

Selected Victim Related Legislation Passed During the 2017 Session of the General Assembly and Approved by the Governor

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HB 1485 Sexual offenses; prohibits person from proximity to children and working on school property.

Chief patron: Bell, Richard P.

An Act to amend and reenact §§ 18.2-370.2, 18.2-370.3, and 18.2-370.4 of the Code of Virginia, relating to sex offenses prohibiting proximity to children; penalty.

Summary as passed:

Includes in the list of certain sex offenses that prohibit a person convicted of such offenses from being or residing in proximity to schools and certain other property where children congregate or from working on school property any offense similar to such offenses under the laws of any foreign country or political subdivision thereof or the United States or any political subdivision thereof. The prohibition regarding residing in proximity to a school that is predicated upon an offense similar to any offense under the laws of any foreign country or any political subdivision thereof, or the United States or any political subdivision thereof, only applies to residences established on and after July 1, 2017.

HB 1491 Background checks; exceptions, sponsored living and shared residential service providers.

Chief patron: Hope

An Act to amend and reenact §§ 37.2-416 and 37.2-506 of the Code of Virginia, relating to background checks; exceptions; sponsored living and shared residential service providers.

Summary as passed House:

Allows a provider licensed by the Department of Behavioral Health and Developmental Services or a community services board to approve as a sponsored residential service provider or to permit to enter into a shared living arrangement persons who have been convicted of not more than one misdemeanor offense under § 18.2-57 or 18.2-57.2 if 10 years have elapsed following the conviction, unless the person committed the offense while employed in a direct care position. The bill also allows a provider or community services board to approve a person as a sponsored residential service provider if any adult living in the home of an applicant or any person employed by the applicant to provide services in the home in which sponsored residential services are provided has been convicted of not more than one misdemeanor offense under § 18.2-57 or 18.2-57.2 if 10 years have elapsed following the conviction, unless the person committed the offense while employed in a direct care position.

HB 1586 Court-ordered custody and visitation arrangements; transmission of order to child's school.

Chief patron: Campbell

An Act to amend and reenact §§ 16.1-278.15 and 20-124.2 of the Code of Virginia, relating to court-ordered custody and visitation arrangements; transmission of order to child's school.

Summary as passed:

Provides that, in any custody or visitation case in which an order prohibiting a party from picking a child up from school is entered, the court shall order a party to provide a copy of such order to the child's school within three business days of the receipt of the order. The bill requires that, where a custody determination affects a child's school enrollment, the court order a party to provide a copy of the custody order to the child's new school within three business days of the child's enrollment. The bill further provides that if the court determines that a party is unable to deliver the order to the school, such party shall provide the court with the name of the principal and address of the school, and the court shall cause the order to be mailed to such principal.

HB 1604 Foster care; definitions, reasonable efforts to prevent removal of child.

Chief patron: Bell, Richard P.

An Act to amend and reenact §§ 16.1-251, 16.1-252, 16.1-278.2, 16.1-278.4, and 16.1-282.1 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 63.2-910.2, relating to foster care; reasonable efforts to prevent removal of child.

Summary as passed House:

Allows a local board of social services to take a child into immediate custody pursuant to an emergency removal order in cases in which the child is alleged to have been abused or neglected and allows a court to issue certain orders in such cases, without requiring that reasonable efforts be made to prevent removal of the child from his home if (i) the parental residual rights of the child's parent over a sibling were involuntarily terminated; (ii) the parent was convicted of murder or voluntary manslaughter, or a felony attempt, conspiracy, or solicitation to commit any such offense, if the victim was a child of or resided with the parent or was the other parent of the child; (iii) the parent was convicted of felony assault resulting in serious bodily injury or felony bodily wounding resulting in serious bodily injury or felony sexual assault, if the victim was a child of or resided with the parent; or (iv) on the basis of clear and convincing evidence, the parent has subjected any child to aggravated circumstances or abandoned a child under circumstances that would justify the termination of residual parental rights. The bill provides that, in each permanency planning hearing and in any hearing regarding the transition of the child from foster care to independent living, the court shall consult with the child, unless the court finds that such consultation is not in the best interests of the child. The bill makes other changes related to foster care to comply with federal requirements.

HB 1647 Presentence report; waiver by defendant.

Chief patron: Loupassi

An Act to amend and reenact § 19.2-299 of the Code of Virginia, relating to presentence report; waiver by defendant.

Summary as passed:

Expands from guilty to guilty or nolo contendere the pleas for which a court is required to direct a probation officer to create a presentence report upon conviction for certain felonies. The bill provides that upon a conviction or plea agreement for such felonies, the defendant and the attorney for the Commonwealth may waive the presentence report.

HB 1851 Assault/battery against family/household member; deferred disposition.

Chief patron: Gilbert

An Act to amend and reenact § 18.2-57.3 of the Code of Virginia, relating to assault and battery against a family or household member; deferred disposition; waiver of appeal.

Summary as passed:

Provides that a person charged with a first offense of assault against a family or household member who consents to probation and a deferred disposition of the charge has no right of appeal if he is subsequently found guilty of the original charge for a violation of the terms of his probation. The bill provides that a person may file a motion to withdraw his consent within 10 days of entry of the order deferring proceedings and the court shall schedule a hearing within 30 days of receipt of the motion. The bill provides further that if the person appears at the hearing and requests to withdraw his consent, the court shall grant the request, enter a final order adjudicating guilt, and sentence the person accordingly. If the person fails to appear at the hearing, the court shall deny the motion.

HB 1855 Court-ordered restitution; form order, enforcement, noncompliance, etc.

Chief patron: Bell, Robert B.

An Act to amend and reenact §§ 19.2-305.1, 19.2-305.2, 19.2-349, and 19.2-368.15 of the Code of Virginia, relating to restitution; enforcement, noncompliance, etc.

Summary as enacted with Governor's Recommendations:

Makes numerous changes related to the repayment of court-ordered restitution, including: (i) requiring the court to enter the amount of restitution, the date by which all restitution is to be paid, and the terms and conditions of repayment on a form prescribed by the Office of the Executive Secretary of the Supreme Court; (ii) providing that docketing an order of restitution as a civil judgment does not prohibit the court from enforcing such order by any other available means; and (iii) requiring the clerk of every circuit and district court to submit quarterly reports to the attorney for the Commonwealth and any probation agency serving the locality listing (a) all defendants with outstanding balances of court-ordered restitution and (b) all accounts where more than 90 days have passed since such account was sent to collections and no payments have been made. As introduced, the bill was a recommendation of the Virginia State Crime Commission. This bill is identical to SB 1284.

HB 1903 Business records; admissibility in criminal proceedings.

Chief patron: Heretick

An Act to amend and reenact § 8.01-390.3 of the Code of Virginia, relating to admissibility of business records; criminal proceedings.

Summary as introduced:

Extends to criminal proceedings the existing procedures in civil proceedings for the authentication and foundation necessary for the admission of a business record under the business records exception to the rule against hearsay.

HB 1910 Definition of mental health service provider.

Chief patron: Yost

An Act to amend and reenact § 54.1-2400.1 of the Code of Virginia, relating to definition of mental health service provider.

Summary as introduced:

Adds physician assistant to the list of mental health service providers who have a duty to take precautions to protect third parties from violent behavior or other serious harm. This bill is identical to SB 1062.

HB 1912 Absentee voting; eligibility of persons granted protective order.

Chief patron: Yost

An Act to amend and reenact §§ 24.2-700 and 24.2-701 of the Code of Virginia, relating to absentee voting; eligibility of persons granted a protective order.

Summary as introduced:

Entitles a person to vote absentee if the person has been granted a protective order issued by or under the authority of any court of competent jurisdiction.

HB 1945 Adult exploitation; broadens definition for purposes of social services laws.

Chief patron: Peace

An Act to amend and reenact §§ 63.2-100 and 63.2-1606 of the Code of Virginia, relating to adult exploitation.

Summary as passed House:

Broadens the definition of "adult exploitation" for the purposes of social services laws to include the unauthorized, improper, or fraudulent use of an adult 60 years of age or older, or 18 years of age or older who is incapacitated, or his funds, property, benefits, or other assets for the benefit of another, including a caregiver or person serving in a fiduciary capacity, or that deprives the adult of his rightful use of or access to such funds, property, benefits, or other assets. The bill provides that "adult exploitation" includes (i) an intentional breach of a fiduciary obligation to an adult to his detriment or an intentional failure to use the financial resources of an adult in a manner that results in neglect of such adult; (ii) the acquisition, possession, or control of an adult's financial resources or property through the use of undue influence, coercion, or duress; and (iii) forcing or coercing an adult to pay for goods or services or perform services against his will for another's profit, benefit, or advantage if the adult did not agree, or was tricked, misled, or defrauded into agreeing, to pay for such goods or services or to perform such services. In addition, the requirement that such adult 60 years of age or older be incapacitated is removed from the definition, and the bill amends the definitions of "adult abuse," "adult neglect," and "adult protective services" to apply to adults 60 years of age or older, or 18 years of age or older who are incapacitated. The bill also broadens the definition of "financial institution staff" for the purposes of protecting aged or incapacitated adults to include any employee, agent, qualified individual, or representative of a bank, trust company, savings institution, loan association, consumer finance company, credit union, investment company, investment advisor, securities firm, accounting firm, or insurance company.

HB 1971 FOIA; record and meeting exclusions for multidisciplinary child abuse teams.

Chief patron: Massie

An Act to amend and reenact §§ 2.2-3705.7 and 2.2-3711 of the Code of Virginia, relating to the Virginia Freedom of Information Act; record and meeting exclusions for multidisciplinary child sexual abuse response teams; meeting exclusion for criminal sexual assault response teams.

Summary as introduced:

Excludes the records of a multidisciplinary team as they relate to individual child abuse or neglect cases or sex offenses involving a child from mandatory disclosure under the Virginia Freedom of Information Act. The bill also provides an exemption from open meeting requirements to such teams and sexual assault response teams.

HB 2064 Assault and battery against a family or household member; eligibility for first offender status.

Chief patron: Mullin

An Act to amend and reenact § 18.2-57.3 of the Code of Virginia, relating to assault and battery against a family or household member; eligibility for first offender status.

Summary as passed:

Precludes a person who has been convicted of any felony defined as an act of violence from being eligible for first offender status for assault and battery against a family or household member unless the attorney for the Commonwealth does not object to the person being placed on first offender status. Under current law, only prior convictions for assault or assault and battery against a family or household member serve as disqualifiers.

HB 2084 Search warrants; person subject to arrest.

Chief patron: Herring

An Act to amend and reenact §§ 19.2-53, 19.2-54, and 19.2-56 of the Code of Virginia, relating to search warrants; persons subject to warrant or capias for arrest.

Summary as introduced:

Authorizes the issuance of a search warrant to search for and seize any person for whom a warrant or process for arrest has been issued. This bill is a recommendation of the Virginia State Crime Commission. This bill is identical to SB 1260.

HB 2127 Victims of sexual assault; rights of victims, physical evidence recovery kits.

Chief patron: Levine

An Act to amend and reenact §§ 19.2-11.01, 19.2-11.6, 19.2-11.8, and 19.2-11.11 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 1.2 of Title 19.2 a section numbered 19.2-11.12, relating to rights of victims of sexual assault; physical evidence recovery kits.

Summary as passed House:

Requires that victims of sexual assault be advised by the investigating law-enforcement agency of their rights regarding physical evidence recovery kits. The bill requires the Division of Consolidated Laboratory Services of the Virginia Department of General Services and law-enforcement agencies to store a physical evidence recovery kit for an additional 10 years following a written objection to its destruction from the victim. The bill requires the law-enforcement agency to notify the victim at least 60 days prior to the intended date of destruction of the kit and provides that no victim of sexual assault shall be charged for the cost of collecting or storing a kit.

HB 2217 Address confidentiality program; victims of sexual violence and human trafficking.

Chief patron: Toscano

An Act to amend and reenact § 2.2-515.2 of the Code of Virginia, relating to address confidentiality program; victims of sexual violence and human trafficking.

Summary as passed:

Expands the types of crimes victims of which are eligible to apply for the address confidentiality program to include sexual violence. The bill provides that such programs may also include specialized services for victims of human trafficking. Current law permits victims of domestic violence and stalking to apply to this program. The bill requires that sexual or domestic violence programs be accredited by the Virginia Sexual and Domestic Violence Program Professional Standards Committee to accept applications and authorizes crime victim and witness assistance programs to accept applications. The bill increases program participants' certification period from one to three years. The bill contains technical amendments.

HB 2231 Ignition interlock system; period of time which person is prohibited to drive, etc.

Chief patron: Miller

An Act to amend and reenact §§ 18.2-270.1 and 18.2-271.1 of the Code of Virginia, relating to ignition interlock; duration; installation.

Summary as passed House:

Provides that the period of time during which a person is (i) prohibited from operating a motor vehicle that is not equipped with an ignition interlock system or (ii) required to have an ignition interlock system installed on each motor vehicle owned by or registered to him is calculated from the date the court issues him a restricted license. The bill further provides that this period of time is tolled upon the expiration of the restricted license issued by the court until such time as the person is issued a restricted license by the Department of Motor Vehicles.

HB 2240 Victims of crime; right to nondisclosure of certain information.

Chief patron: Miller

An Act to amend and reenact § 19.2-11.2 of the Code of Virginia, relating to crime victim's right to nondisclosure of certain information; murder.

Summary as passed:

Requires that written consent provided by the victim's next of kin to law enforcement is necessary, if the victim is a minor, before a law-enforcement agency may disclose any information that identifies the victim of a crime that resulted in the victim's death.

HB 2257 High school family life education curricula; effective and evidence-based programs on consent.

Chief patron: Filler-Corn

An Act to amend and reenact § 22.1-207.1:1 of the Code of Virginia, relating to high school family life education curricula; elements of effective and evidence-based programs on consent.

Summary as passed:

Provides that any high school family life education curriculum offered by a local school division may incorporate age-appropriate elements of effective and evidence-based programs on the law and meaning of consent.

HB 2279 Child-protective services; complaints involving members of the United States Armed Forces.

Chief patron: Hester

An Act to amend and reenact § 63.2-1503 of the Code of Virginia, relating to child-protective services; complaints involving members of the United States Armed Forces.

Summary as introduced:

Requires local departments of social services to transmit information regarding reports, complaints, family assessments, and investigations involving children of active duty members of the United States Armed Forces or members of their household to family advocacy representatives of the United States Armed Forces. Under current law, local departments of social services may transmit such information but are only required to transmit information regarding founded complaints or family assessments. This bill is identical to SB 1164.

HB 2282 Children, trafficking of; guidelines for training school counselors, etc.

Chief patron: Leftwich

An Act to direct the Board of Education to develop guidelines for training on the prevention of trafficking of children.

Summary as passed:

Requires the Board of Education to develop guidelines for training school counselors, school nurses, and other relevant school staff on the prevention of trafficking of children.

HB 2327 Driving under influence of alcohol; implied consent, refusal of blood or breath tests.

Chief patron: Collins

An Act to amend and reenact §§ 8.01-44.5, 15.2-1627, 16.1-228, 16.1-241, 16.1-278.8, 16.1-278.9, 16.1-309, 18.2-268.3, 18.2-268.4, 18.2-268.7, 18.2-268.9, 18.2-269, 18.2-272, 19.2-52, 19.2-73, 29.1-738.3, 46.2-341.26:2, 46.2-341.26:3, 46.2-341.26:4, 46.2-341.26:7, 46.2-341.26:9, 46.2-341.27, 46.2-391.2, 46.2-391.4, and 46.2-2099.49 of the Code of Virginia, relating to DUI; implied consent; refusal of blood or breath tests.

Summary as passed:

Eliminates the criminal penalties for refusing to submit to a blood test to determine the alcohol or drug content of a defendant's blood upon arrest for a DUI-related offense under the law on implied consent. The bill also increases to a Class 1 misdemeanor the criminal penalty for refusing to submit to a breath test under the law on implied consent for an offense committed within 10 years of a prior offense of refusal or of another DUI-related offense. The bill also extends to blood tests performed by the Department of Forensic Science pursuant to a search warrant the rebuttable presumption that a person is intoxicated based on the person's blood alcohol level demonstrated by such tests. The bill also provides that an application for a search warrant to perform a blood test on a person suspected of committing a DUI-related offense shall be given priority over other matters pending before the judge or magistrate. Finally, the bill establishes a rebuttable presumption applicable in a civil case for punitive damages for injuries caused by an intoxicated driver that a person who has consumed alcohol knew or should have known that his ability to drive was or would be impaired by such consumption. This bill is in response to the U.S. Supreme Court decision in *Birchfield v. North Dakota*, 136 S. Ct. 2160 (2016). The bill contains an emergency clause.

HB 2338 Restitution; priority of payments.

Chief patron: Bell, Robert B.

An Act to amend and reenact §§ 19.2-305.1 and 19.2-354 of the Code of Virginia, relating to restitution; priority of payments.

Summary as passed:

Provides that whenever a defendant owes court-ordered restitution payments, any money collected shall be used first to satisfy such restitution order and any collection costs associated with restitution prior to being used to satisfy any other fines or costs owed by the defendant.

HB 2386 Unpaid court fines, etc.; increases grace period for collection.

Chief patron: Loupassi

An Act to amend and reenact §§ 19.2-349 and 19.2-354 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 19.2-354.1, relating to collection of unpaid court fines, etc.

Summary as passed:

Increases the grace period after which collection activity for unpaid court fines, costs, forfeitures, penalties, and restitution may be commenced from 30 days to 90 days after sentencing or judgment. The bill also establishes the requirements for deferred or installment payment agreements that a court must offer a defendant who is unable to pay court-ordered fines, costs, forfeitures, and penalties. The bill requires that a court take into account a defendant's financial circumstances, including whether the defendant owes fines and costs to other courts, in setting the terms of a payment agreement. The bill fixes the maximum down payments that a court may require as a condition of entering a payment plan and provides that payments made within 10 days of their due date are timely made. The bill precludes a court from denying a defendant the opportunity to enter into a payment agreement solely because of the crime committed, the total amount owed or that such amount has been referred to collections, any previous default by the defendant or failure to establish a payment history, or the defendant's eligibility for a restricted driver's license. The bill allows all costs and fines owed by a defendant to any one court to be incorporated into one payment agreement and allows a defendant to request a modification of the terms of the agreement, which shall be granted upon a good faith showing of need. The bill requires a court to consider a request by a defendant who has defaulted on a payment agreement to enter into a subsequent agreement and requires the court to fix a down payment for subsequent payment agreements. Finally, the bill provides that the payment agreement includes restitution unless the court has entered a separate order regarding the payment of restitution. This bill is identical to SB 854.

HB 2429 Firearms; purchase, possession, or transportation.

Chief patron: O'Quinn

An Act to amend and reenact §§ 18.2-308.1:1, 18.2-308.1:2, and 18.2-308.1:3 of the Code of Virginia, relating to purchase, possession, or transportation of firearms; petition to restore right.

Summary as passed House:

Provides that any person who is not a resident of the Commonwealth and who is prohibited from purchasing, possessing, or transporting any firearm in the Commonwealth due to an acquittal by reason of insanity, being adjudicated mentally incompetent or incapacitated, or being involuntarily admitted or ordered to outpatient treatment may petition for the restoration of such rights in the general district court of the city or county in which the most recent of such proceedings occurred. Current law provides that a person so prohibited may petition for the restoration of such rights in the general district court of the city or county in which he resides.

HB 2457 Health and Human Resources Secretariat; agencies of Secretariat shall share data, records, etc.

Chief patron: Garrett

An Act to amend and reenact § 2.2-212 of the Code of Virginia, relating to Health and Human Resources Secretariat; data sharing.

Summary as passed:

Requires that, as requested by the Secretary of Health and Human Resources and to the extent authorized by federal law, the agencies of the Secretariat of Health and Human Resources shall share data, records, and information about applicants for and recipients of services from the agencies of the Secretariat, including individually identifiable health information for the purposes of (i) streamlining administrative processes and reducing administrative burdens on the agencies, (ii) reducing paperwork and administrative burdens on the applicants and recipients, and (iii) improving access to and quality of services provided by the agencies. The bill requires the Secretary of Health and Human Resources to report on the implementation of the provisions of the bill by October 1, 2017.

HB 2467 Driving on a suspended or revoked license; period of suspension.

Chief patron: Bell, Robert B.

An Act to amend and reenact §§ 46.2-301 and 46.2-395 of the Code of Virginia, relating to driving on a suspended or revoked license; period of suspension.

Summary as passed:

Provides that any driver's license suspension imposed upon a person for the failure to pay court-ordered fines and costs shall run concurrently with any other period of license suspension, revocation, or forfeiture imposed upon such person. The bill also provides that in the event that a person whose license has been suspended for the failure to pay court-ordered fines and costs is convicted of driving on a suspended or revoked license, the additional period of license suspension imposed as a result of that conviction runs concurrently with the underlying suspension for the failure to pay court-ordered fines and costs. Under current law, such additional suspension period does not commence until the expiration of the previous suspension or revocation.

SB 817 Restricted driver's license; purposes.

Chief patron: Surovell

An Act to amend and reenact § 18.2-271.1 of the Code of Virginia, relating to the issuance of a restricted driver's license for traveling to a job interview.

Summary as passed:

Adds travel to and from a job interview to the list of purposes for the issuance of a restricted driver's license. The bill provides that a person issued a restricted driver's license for this purpose is required to maintain on his person written proof from the prospective employer of the date, time, and location of the job interview.

SB 868 Child protective services; investigation of complaints of child abuse or neglect.

Chief patron: Favola

An Act to require local departments of social services to timely respond to complaints alleging abuse or neglect of a child one year of age or younger.

Summary as passed Senate:

Requires the State Board of Social Services to promulgate regulations that require local departments of social services to respond to valid reports and complaints alleging suspected abuse or neglect of a child under the age of two within 24 hours of receiving such reports or complaints.

SB 1060 Female genital mutilation; criminal penalty and civil action.

Chief patron: Black

An Act to amend and reenact § 19.2-8 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 8.01-42.5 and 18.2-51.7, relating to female genital mutilation; criminal penalty and civil action.

Summary as passed:

Makes it a Class 1 misdemeanor for any person to knowingly circumcise, excise, or infibulate the labia major, labia minora, or clitoris of a minor. The bill makes it a Class 1 misdemeanor for any parent, guardian, or other person responsible for the care of a minor to consent to such circumcision, excision, or infibulation. The bill also makes it a Class 1 misdemeanor for any parent, guardian, or other person responsible for the care of a minor to knowingly remove or cause or permit the removal of such minor from the Commonwealth for the purposes of performing such circumcision, excision, or infibulation. The bill also provides a civil cause of action for any person injured by such circumcision, excision, or infibulation. The bill provides that any of these offenses shall be a separate and distinct offense and shall not preclude prosecution under any other statute.

SB 1150 Alcoholic beverage control; ABC Board to require bar bystander training.

Chief patron: Favola

An Act to amend and reenact § 4.1-111 of the Code of Virginia, relating to alcoholic beverage control; bar bystander training.

Summary as passed:

Directs the Alcoholic Beverage Control Board to promulgate regulations that establish and make available to all retail on-premises licensees and permittees for which on-premises consumption of alcoholic beverages is allowed and employees of such licensees and permittees who serve as a bartender or otherwise sell, serve, or dispense alcoholic beverages for on-premises consumption a bar bystander training module, which shall include (i) information that enables licensees, permittees, and their employees to recognize situations that may lead to sexual assault and (ii) intervention strategies to prevent such situations from culminating in sexual assault.

SB 1257 Two-way video testimony; forensic analysis and examination.

Chief patron: Chafin

An Act to amend and reenact §§ 19.2-3.1, 19.2-187, and 19.2-187.1 of the Code of Virginia, relating to two-way video testimony; forensic analysis and examination.

Summary as introduced:

Provides that any testimony offered by either party in a preliminary hearing or sentencing hearing, or offered by the accused in any hearing other than a trial, from a person who performed an analysis or examination that resulted in a certificate of analysis may be presented by two-way video conferencing. The bill provides that any decision to purchase a two-way electronic video and audio communication system is at the discretion of the locality.

SB 1330 Critical incident stress management team; peer support team privileged communications.

Chief patron: Carrico

An Act to amend and reenact §§ 19.2-271.4 and 32.1-111.3 of the Code of Virginia, relating to critical incident stress management teams and privileged communications of critical stress management teams.

Summary as passed:

Provides that certain communications regarding a critical incident to a peer support team member are included in the critical incident stress management team privilege. Under current law, the privilege applies only to members of a critical incident stress management team. The bill specifies that a peer support team shall be headed by a Virginia-licensed clinical psychologist, Virginia-licensed psychiatrist, Virginia-licensed clinical social worker, or Virginia-licensed professional counselor with at least five years of experience as a mental health consultant who works directly with emergency medical services personnel or public safety personnel to meet the accreditation standards. Finally, the bill defines a critical incident as an incident that induces an abnormally high level of negative emotions in response to a perceived loss of control and is often related to a threat to the well-being of emergency medical services personnel or public safety personnel or to the well-being of another individual for whom such personnel has some obligation of personal or professional concern.

SB 1475 Family life education; changes to curriculum guidelines and curricula.

Chief patron: McClellan

An Act to amend and reenact §§ 22.1-207.1 and 22.1-207.1:1 of the Code of Virginia, relating to family life education; curriculum guidelines and curricula.

Summary as passed:

Makes changes to family life education curriculum guidelines and curricula, including requiring family life education curriculum guidelines to include instruction as appropriate for the age of the student in the value of family relationships and permitting the age-appropriate elements of effective and evidence-based programs on the prevention of sexual violence that are required to be incorporated into any high school family life education curriculum offered by a local school division to include instruction that increases student awareness of the fact that consent is required before sexual activity.

SB 1501 Physical evidence recovery kit; victim's right to notification of scientific analysis information.

Chief patron: Favola

An Act to amend and reenact § 19.2-11.11 of the Code of Virginia, relating to victim's right to notification of scientific analysis information.

Summary as passed:

Provides that for any physical evidence recovery kit that was received by a law-enforcement agency prior to July 1, 2016, and submitted for analysis, the victim, a parent or guardian of a minor victim, or the next of kin of a deceased victim shall be notified of the completion of the analysis and shall, upon request, receive information regarding the results of any analysis from the law-enforcement agency. The bill provides that law enforcement shall not be required to disclose the results of any analysis to an alleged perpetrator. The bill contains technical amendments.

Selected Bills Vetoed by the Governor

HB 1852 (Del. Gilbert)/SB 1299 (Sen. Vogel)

Authorizes any person 21 years of age or older who is not prohibited from purchasing, possessing, or transporting a firearm and is protected by an unexpired protective order to carry a concealed handgun for 45 days after the protective order was issued. If the person issued the protective order applies for a concealed handgun permit during such 45-day period, such person will be authorized to carry a concealed handgun for an additional 45 days and be given a copy of the certified application, which shall serve as a de facto concealed handgun permit. The bill requires such person to have the order or certified application and photo identification on his person when carrying a concealed handgun and to display them upon demand by a law-enforcement officer; failure to do so is punishable by a \$25 civil penalty.

HB 1853 (Del. Gilbert)/SB 1300 (Sen. Vogel)

The bill provides that the Department of Criminal Justice Services may distribute funds from the Fund to reimburse an entity that offers a firearms safety or training course or class approved by the Department free of charge to victims of domestic violence, sexual abuse, stalking, or family abuse. The Department would not be permitted to issue reimbursements in excess of the amount available in the Fund. The bill also requires that, upon the issuance of a protective order, the petitioner for the order be provided with a list of such approved courses or classes.