergency medical services vehicle is guilty of a Class 1 misdemeanor.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0687+hil
HB 0198	SCOPS Private Security	Conservator of the peace, special; application for appointment by locality.	Application for special conservator of the peace by locality. Provides that no official or employee of a school board or county, city, or town may submit an application to a circuit court judge for the appointment of a special conservator of the peace without attaching a written assessment of the need for such appointment from the chief law-enforcement officer of the locality to the application.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0416+hil
HB 0434	SCOPS Private Security	Private security services providers and personnel; licensure, waiver, etc.	Licensure of private security services providers and personnel; waiver of prohibition for conviction of certain crimes. Requires that when the Director of the Department of Criminal Justice Services receives a written request from a person seeking to be (i) employed as a registered or certified employee by a private security services business or training school or (ii) issued a private security services registration, certification as an unarmed security officer, electronic security employee or technician's assistant, a private security services training school or instructor certification, compliance agent certification, or a private security services business license for a waiver of the prohibition against the registration or certification of such person who has been convicted of certain misdemeanors or any felony, the Director must grant or deny the waiver in writing within 30 days and state the reasons for the decision.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0561+hil
HB 1330	SCOPS Private Security	Private police departments; successors in interest of an entity.	Private police departments; successors in interest. Allows a successor in interest of an entity authorized by statute or an act of assembly to establish and operate a private police department to establish and operate a private police department.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0618+hil

2016 Law Enforcement Legislative Update Master List

SB 0296	SCOPS Private Security	Conservators of the peace, special; required criminal history record information check required.	Special conservators of the peace; criminal history record information check required. Requires that a criminal history record information check be part of the background investigation required for appointment or temporary registration as a special conservator of the peace. The bill provides that no person who would be prohibited from possessing, transporting, or purchasing a firearm is eligible for appointment as a <u>special conservator of the peace.</u>	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0551+hil
HB 0832 SB 0308	Sheriffs	Vacancies in constitutional offices; petition to circuit court to request no special elections.	Vacancies in constitutional offices; special elections. Allows the governing body of a county or city in which a vacancy in a constitutional office has occurred to request in its petition for a writ of election that the circuit court order the special election to be held at the next ensuing general election and allows the court to issue such writ. The bill also authorizes the governing body to petition the circuit court to request that no special election be ordered when the vacancy occurs within the 12 months immediately preceding the end of the term of that office and requires the court to grant such a request. The bill contains technical amendments.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0453+hil
HB 1182 SB 0266	Sheriffs	Sheriffs; standard vehicle markings.	Sheriffs; standard vehicle markings. Allows sheriffs' offices to use marked motor vehicles painted in any solid color. Current law requires the sheriff to obtain the concurrence of the local governing body to use <u>any color other than dark brown.</u>	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0462+hil
SB 0781	Sheriffs	Correctional facilities, local; facilities transporting prisoners.	Transport of prisoners. Provides that the sheriff or administrator in charge of a local or regional correctional facility and the employees of the facility acting on the direction of such sheriff or administrator have the authority to transport a prisoner for a lawful purpose (i) to another jurisdiction inside the Commonwealth and retain authority over such prisoner or (ii) through or to another state and retain authority over such <u>prisoner as allowed by such state.</u>	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0579+hil
HB 1310 SB 0707	Sheriffs Process Servers	Failure to appear; service of process.	Failure to appear; service of process. Provides that a summons for failure to appear on a mailed summons may be served by any person authorized to serve process. Under existing law, any person age 18 or older who is not a party or otherwise interested in the subject matter in <u>controversy may serve process.</u>	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0242+hil
HB 0176	Technology	Pen register or trap and trace device; court allowed to issue an order for installation.	Installation of pen register or trap and trace device; jurisdiction. Allows a court in the jurisdiction where an ongoing criminal investigation is being conducted or where there is probable cause to believe an offense was committed, is being committed, or will be committed to issue an order approving the installation and use of a pen register or trap and trace device. Currently, only a court in the jurisdiction where the person who will be the subject of the pen register or trap and trace device lives, works, or maintains an address or a post office box may order its <u>installation.</u>	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0231+hil

2016 Law Enforcement Legislative Update Master List

HB 0326	Technology	Electronic communication service or remote computing service records; obtaining records.	Obtaining electronic communication service or remote computing service records. Provides that any subpoena issued by a court or grand jury, search warrant, or court order directing a provider of electronic communication service or remote computing service to disclose certain information related to a customer may require that the service provider not disclose the existence of the subpoena, search warrant, or order, except to an attorney to obtain legal advice, for a period of 90 days, subject to renewal for additional 90-day periods, if the victim is under 18 and disclosure of the existence of the subpoena, search warrant, or order will endanger the life or physical safety of an individual, or lead to flight from prosecution, the destruction of or tampering with evidence, the intimidation of potential witnesses, or otherwise seriously jeopardize an investigation. The bill also provides that only a circuit court can issue an order for disclosure from a service provider when such disclosure is relevant and material to an ongoing criminal investigation or the investigation of certain missing persons.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0616+hil
HB 0875	Technology	Real-time location data; disclosure in emergencies.	Disclosure of real-time location data in emergencies. Provides that an investigative or law-enforcement officer may obtain real-time location data from an electronic communication service or remote computing service provider when the officer believes that an emergency involving immediate danger to a person requires such disclosure and a warrant for such disclosure cannot be obtained in time to prevent the identified danger, regardless of whether the service provider believes that such disclosure is required by the emergency.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0576+hil
HB 0924	Technology Evidence	Electronic communications; disclosure, verification and admissibility of content.	Electronic communications; admissibility of written reports or records. Allows the provider of an electronic communication service or remote computing service to verify the authenticity of written reports or records that it discloses by providing an affidavit from the custodian of the written records (or the person to whom the custodian reports) certifying that they are true and complete copies of the reports or records and were prepared in the regular course of business. When so authenticated no other evidence of authenticity is necessary, and the reports or records shall be considered business records for the purposes of the business records exception to the hearsay rule. The bill specifies that the contents of electronic communications shall not be considered part of such business records.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0549+hil

2016 Law Enforcement Legislative Update Master List

HB 0168 SB 0120	Traffic	Passing stopped school buses; rebutting presumption, mailing of summons.	Passing stopped school buses; mailing of summons; rebutting presumption. Provides that a locality that has authorized by ordinance the installation and operation of a video-monitoring system on school buses for recording violations of unlawfully passing a stopped school bus may execute a summons for such violation by mailing a copy of the summons to the owner of a vehicle that unlawfully passed a stopped school bus. The bill also provides a means by which the existing presumption that the registered owner of the vehicle was the vehicle operator at the time of the violation can be rebutted and requires that this information be included with the mailing of the summons. The bill gives the summoned person 30 business days from the mailing of the summons to inspect information collected by a video-monitoring system in connection with the violation.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0700+hil
HB 0172	Traffic	Habitual offenders; evaluation of person be conducted by VASAP; recommendations submitted to court.	Habitual offenders; restoration of driving privileges. Clarifies that the recommendations from the Virginia Alcohol Safety Action Program (VASAP) evaluation that must be conducted when a habitual offender petitions for the restoration of his driving privileges or for the issuance of a restricted license shall be given such weight as the court deems appropriate.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0230+hil
SB 0117	Traffic	Motor vehicle doors; operator to wait for a reasonable opportunity to open.	Opening and closing motor vehicle doors. Requires drivers to wait for a reasonable opportunity to open vehicle doors on the side adjacent to moving traffic. A violation constitutes a traffic infraction punishable by a fine of not more than \$50.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0607+hil
SB 0163	Traffic	Driving in flooded areas; localities may by ordinance prohibit, penalties.	Local regulation of driving in flooded areas; penalty. Allows localities to by ordinance prohibit any person from operating a motor vehicle or watercraft on a flooded street in such a manner as to increase the level of floodwaters to a level that causes or could reasonably be expected to cause damage to any real or personal property and creates a Class 4 misdemeanor for a violation of such ordinance. The bill requires a locality to post signs warning of the prohibition and penalties. This prohibition does not apply to law-enforcement officers, firefighters, emergency medical services personnel, or operators of Department of Transportation or utility vehicles in the performance of their official duties.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0249+hil

2016 Law Enforcement Legislative Update Master List

SB 0555	Traffic	Learner's permit or provisional driver's license holder; completion of driver ed.	Learner's permit holder; passenger limits; use of cell phone; licensure requirements for persons under 18. Prohibits a holder of a learner's permit from (i) using a cell phone while driving and (ii) having more than one passenger under age 21. Current law prohibits the holder of a provisional driver's license who is under the age of 19 from (a) having more than one passenger under age 21 unless a parent is present and (b) using a cellphone. The bill removes the exception that a provisional driver's license holder under age 18 may have more than one passenger under age 21 if a parent is present. The bill clarifies that the passenger limitations on all provisional driver's licenses do not include household or family members. The bill allows those who are at least 18 years old to be issued a driver's license after holding a learner's permit for 60 days instead of the current holding requirement of nine months for those under 19 years of age. The bill also requires only those driver's license applicants under 18 years of age to show proof of completion of a driver education program. Current law requires such proof of those under 19 years of age.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0488+hil
HB 0667	Victims Rights	Criminal Injury Compensation Fund; filing of claims.	Criminal Injury Compensation Fund; claims. Provides that for crimes committed on or after July 1, 1977, and before July 1, 2000, where the period of time to file a claim with the Criminal Injury Compensation Fund (the Fund) has been extended because of newly discovered evidence, the Virginia Workers' Compensation Commission, which administers the Fund, may consider expenses and loss of earnings that the claimant accrued after the date of the newly discovered evidence as stipulated in written notification from the attorney for the Commonwealth. Currently, consideration could be given only to expenses that accrued after the date the Commission received notification from the attorney for the Commonwealth that the crime was being investigated for newly discovered evidence. The bill applies to claims filed with the Fund on or after July 1, 2014.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0456+hil
HB 0373 SB 0253	Victims Rights	Confidentiality of information about victims of certain crimes.	Confidentiality of information about victims of certain crimes. Provides that, in order to ensure the safety of any adult or child victim of a violation of Â§ 18.2-48, 18.2-355, 18.2-356, 18.2-357, or 18.2-357.1 and their families, programs and individuals providing services to such victims shall protect the confidentiality and privacy of persons receiving services by limiting the disclosure of information about such victims, including by prohibiting the release of individual client information without the informed consent of the minor and his parent or legal guardian, in cases in which the client is an unemancipated minor. The bill also clarifies that a person is a victim for purposes of such confidentiality and privacy protections regardless of whether any person has been charged with or convicted of any offense. The bill also provides that an alleged abuser of a minor or incapacitated person or of the minor's other parent may not consent to the release of confidential information.	http://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0666+hil