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DIRECT IMPACT ON DJJ

HB 91 (Delegate Seibold): Minors; limiting room or cell confinement in a juvenile correctional facility, report.

- Section 1 bill (does not become a permanent part of the Code of Virginia).
- Requires DJJ, in collaboration with juvenile justice advocates, public defenders, attorneys for the Commonwealth, and other relevant stakeholders, to establish clear standards for maximizing the time that minors serving a period of commitment in a juvenile correctional facility spend out of the confinement of their rooms.
- Prior to establishing such standards, DJJ and other collaborators shall study and consider the psychological, social, developmental, and behavioral benefits of limiting the amount of time per day that a minor is confined to his room, including the impact of such limitation of confinement on the safety of the juvenile correctional facility and successful reentry into the community.
- In establishing such standards, DJJ shall (i) develop a minimum number of hours per day that committed minors shall spend out of the confinement of their rooms; (ii) implement and provide programming that meets the needs, interests, and goals of minors committed to the facility; (iii) train staff in trauma-informed care and best practices for youth development to ensure effective delivery of such programming, (iv) collaborate with community organizations and businesses to create opportunities for minors; and (v) collect and review program participation data from community partners and staff to monitor compliance and assess outcomes.
- DJJ shall submit a report on the data collected pursuant to clause (v) and any recommendations based on such data to the Commission on Youth and to the Chairs of the Senate Committee on Rehabilitation and Social Services and the House Committees on Health and Human Services and Public Safety by November 1, 2026.

SB 18 (Senator Locke): Children; adjudication of delinquency, orders of disposition.

- Amends the definition of "delinquent child" in § 16.1-228 to codify age 11 as the statutory minimum age at which a youth can be adjudicated delinquent. Also amends § 16.1-278.8, pertaining to the dispositional options for a delinquent juvenile, to limit the statute to juveniles 11 years of age or older.
- Amends the definition of a "child in need of services" in § 16.1-228 to include a child younger than 11 who has committed an act that would be delinquent if committed by a youth 11 years of age or older.
- Amends § 16.1-246, involving when and how a child may be taken into immediate custody, to provide that a youth may be taken into immediate custody when a child is alleged to be in need of services or supervision and there is a clear and substantial danger to the safety of the child's family or the safety of the public.
- Creates a new § 16.1-278.9:1 to provide that if a child younger than 11 years of age is alleged to have committed an act that would be delinquent if committed by a child 11 years of age or older, such child shall not be proceeded upon as delinquent pursuant to § 16.1-278.8, and the court shall (i) dismiss any petition alleging such child has committed an act that would be delinquent if committed by a child 11 years of age or older and (ii) order that the court records pertaining to such petition be expunged pursuant to subsection C of § 16.1-306. However, the attorney for the Commonwealth may file a petition alleging that such child is in need of services and if such child is found to be in need of services, the court may make any orders of disposition authorized under § 16.1-278.4. Any funding that is available to provide services to a child 11 years of age or older who is proceeded upon as delinquent pursuant to § 16.1-278.8 shall also be made available to a child younger than 11 years of age who is found to have committed an act that would be delinquent if committed by a child 11 years of age or older in order to provide such child with the same services.
- Amends § 18.2-371, pertaining to the crime of causing or encouraging acts rendering children delinquent, to include causing a child younger than 11 years of age to commit an act that would be delinquent if committed by a child 11 years of age or older or causing a child to participate in or become a member of a criminal street gang.

SB 64 (Senator Favola): Juveniles; commitment to DJJ, petition to extend duration of indeterminate commitment.

- Amends § 16.1-269.1, pertaining to commitment to DJJ, to provide that, when making a finding that a juvenile should be committed to DJJ for an indeterminate period, the court shall consider the following: (i) DJJ's estimated length of stay guidelines; (ii) that the interests of the juvenile and the community require that the juvenile be placed under legal restraint; and (iii) that the juvenile is not a proper person to receive treatment or rehabilitation through other available programs or facilities.
- Creates a new statute, § 16.1-285.3, which establishes a judicial review process similar to that for serious offender review hearings, for instances in which DJJ determines there is a need to continue a youth's commitment at the JCC beyond the late release date of their LOS range.
- If DJJ determines that the duration of a juvenile's indeterminate commitment should exceed the high end of the LOS range, DJJ shall petition the court that ordered the juvenile's indeterminate commitment for a review. Notwithstanding the terms of any plea agreement

or commitment order and upon the filing of a petition for review, the court shall schedule a hearing to determine whether the period of indeterminate commitment may be extended.

- DJJ's petition for review shall be filed at least 60 days prior to the end of the high end of the LOS range and 60 days prior to each review requested by DJJ thereafter.
- If DJJ determines fewer than 60 days before the expiration of the high end of the LOS range that an extension of the length of stay is necessary, DJJ shall file a petition for review and shall include a statement of the specific circumstances necessitating the late filing.
- The court shall appoint counsel to represent the juvenile, and the attorney for the Commonwealth shall notify the victim or victim's family of the petition for review and any hearings related to such petition.
- The petition shall be accompanied by a progress report, which shall describe (i) the facility and living arrangement provided to the juvenile; (ii) any services and treatment programs provided to the juvenile; (iii) the juvenile's progress toward treatment goals and objectives, including a summary of the juvenile's educational progress; (iv) the juvenile's potential for danger to either himself or the community; (v) a comprehensive aftercare plan for the juvenile once he is released from DJJ's custody; and (vi) the availability and timing of educational and rehabilitative services that were offered to the juvenile.
- The juvenile and DJJ staff may appear for the hearing, as determined by the judge, either in person or by two-way electronic video and audio communication. If the juvenile appears by two-way electronic video and audio communication, the judge may exercise all powers conferred by law and all communications and proceedings shall be conducted in the same manner as if the juvenile's appearance was in person. Any documents filed may be transmitted by facsimile process or other electronic method. The facsimile or other electronically generated document may be served or executed by the officer or person to whom sent, and returned in the same manner, and with the same force, effect, authority, and liability as an original document.
- At the hearing, the court shall consider the progress report. The court may also consider additional evidence from (i) probation officers, the facility where the juvenile is being held, treatment professionals, or the court services unit; (ii) the juvenile, his legal counsel, or a parent, guardian, or family member of the juvenile; or (iii) any other source that the court deems relevant to make a determination whether to extend the juvenile's indeterminate period of commitment.
- In making its determination, the court shall consider (a) the experiences and character of the juvenile before commitment; (b) the nature of the offenses for which the juvenile was adjudicated delinquent; (c) the manner in which the offenses were committed; (d) the recommendations of DJJ; and (e) any other factors the court deems relevant.
- At the conclusion of the hearing, the court shall order that the juvenile's indeterminate period of commitment be extended or that the juvenile be released under such terms and conditions as the court may prescribe. If the court determines that the juvenile should continue to serve the indeterminate commitment, the court may authorize an extension of the indeterminate period of commitment of no more than six months. If DJJ determines that it is necessary to extend the indeterminate period of commitment for longer than six months, it shall file another petition for review. The order of the court shall be final and shall not be subject to appeal.
- Nothing in this new statute shall be construed to allow a juvenile to be committed to DJJ for a period of time that exceeds the limitations set by § 16.1-285.

HB 438 / SB 70 (Delegate Bolling / Senator Favola): Delinquency petition; referral to court service unit.

- Amends § 16.1-260(B) to remove the current language that prohibits diversion for youth alleged to have committed a felony offense who were previously proceeded against informally or had an offense diverted that was a felony.
- Currently, youth who had their alleged previous felony complaints diverted are not eligible for diversion for subsequent felony offenses.
- Amends 16.1-260(B) to remove the requirement that prohibits courts from referring youth to youth justice diversion programs if they are alleged to have committed a felony or a Class 1 misdemeanor.
- Creates a new § 16.1-277.3, which provides that, at any point prior to the commencement of an adjudication hearing on a petition alleging that a child is delinquent, the court, upon request of the child with consent of the attorney for the Commonwealth, if a party to the case, may refer the delinquency charge back to the court service unit in writing and the intake officer shall proceed informally pursuant to subsection B of § 16.1-260. Upon such referral, the court shall dismiss the petition and order that the court records pertaining to the petition be expunged pursuant to subdivision C2 of § 16.1-306.
- Amends § 16.1-306, pertaining to expungement of court records, to provide that upon the referral of a delinquency charge to the court service unit, prior to the commencement of the adjudication hearing, pursuant to § 16.1-277.3, the court shall enter an order of destruction of all court records pertaining to such petition with notice of entry of the order given to the attorney for the Commonwealth, and shall send copies of the order to all officers or agencies that are repositories of such court records, and all such officers and agencies shall comply with the order. Nothing in this subdivision shall be construed to require the destruction of records created or maintained by a court service unit in the course of informal intake or diversion pursuant to § 16.1-260.

HB 123 / SB 146 (Delegate Reaser / Senator McDougle): Delinquent children; loss of driving privileges for alcohol, firearm, and drug offenses, truancy.

- Amends § 16.1-278.9 to grant the juvenile courts discretion as to whether to order the revocation of a child's driving privileges temporarily when the child is 13 years of age or older and fails to comply with the school attendance and meeting requirements set forth in § 22.1-258.
- Currently, the juvenile court is required to order the denial or revocation of the child's driving privileges, generally, for a minimum of 30 days.

COURTS & CRIMINAL PROCEDURE

HB 16 (Delegate Price): Community service work in lieu of payment of fines and costs; work performed while incarcerated.

- Amends § 19.2-354 to require a court to establish a program and allow any person upon whom a fine and costs have been imposed to discharge all or part of the fine or costs by earning credits for the performance of (i) community service work performed before or after imprisonment or (ii) work performed while incarcerated, defined in the bill as any

work done on or after July 1, 2023, by a person confined in any local, regional, or state correctional facility who is paid a wage that is less than the Virginia minimum wage.
- Requires the program to be available during a person's imprisonment in a local, regional, or state correctional facility.
- A person who is performing work while incarcerated shall be credited at the same rate as the community service work rate less any wages received.
- Under current law, a court is required to establish a program for providing an option for community service work in lieu of payment of fines and costs but offering such option is not mandatory.

HB 17 / SB 180 (Delegate Price / Senator Williams Graves): Fines and costs; period of limitations on collection, responsibility for collections.

- Amends §§ 19.2-340, 19.2-341, 19.2-349, and 19.2-354 to change the period of limitations for the collection of court fines and costs from within 60 years from the date of the offense or delinquency giving rise to imposition of such penalty if imposed by a circuit court or within 30 years if imposed by a general district court to within 10 years from the date of the judgment whether imposed by a circuit court or general district court. The bill provides that upon the expiration of the period of limitations, no action shall be brought to collect the debt.
- Extends the time period for commencing collection activity from 90 days to 180 days after judgment but provides that no collection activity shall be commenced while a defendant is incarcerated on an active term of imprisonment and subject to a deferred payment agreement.
- Provides that for any defendant sentenced to an active term of incarceration and ordered to pay any fine, cost, forfeiture, or penalty related to the charge that such defendant is incarcerated for, or any other charge for which such defendant was sentenced on the same day, the court shall enter such defendant into a deferred payment agreement for such fines, costs, forfeitures, or penalties. The due date for such deferred payment agreement shall be set no earlier than 180 days after the defendant's scheduled release from incarceration on the charge for which such defendant was sentenced on the same day.
- Delayed effective date of January 1, 2027.

HB 73 / SB 206 (Delegate Cole / Senator Suetterlein): Juvenile and domestic relations district courts; petitions for relief of care and custody.

- Amends § 16.1-241 to allow the custodian of a child to file a petition for relief of the care and custody of such child in a juvenile and domestic relations district court. Current law only authorizes the parent or parents of a child to file such petition for relief of care and custody.
- Amends § 16.1-278.02 to require the petitioning parent or custodian to cooperate with any services provided by a local department of social services during the initial investigation by such local department of social services after such petition for relief of care and custody has been filed.

- Amends § 16.1-278.03 to require the court to find the petitioner has cooperated with such appropriate services offered by the local department of social services to prevent the child from being removed from the home for the holding of a dispositional hearing.

HB 118 / SB 24 (Delegate Keys-Gamarra / Senator Caroll Foy): Discovery materials or evidence; accused may request to copy or photograph any materials.

- Creates § 19.2-264.15, which provides that any circuit court, if discovery materials, as specified in Rule 3A:11 of the Rules of the Supreme Court, are requested by counsel of record for the accused, the Commonwealth shall provide a copy of such discovery unless such material is prohibited from being distributed by law.
- In any district court, in a case prosecuted by the attorney for the Commonwealth, the attorney for the Commonwealth shall provide counsel of record for the accused, if requested, a copy of any relevant police report at least 10 days prior to the date the case is set for trial or preliminary hearing. Any police report provided pursuant to this subsection shall only be provided to counsel of record for the accused and disseminated to any of such counsel's agents or employees or an expert witness. Such report shall not be otherwise disseminated, including the creation of any reproduction or copy, except that the counsel of record for the accused may communicate the contents of such report to the accused. If such materials are requested by counsel of record for the accused for a preliminary hearing held in a district court, the circuit court shall order counsel of record to provide discovery to the attorney for the Commonwealth as provided in Rule 3A:11 of the Rules of the Supreme Court prior to trial of a felony offense in circuit court.
- Amends § 19.2-265.4 to provide that if an order for discovery is entered for such criminal prosecution pursuant to Rule 3A:11, the accused may request to copy or photograph any discovery materials or evidence that the accused is permitted to inspect and review, including relevant police reports, criminal records, dashboard camera footage, and body-worn camera footage. Upon such request, the attorney for the Commonwealth shall provide the counsel of record for the accused copies of such discovery materials, subject to the redaction, restricted dissemination, and protective orders provisions of Rule 3A:11.
- If at any time during the course of the proceedings it is brought to the attention of the court that the attorney for the Commonwealth has failed to comply with the provisions of this section, the court may order the Commonwealth to permit discovery or inspection, grant a continuance, or prohibit the Commonwealth from introducing evidence not disclosed, or the court may enter such other order as it deems just under the circumstances.

HB 128 (Delegate Callsen): Ancillary traffic infractions; certification.

- Amends §§ 16.1-123.1, 16.1-241, 17.1-513, and 19.2-190.1 to permit courts to certify any ancillary traffic infraction to the clerk of the circuit court upon certification of any felony offense, provided that the attorney for the Commonwealth and the accused consent to such certification.
- Current law only allows ancillary misdemeanor offenses to be certified.

HB 172 (Delegate Mehta): Criminal cases; request for a jury to ascertain range of punishment, etc.

- Amends § 19.2-262.01 to provide that counsel for either party shall have the right to examine prospective jurors regarding the potential punishment, or range or ranges of punishment, regardless of whether the jury will ascertain punishment.
    - Current law provides that the court or counsel for either party may inform any person or juror during voir dire as to the potential range of punishment to ascertain if the person or juror can sit impartially in the sentencing phase of the case.
- Amends § 19.2-295 to provide that the accused may withdraw his request for a jury to ascertain punishment up until the commencement of the sentencing proceeding.
- This bill will not become effective unless reenacted by the 2027 Session of the General Assembly.

HB 247 / SB 416 (Delegate Watts / Senator Boysko): Deferred dispositions in criminal case; persons with autism, intellectual, or developmental disabilities.

- Amends § 19.2-303.6, pertaining to deferred dispositions in the case of an accused who has been diagnosed with an autism spectrum disorder or an intellectual ability, to add persons with a diagnosed "developmental disability" to those who can receive a deferred disposition.
    - Under current law, in any criminal case, except a violation of § 18.2-31, an act of violence as defined in § 19.2-297.1, or any crime for which a deferred disposition is provided for by statute, upon a plea of guilty, or after a plea of not guilty, and the facts found by the court would justify a finding of guilt, the court may, if the defendant has been diagnosed by a psychiatrist or clinical psychologist with (i) an autism spectrum disorder, or (ii) an intellectual disability as defined in § 37.2-100 and the court finds by clear and convincing evidence that the criminal conduct was caused by or had a direct and substantial relationship to the person's disorder or disability, without entering a judgment of guilt and with the consent of the accused, after giving due consideration to the position of the attorney for the Commonwealth and the views of the victim, defer further proceedings and place the accused on probation subject to terms and conditions set by the court.
- The defendant may request a hearing at which the facts may be proffered by the parties to determine the appropriateness of a deferred disposition at any time before or after any plea. If such a hearing occurs before a plea of guilty and the court determines that a deferred disposition is appropriate, the defendant shall stipulate to sufficient facts to justify the finding of guilt prior to the entry of any deferred disposition. Upon violation of a term or condition, the court may enter an adjudication of guilt; or upon fulfillment of the terms and conditions, the court may discharge the person and dismiss the proceedings against him without an adjudication of guilt.
- A charge that is dismissed pursuant to this section, including an original charge that was reduced or a charge that is dismissed after a plea or stipulation of the fact that would justify a finding of guilt, may be considered as otherwise dismissed for the purposes of expungement of police and court records in accordance with § 19.2-392.2.
- No statement made by the defendant at a hearing pursuant to this section or during an examination conducted for the purposes of establishing the criteria listed in subsection A

shall be admissible in any criminal proceeding, except that any such statement (i) made under oath may be admissible in a criminal proceeding for perjury or (ii) may be used for the purpose of impeaching the defendant in the trial of any other criminal matter, provided the testimony or evidence being used for impeachment was produced by the defendant voluntarily

HB 273 (Delegate Helmer): Law-enforcement officers; duty to render aid upon danger to life or limb, civil immunity.

- Creates § 19.2-83.6:1 to provide that a law-enforcement officer, as defined in § 9.1-101, while engaged in the performance of his duties, shall have a duty to render aid to any person that such law-enforcement officer observes suffering from a serious bodily injury or life-threatening condition, as circumstances objectively permit and provided that such law-enforcement officer determines such aid may be rendered without endangering himself, the person, or others.
- In the absence of gross negligence or willful misconduct, a law-enforcement officer shall not be liable for any personal injury or wrongful death resulting from the rendering or withholding of such aid in accordance with the provisions of this section.

HB 331 (Delegate McClure): Proceedings deferred; payment of costs.

- Amends § 19.2-303.4 to provide that a circuit or district court, that has deferred further proceedings, without entering a judgment of guilt, and imposed on a defendant terms and conditions pursuant to § 4.1-305, 16.1-278.8, 16.1-278.9, 18.2-57.3, 18.2-61, 18.2-67.1, 18.2-67.2, 18.2-251, 19.2-298.02, 19.2-303.2, or 19.2-303.6 shall also impose upon the defendant costs.
- For any deferral entered into on or after July 1, 2026, pursuant to § 4.1-305, 16.1-278.8, 16.1-278.9, 18.2-57.3, 18.2-61, 18.2-67.1, 18.2-67.2, 18.2-251, 19.2-298.02, 19.2-303.2, or 19.2-303.6, the court shall not require the defendant to pay such costs or other fees imposed as a term or condition of his deferral. Upon fulfillment of all other terms and conditions, the court shall adjudicate the matter consistent with the agreement of the parties or, if none, by conviction of an alternative charge or dismissal of the case. However, such costs and other fees shall remain due until paid, and all methods of payment and collection already available at law to satisfy or collect any outstanding costs or other fees shall remain available to such court after the underlying case against the defendant has been adjudicated or dismissed

HB 357 (Delegate Callsen): Person arrested for a felony; release of accused on secured or unsecured bond.

- Amends § 19.2-120, pertaining to admission to bail, to remove the conditions requiring that any person arrested for a felony who (i) has previously been convicted of a felony, (ii) is presently on bond for an unrelated arrest in any jurisdiction, or (iii) is on probation or parole be released only upon a secure bond. Additionally, the bill adds to the factors a judicial officer shall consider in making a bail determination (a) the person's current bond status for an unrelated arrest in any jurisdiction and (b) whether the person is on probation or parole.

HB 443 (Delegate Hope): Judicial district and circuit courts; maximum number of judges.

- Amends § 16.1-69.6:1 to increase by one the maximum number of authorized juvenile and domestic relations district court judges in the Twelfth and Fifteenth Judicial Districts.

HB 520 / SB 82 (Delegate Hernandez / Senator Salim): Clerk fees; secure remote access to nonconfidential court records by certain attorneys.

- Amends § 17.1-267 to provide that no clerk shall charge a fee to an attorney for secure remote access to nonconfidential court records under Article 8 (§ 17.1-292 et seq.) when such attorney is certified by the Virginia Indigent Defense Commission in the jurisdiction served by such clerk, provided that such attorney is currently appointed to represent a defendant in such jurisdiction and agrees to continue accepting appointments in such jurisdiction. If, after receiving secure remote access for nonconfidential court records, such attorney (i) is found to have abused such privilege of such secure remote access; (ii) is removed from the Virginia Indigent Defense Commission's court-appointed attorney list; or (iii) ceases to accept appointments for representation from the granting court, the clerk may terminate the agreement granting such secure remote access.

HB 567 (Delegate Carnegie): Court records; aggregated case data, request by attorney for the Commonwealth exempted.

- Amends § 16.1-69.54:1, pertaining to requests for district court records, and § 17.1-208, to provide that if a request for a report is made by an attorney for the Commonwealth to assist in the performance of his duties, the Executive Secretary shall approve such request and provide such report of aggregated case data, which shall include the name, date of birth, and the last four digits of the social security number of any party if such information is requested, only for cases arising within the jurisdiction of such attorney for the Commonwealth.
- No report of aggregated case data that includes the name, date of birth, and the last four digits of the social security number of any party provided to an attorney for the Commonwealth shall be disseminated further unless such information is redacted.

HB 690 (Delegate Zehr): Search warrant; search place of abode, copy of affidavit to be part of warrant.

- Amends § 19.2-56 to provide that if an affidavit that accompanies a search warrant for a place of abode has been sealed pursuant to relevant law, the executing law-enforcement officer does not have to give or leave a copy of such affidavit in a conspicuous place within or affixed to the place to be searched. The bill also adds that the circumstances requiring the issuance of a warrant after 5:00 p.m. shall be documented in the required affidavit that is submitted to a magistrate when seeking such authorization.

HB 872 (Delegate Cousins): Portable electronic devices; possession in district or circuit court, policies set by chief judge.

- Creates a new § 16.1-69.35:4 and § 17.1-128.2 to require the chief judge of each general district court, juvenile and domestic relations district court, and circuit court to set a

policy regarding the use and possession of portable electronic devices by visitors to the court. The bill requires such chief judge to allow visitors to the court, as defined by the bill, to possess portable electronic devices in both the courthouse and the courtroom but authorizes such chief judge to condition the use and possession of portable electronic devices upon certain limitations. The bill also requires that any such policy be conspicuously posted at the entrance of the courthouse and available on the Virginia Judicial System's website, the district or circuit court's individual website, or a local government website that also has information about such district or circuit court.

HB 933 / SB 283 (Delegate Simon / Senator Aird): Penalties for failure to appear; definition, contempt.

- Amends § 18.2-246 to provide that in determining whether a failure to appear was willful pursuant to this subdivision, the court shall consider mitigating circumstances, including those circumstances listed in subsection A of § 19.2-128.
- Amends § 19.2-128 to emphasize that "willfully fails to appear" means intentional conduct for the purpose of avoiding the judicial process. Prior isolated instances of nonappearance, including convictions based on such nonappearance, are not evidence that a nonappearance, including convictions based on such nonappearance, are not evidence that a failure to appear was willful; however, a prior pattern of recurrent and purposeful conduct to evade prosecution may be considered factors in assessing willfulness. In determining whether a nonappearance was willful, the court shall consider mitigating circumstances, including (i) an illness, an injury, or any other unforeseen medical condition; (ii) unforeseen transportation problems; (iii) an inability to obtain adequate dependent care; and (iv) any affirmative steps taken by a person to communicate or remedy his failure to appear before any court or judicial officer as required.

HB 1219 / SB 647 (Delegate Sewell / Senator Pillion): Unmanned aircraft systems; use by law-enforcement officers, search warrants.

- Amends § 9.1-102, pertaining to the powers and duties of the Department of Criminal Justice and the Criminal Justice Services Board, to require DCJS, in consultation with the Virginia Indigent Defense Commission and the Virginia Association of Commonwealth's Attorneys, to establish a model policy for the operation of unmanned aircraft systems, pursuant to § 19.2-60.1, by any state or local law-enforcement agency or sheriff's office. Such model policy shall be made available on the Department's website.
- Amends § 19.2-60.1 to provide that an unmanned aircraft system may be deployed without a warrant (i) when an Amber Alert is activated pursuant to § 52-34.3; (ii) when a Senior Alert is activated pursuant to § 52-34.6; (iii) when a Blue Alert is activated pursuant to § 52-34.9; (iv) where use of an unmanned aircraft system is determined to be necessary to alleviate an immediate danger to any person, including to provide real-time aerial observation of law-enforcement incidents to increase on-scene safety and security, deliver essential supplies, and provide enhanced communication for emergency personnel in response to emergency calls; (v) by a law-enforcement officer, an employee of the Department of State Police, or an employee of a local law-enforcement agency following an accident where a report is required pursuant to § 46.2-373, to survey the scene of such accident for the purpose of crash reconstruction and record the scene by photographic or

video images; (vi) by the Department of Transportation when assisting a law-enforcement officer to prepare a report pursuant to § 46.2-373; (vii) to capture digital documentation of a crime scene or response to a public safety call for service only when such crime scene or call for service is located on public property; (viii) for training exercises related to such uses; (ix) if a person with legal authority consents to the warrantless search; (x) by a law-enforcement officer or an employee of a law-enforcement agency to (a) aerially survey a primary residence of the subject of the arrest warrant to formulate a plan to execute an existing arrest warrant or capias for a felony offense or (b) (1) locate a person sought for arrest when such person has fled from a law-enforcement officer and a law-enforcement officer remains in hot pursuit of such person or (2) aerially survey public property incident to a call for service for purposes of locating and identifying any persons of interest while a law-enforcement officer is physically en route to such location; or (xi) by a law-enforcement officer investigating unmanned aircraft systems surrounding or over property of the federal or state government, public critical infrastructure as defined in § 44-146.28:2, or nongovernment-operated prison or jail facilities.

- The amendments to § 19.2-60.1 shall not become effective unless reenacted by the 2027 Session of the General Assembly.

HB 1441 / SB 783 (Delegate Lopez / Senator Salim): Law-enforcement agencies; agreements with federal authority for immigration enforcement.

- Creates § 15.2-1726.1 to provide that, except as provided in §§ 19.2-81.6, 19.2-83.2, 53.1-218, 53.1-220.1, and 53.1-220.2, no person acting in his capacity as a law-enforcement officer shall assist, cooperate with, or use any law-enforcement resources to facilitate any operation that seeks to identify, arrest, or otherwise impose a penalty upon an individual for any violation of federal civil immigration law unless presented with a judicial warrant or judicial subpoena. Nothing in this statute shall be construed to prohibit a law-enforcement officer from investigating or assisting in the investigation of a state or federal crime, including operations conducted with, or as part of, a joint state-federal law-enforcement task force.
- Provides that no law-enforcement agency shall maintain, renew, or enter into any federal immigration enforcement agreement unless such agreement includes the following provisions.
    - That U.S. Immigration and Customs Enforcement shall provide to the law-enforcement agency the names and ranks of all federal agents involved in any immigration enforcement activity within the Commonwealth at least seven days prior to engaging in such immigration enforcement activity;
    - That any federal agent operating pursuant to the federal immigration enforcement agreement shall comply with all applicable laws of the Commonwealth while conducting any immigration enforcement activity within the Commonwealth;
    - That any federal agent operating pursuant to the federal immigration enforcement agreement shall be clearly identified as an agent of U.S. Immigration and Customs Enforcement. No such clear identification shall include wearing any uniform or displaying the word "police" on any uniform, vehicle, or equipment while conducting any immigration enforcement activity within the Commonwealth;

- That no agent of U.S. Immigration and Customs Enforcement shall conduct any immigration enforcement activity on the property of any school, faith-based organization, or courthouse within the Commonwealth;
- That, by entering into such federal immigration enforcement agreement, U.S. Immigration and Customs Enforcement and its agents consent to the jurisdiction of the courts of the Commonwealth for any civil or criminal proceedings arising from any violation of the provisions of this section or for any violation of the laws of the Commonwealth committed while acting in the performance of their official duties pursuant to such federal immigration enforcement agreement;
- That neither U.S. Immigration and Customs Enforcement nor its agents shall make general requests or demands for information from any agency or entity of the Commonwealth or its localities that are not related to the investigation of a specific person;
- That neither U.S. Immigration and Customs Enforcement nor any of its agents shall request information from any locality within the Commonwealth regarding the immigration or citizenship status of any person unless such request is made pursuant to a valid judicial warrant or judicial subpoena;
- That no federal agent, during the times the polls are open and ballots are being counted, or within one hour of opening and after closing, shall conduct any immigration enforcement activity within 500 yards of any polling place;
- That neither U.S. Immigration and Customs Enforcement nor its agents shall use any surveillance technology to conduct immigration enforcement within the Commonwealth or otherwise monitor residents of the Commonwealth. Such surveillance technology includes (i) biometric and identification technologies, such as facial recognition systems or fingerprint scanning; (ii) license plate readers; (iii) mobile telephone surveillance, such as cell-site simulators or phone location databases; (iv) digital forensics and hacking tools; and (v) drones or other aerial surveillance. The prohibition under this subdivision shall not apply to the use of surveillance technology to investigate, detain, or arrest any person who (a) is not lawfully present in the United States and (b) has been convicted of any offense set forth in § 17.1-805, 19.2-297.1, or 53.1-40.02.
- That no federal agent, for the purpose of conducting any immigration enforcement activity, shall enter a home within the Commonwealth without a valid judicial warrant;
- That, by entering into such federal immigration enforcement agreement, U.S. Immigration and Customs Enforcement and its agents shall adhere to the provisions of Chapter 7.1 (§ 19.2-83.3 et seq.) of Title 19.2 when conducting an arrest or detention related to immigration enforcement; and
- That, in addition to the provisions of subdivision 5, by entering into such federal immigration enforcement agreement, U.S. Immigration and Customs Enforcement and its agents agree that any shooting involving any agent while such agent is in the performance of his official duties shall be investigated by the Virginia State Police and shall be subject to prosecution by the attorney for the Commonwealth or the Attorney General in the local jurisdiction where such shooting occurred or as otherwise provided by state law.

- Provides that any law-enforcement agency that has an existing federal immigration enforcement agreement that is in effect on July 1, 2026, shall obtain in writing no later than September 1, 2026, a modified federal immigration enforcement agreement that complies with the conditions provided above. Any federal immigration enforcement agreement that is not modified in accordance with the provisions of this subsection shall be deemed void and unenforceable.
- Provides that in addition to any other available right or remedy, the Attorney General, an attorney for the Commonwealth, or a county or city attorney may enforce the provisions of this section and the conditions provided above by seeking injunctive or declaratory relief. The prevailing party in any such action shall be entitled to recover reasonable attorney fees and costs.
- Nothing in this section shall be construed to prohibit the Director of the Department of Corrections, a sheriff, or a jail superintendent, upon receipt of a federal immigration detainer from U.S. Immigration and Customs Enforcement, from transferring custody of an adult as authorized by § 53.1-220.2

HB 1464 / SB 812 (Delegate Shin / Senator Boysko): Victims of crime; reimbursement for expenses, report.

- Amends § 19.2-165.1 to add anonymous trace evidence collection kit examinations, defined in § 19.2-11.5, conducted on victims complaining of strangulation, to the medical fees expended in the gathering of evidence that shall be paid by the Commonwealth. The bill also provides that such victims are not required to participate in the criminal justice system or cooperate with law-enforcement authorities in order to be provided with such medical exams.
- Amends § 19.2-368.3 to expand the powers and duties of the Commission to adopt, promulgate, amend, and rescind suitable rules and regulations to include a distinct policy for the payment of anonymous trace evidence collection kit examinations.
- Amends § 19.2-368.11:1 to direct the Criminal Injuries Compensation Fund to pay for anonymous trace evidence collection kit examinations conducted on victims of strangulation and provides that health care providers may bill the Fund directly for such kits.
- The bill also requires the Director of the Department of Criminal Justice Services to convene a work group of relevant stakeholders to discuss and submit recommendations for certain matters related to the reimbursement process for forensic medical examinations enumerated in the bill. The bill directs the work group to discuss and submit a report with recommendations for such matters to the Chairs of the House Committee on Health and Human Services, the House Committee on Appropriations, the Senate Committee on Education and Health, and the Senate Committee on Finance and Appropriations by November 1, 2026.

SB 230 (Senator Surovell): Police and court records; expungement of records, delayed effective date.

- Amends § 16.1-306, pertaining to expungement of court records, to provide that if a person was the subject of a delinquency or traffic proceeding and was not ultimately adjudicated delinquent or convicted, provided that no stipulation of facts sufficient to find guilt was

entered or the court did not determine the facts sufficient to find guilt but deferred adjudication or disposition to a later date, such matter is eligible for expungement.

- Amends § 19.2-298.02, pertaining to deferred disposition in a criminal case, to provide that, upon the agreement of all parties, a person whose charge is dismissed, including an original charge that was reduced or a charge that is dismissed after a plea or stipulation of the facts that would justify a finding of guilt, may be considered as not ultimately convicted and eligible for expungement of police and court records in accordance with § 19.2-392.2, and such agreement of all parties and expungement eligibility may be indicated in the final disposition order.
- Amends § 19.2-392.2, pertaining to expungement of police and court records, to provide that if a person is arrested, charged, summonsed, or indicted for the commission of an infraction, a crime, or a civil offense and is not ultimately convicted, provided that no stipulation of facts sufficient to find guilt was entered or the court did not determine the facts sufficient to find guilt but deferred adjudication or disposition to a later date, such matter is eligible for expungement.
- Effective December 1, 2026.

SB 528 (Senator Stanley): Misdemeanor proceedings; competency treatment.

- Amends § 19.2-169.2, pertaining to disposition when a defendant is found incompetent, to provide that, in cases where the defendant has been charged with a misdemeanor offense, the court may (i) order inpatient or outpatient treatment or (ii) dismiss the charges. Where a defendant is found to be incompetent, the bill permits a court to (a) order that such defendant receive treatment to restore his competency on an outpatient basis in a local correctional facility or at a location determined by the appropriate community services board or behavioral health authority, (b) order that such defendant receive treatment to restore his competency on an inpatient basis at a hospital designated by the Commissioner of Behavioral Health and Developmental Services as appropriate for treatment of persons under criminal charge, (c) order that such defendant be evaluated to determine whether he meets the criteria for temporary detention, or (d) dismiss the misdemeanor charge and release such defendant.
- Effective July 1, 2027.

SB 714 (Senator Deeds): Local pretrial services officers; duties and responsibilities, defendant interviews, assessments.

- Amends § 19.2-152.4:3 to require a local pretrial services officer to conduct a risk assessment of defendants arrested on state and local warrants and who are detained in jails located in jurisdictions served by the local pretrial services agency while awaiting a hearing before any court that is considering or reconsidering bail, at initial appearance, advisement or arraignment, or at other subsequent hearings. Current law requires a local pretrial services officer to interview such defendants.
- Provides that each local pretrial services officer may conduct defendant interviews as appropriate and when available resources permit.

SB 776 (Senator Mulchi): Probationer; requiring fines, costs, restitution for damages, etc., failure to pay.

- Amends § 19.2-305 to provide that a probationer's failure to pay fines and costs shall not, by itself, be deemed a breach of such probation unless the court finds, after notice to the defendant and his counsel and a hearing, that the defendant has willfully refused to pay. In assessing such failure to pay under this section, the court shall presume that a defendant who is indigent pursuant to § 19.2-159, or who has been deemed indigent during the pendency of a criminal or traffic case, is unable to pay such fines and costs. Absent any specific finding to the contrary, the court shall dismiss any such alleged breach of probation. However, such fines and costs shall remain due until paid, and all methods of payment and collection already in place to satisfy or collect any outstanding fines or costs shall remain available to the court after such dismissal.

CRIMES AND INFRACTIONS

HB 43 (Delegate Simon): Suicide; abolishes common-law crime, delayed effective date, report.

- Creates § 18.2-16.1, which abolishes the common-law crime of suicide.

HB 124 / SB 144 (Delegate Reaser / Senator McDougle): Assault and battery; adds district court temporary recall judge, penalty.

- Amends § 18.2-57 to add a judge of a district court under temporary recall to the definition of "judge" as it relates to the crime of assault and battery, which is a Class 1 misdemeanor that is enhanced to a Class 6 felony with a mandatory minimum term of confinement of six months if such judge is engaged in his public duties at the time of the offense.

HB 317 / SB 743 (Delegate Adams / Senator Aird): Damage or trespass to public services or utilities or critical infrastructure; penalties.

- Amends § 18.2-162 to add the intentional destruction of or damage to any fixture, equipment, or information technology system that is used to provide, process, transmit, or maintain public services, public utilities, cable television, broadband, or other critical infrastructure, as defined in relevant law, to the existing offense of damage or trespass to public services or utilities. A violation, under existing language, is a Class 4 felony, but if the destruction or damage may be remedied or repaired for less than $1,000, such act shall constitute a Class 3 misdemeanor.

HB 320 (Delegate Cole): Live streaming while driving; prohibited, penalty.

- Creates § 46.2-818.3, which makes it unlawful 1) for any person, while driving a moving motor vehicle on the highways in the Commonwealth, to initiate, participate in, or manipulate an electronic device in order to interact with any live stream, or 2) for any person, while driving a motor vehicle on the highways in the Commonwealth, to manipulate any electronic device to enable or maintain the functions of a live stream on or with such electronic device.

- Upon the conviction of a violation of this section that is a first offense, the court shall impose a fine of not more than $500, in addition to any other penalties provided by law. Upon the conviction of a violation of this section that is a second offense, the court shall suspend the driver's license of the person convicted for a period of 30 days, in addition to any other penalties provided by law, and shall order the surrender of his license to the court to be disposed of in accordance with § 46.2-398. Upon the conviction of a violation of this section that is a third or subsequent offense, the court shall suspend the driver's license of the person convicted for a period of 90 days, in addition to any other penalties provided by law, and shall order the surrender of his license to the court to be disposed of in accordance with § 46.2-398. However, in those cases where the court determines it is appropriate, the court may provide that any individual whose license is suspended pursuant to this section be issued a restricted license to operate a motor vehicle for any of the purposes set forth in subsection E of § 18.2-271.1 during the term of suspension. If the convicted driver does not have a driver's license or is a nonresident, the court may order the driver not to drive any motor vehicle in the Commonwealth for a period of time corresponding to the respective period of license suspension for such offense.
- Nothing in this section shall be construed to (i) authorize the warrantless search of electronic devices, (ii) prohibit the use of any dashboard camera that is not used for purposes of live streaming, or (iii) prohibit the use of any manufacturer or fleet safety systems that record video but do not transmit real-time content.
- No law-enforcement officer shall stop a motor vehicle for a violation of this section.
- No evidence discovered or obtained as the result of a stop in violation of this subsection, including evidence discovered or obtained with the operator's consent, shall be admissible in any trial, hearing, or other proceeding

HB 343 (Delegate Martinez): Helmets; wearing whenever riding/carried on skateboard or scooter or nonmotorized scooter.

- Amends § 46.2-906.1 to permit localities to adopt ordinances requiring children 14 years of age or younger to wear protective helmets whenever riding or being carried on a motorized skateboard or scooter or a nonmotorized scooter.
- Current law authorizes localities to adopt such ordinances for riders of bicycles, electric personal assistive mobility devices, toy vehicles, and electric power-assisted bicycles.
- Existing language provides that a violation of any such ordinance shall be punishable by a fine of $25. However, such fine shall be suspended (i) for first-time violators and (ii) for violators who, subsequent to the violation but prior to imposition of the fine, purchase helmets of the type required by the ordinance.

HB 409 (Delegate Reid): Passing a stopped school bus; divided highways, access roads, and certain driveways.

- Amends § 46.2-859 to emphasize, for the existing exceptions to the requirement to stop for a stopped school bus, that when the bus is stopped on the other roadway of a divided highway, on an access road, or on a driveway when the other roadway, access road, or driveway is separated from the roadway on which he is driving by a physical barrier or unpaved area, that these provisions apply regardless of whether such physical barrier or

unpaved area is continuous or segmented when necessary to accommodate an intersection or turning vehicles.

HB 561 (Delegate Hope): Driving while intoxicated; refusal of tests, repeat offenders, ignition interlocks.

- Amends §§ 18.2-266.1, 18.2-268.3, 18.2-271, 46.2-391, and 46.2-391.2, to permit a court to issue a restricted license with immediate installation of ignition interlock systems for certain offenders charged with driving while intoxicated, refusal of tests, or repeat offender violations. The bill also directs the Commission on the Virginia Alcohol Safety Action Program to convene a work group to evaluate the provisions governing driving or operating a motor vehicle under the influence of alcohol and submit recommendations and a draft report to the Chairs of the House and Senate Committees for Courts of Justice by November 1, 2026.
- Current law requires various time limits of driver's license suspension for such violations before a restricted license may be issued.

HB 662 / SB 444 (Delegate Maldonado / Senator Bagby): Offenses relating to gift cards; penalties.

- Amends § 18.2-192, pertaining to credit card or gift card theft, to add that any person who, with intent to defraud, acquires or retains possession of a gift card or gift card redemption information without the consent of the gift card holder, gift card issuer, or gift card seller is guilty of theft. A violation is grand larceny and is punishable as provided in § 18.2-95.
- Amends § 18.2-193, pertaining to credit card and gift card forgery, to add that any person who, with intent to defraud, alters or tampers with a gift card or its packaging is guilty of gift card forgery. Conviction of credit card or gift card forgery shall be punishable as a Class 5 felony.
- Amends § 18.2-195, pertaining to credit card or gift card fraud, to add that any person who, with intent to defraud, devises a scheme to obtain a gift card or gift card redemption information from a gift card holder, gift card issuer, or gift card seller by means of false or fraudulent pretenses, representations, or promises is guilty of gift card fraud. Conviction of credit card or gift card fraud is punishable as a Class 1 misdemeanor if the value of all money, goods, services, and other things of value furnished in violation of this section, or if the difference between the value of all money, goods, services, and anything else of value actually furnished and the value represented to the issuer or gift card issuer to have been furnished in violation of this section, is less than $1,000 in any six-month period; conviction of credit card or gift card fraud is punishable as a Class 6 felony if such value is $1,000 or more in any six-month period. Any person who conspires, confederates, or combines with another, (i) either within or without outside of the Commonwealth to commit credit card or gift card fraud within the Commonwealth or (ii) within the Commonwealth to commit credit card or gift card fraud within or outside of the Commonwealth, is guilty of a Class 6 felony.
- Notwithstanding the provisions of § 19.2-244, a prosecution for a violation of this article may be had in any county or city in which (i) any act in furtherance of the crime was committed; (ii) an issuer or acquirer, or an agent of either, or a gift card issuer or gift card holder, or an agent of either, sustained a financial loss as a result of the offense; or (iii) the cardholder or gift card holder resides. A prosecution for a violation of § 18.2-192 may be

had in any county or city where a credit card number, gift card, or gift card redemption information is used, is attempted to be used, or is possessed with intent to violate § 18.2-193, 18.2-195, or 18.2-197.

HB 812 (Delegate Carr): Traffic regulation; bicycles, and certain other devices, bicycle signals.

- Creates § 46.2-833.2, which requires a person operating a bicycle or other device lawfully permitted in a bicycle lane or on a shared-use path in or approaching an intersection with a bicycle signal to obey such bicycle signal. The bill also sets requirements for signals that are displayed by bicycle signals and requirements for situations in which traffic lights, including bicycle signals, are out of service.
- A violation constitutes a traffic infraction punishable by a fine of no more than $350.

HB 819 (Delegate Carr): Pedestrians; walking on roadways that are part of divided highways.

- Amends 46.2-928, which provides that pedestrians shall not use the roadways for travel, except when necessary to do so because of the absence of sidewalks which are reasonably suitable and passable for their use. If they walk on the hard surface, or the main travelled portion of the roadway, they shall keep to the extreme left side or edge thereof, or where the shoulders of the highway are of sufficient width to permit, they may walk on either shoulder thereof.
- The amendments provide that 1) pedestrians walking on a roadway shall face oncoming traffic, and 2) when walking on a roadway that is part of a highway divided by a physical barrier or barriers or an unpaved area, and when there are no shoulders of the highway present, pedestrians may keep to the extreme right side or edge of the roadway, regardless of the direction of traffic they face.

HB 1150 (Delegate Hodges): Impersonating any local, town, city, or county elected official; penalty.

- Creates § 18.2-174.2 to make it a Class 3 misdemeanor for a person to willfully and intentionally (i) falsely assume or exercise the functions, powers, duties, and privileges incident to the office of any local, town, city, or county elected official; (ii) falsely assume or pretend to be any such elected official with intent to defraud or obtain access, information, service, or thing of value; or (iii) impersonate any such elected official with the intent to make another believe he is such elected official with intent to defraud or obtain access, information, service, or thing of value.

HB 1492 (Delegate Shin): Impersonating a law-enforcement officer; clarifies definition of "facial covering," penalties.

- Amends § 18.2-174, which currently makes it a Class 1 misdemeanor for any person to falsely assume or exercise the functions, powers, duties, and privileges incident to the office of sheriff, police officer, marshal, or other peace officer, or any local, city, county, state, or federal law-enforcement officer, or who, for the purpose of deceiving another, falsely assumes or pretends to be any such officer. A second or subsequent violation is a Class 6 felony.

- The amendment provides that anyone who commits such an offense while wearing a facial covering is guilty of a Class 5 felony. A second or subsequent offense is a Class 4 felony.

SB 47 (Senator Craig): Impersonation of law-enforcement officer while committing additional act; penalties.

- Amends § 18.2-174, pertaining to impersonating a law-enforcement officer, to make it a Class 6 felony to impersonate a law-enforcement officer (i) while committing or attempting to commit aggravated murder, first or second degree murder, abduction, rape, forcible sodomy, object sexual penetration, aggravated sexual battery, or sexual battery or (ii) while circumventing, bypassing, or attempting to circumvent or bypass any security measure of any business, commercial building, residence, building owned or leased by the Commonwealth or any agency thereof, or building owned or leased by a locality or any agency thereof. A second or subsequent offense is punishable as a Class 5 felony.

SB 111 (Senator Craig): Trespassing on emergency vehicles; prohibition, penalty.

- Amends § 18.2-160.2 to make it a Class 4 misdemeanor for a person to enter or remain upon or within an emergency vehicle without the permission of, or after having been forbidden to do so by, the owner, lessee, or authorized operator. Currently, the statute applies only to vehicles of a public transportation service.
- "Emergency vehicle" means the same as that term is defined in § 46.2-818.2. "Emergency vehicle" includes any public works or public utilities vehicle.

SB 137 (Senator Pekarsky): Obstructing health care facility; penalties.

- Creates § 18.2-404.1, pertaining to obstructing a reproductive health care facility, to provide that it is a Class 1 misdemeanor for any person to (i) by force or threat of force, or by physical obstruction, intentionally injure, intimidate, or interfere with, or attempt to injure, intimidate, or interfere with, another person because such other person is or has been, or in order to intimidate such person or any other person or any class of persons from, obtaining or providing reproductive health services or (ii) intentionally damages or destroys, or attempts to damage or destroy, a reproductive health care facility because such facility provides reproductive health services.
- Provides that the new statute shall not be construed to place any restriction on the content of any message that anyone may wish to communicate to anyone else, either inside or outside a reproductive health care facility.

SB 559 (Senator Reeves): Forgery or certain violations; amends venue provisions for prosecution.

- Amends § 19.2-245.1, to provide that the venue for forgery, which is any county or city (i) where the writing was forged, or where the same was used or passed, or attempted to be used or passed, or deposited or placed with another person, firm, association, or corporation either for collection or credit for the account of any person, firm, association, or corporation; (ii) where the writing is was found in the possession of the defendant; or (iii) where an issuer, acquirer, or account holder sustained a financial loss as a result of the offense; also is applicable to forging public records, etc., forging coin or bank notes, and forging, uttering, etc., other writings.

SB 673 (Senator Mulchi): Stalking; using electronically transmitted communication, penalty.

- Amends § 18.2-60.3, pertaining to stalking, to define "electronically transmitted communication" to include communication by telephone, computer, or other electronic device. Existing language provides that stalking is punishable as a Class 1 misdemeanor or, if the second offense occurs within five years of a prior conviction for stalking, is punishable as a Class 6 felony.

SB 686 (Senator Suetterlein): Holding a handheld personal communications device while driving; driver improvement clinic.

- Amends § 46.2-818.2, pertaining to the use of a handheld personal communications device, to provide that the court may order the satisfactory completion of a driver improvement clinic in lieu of a conviction only for a first violation of the section.

DETENTION AND PROBATION

HB 149 / SB 136 (Delegate Williams / Senator Craig): Probation; decreasing period.

- Amends § 19.2-304, pertaining to increasing or decreasing probation period and modification of conditions, to provide that after fixing the probation period, the court may subsequently decrease the probation period without a hearing if warranted by the defendant's conduct upon receipt of a request from the Department of Corrections.
- Termination of the defendant's supervised probation period shall serve as a case management tool to encourage and reward successful behavior and positive adjustment, which may include (i) maintaining employment, (ii) completing an educational development activity or vocational training, (iii) securing housing, or (iv) completing a treatment program.
- Unless ordered by a court or otherwise prohibited by law, when a defendant is placed on supervised probation for more than one year, the DOC shall submit a request to the court for termination of such supervised probation after 12 months if the DOC deems the defendant compliant with all court-ordered conditions and determines that the defendant has demonstrated adherence to his individualized case plan and poses minimal risk to the community.
- This shall not apply to any person sentenced (i) to a mandatory period of at least three years of supervised probation pursuant to § 19.2-303 or (ii) pursuant to § 19.2-303.3 and subject to supervised probation by a local community-based probation services agency established pursuant to Article 9 (§ 9.1-173 et seq.) of Chapter 1 of Title 9.1.
- Nothing in this section shall be construed to limit the court's ability to reduce a defendant's period of probation or discharge such defendant from probation under any other provision of law.
- DOC shall make reasonable efforts to notify the victim of a defendant's termination from supervised probation pursuant to this section.

HB 318 / SB 60 (Delegate Hope / Senator Locke): Virginia Parole Board; powers and duties, juvenile offenders, parole procedures and considerations.

- Impacts juvenile offenders who have been transferred to DOC to serve out the remainder of a blended sentence.
- Amends § 53.1-136 to provide that, in the case of any prisoner eligible for parole pursuant to subsection E of § 53.1-165.1, if parole is denied, each Board member shall identify the reasoning for such decision at the time such member's vote is cast, including any youth-related factor and evidence of maturity and rehabilitation that was considered. The Board shall provide such prisoner for whom parole is denied recommendations to demonstrate commitment to rehabilitation and at the next hearing, the Board shall consider whether the prisoner has followed such recommendations.
- Amends § 53.1-154, pertaining to the times at which the Parole Board is to review cases, to provide that, in the case of those prisoners eligible for parole pursuant to subsection E of § 53.1-165.1, such review shall be conducted annually.
- Creates a new statute, § 53.1-154.2, pertaining to parole procedures and considerations for certain juvenile offenders, to provide:
    - The Board shall provide a meaningful opportunity to obtain release for juvenile offenders on the basis of demonstrated maturity and rehabilitation and the lesser culpability of juvenile offenders.
    - The Board shall give substantial weight to the following when making a determination on whether to grant parole to any juvenile offender: (i) such juvenile offender's demonstrated emotional maturity and reflection, including reflection on his past conduct; (ii) such juvenile offender's maturity of judgment, including improved impulse control, development of prosocial relationships, and independence from negative influences; (iii) such juvenile offender's participation in rehabilitative, treatment, and educational programs while incarcerated, if such programs were available to him; (iv) such juvenile offender's employment history while incarcerated, if employment opportunities were available to him; (v) any obstacles such juvenile offender may have faced as a juvenile entering an adult correctional facility; (vi) such juvenile offender's institutional conduct while incarcerated, with greater weight given to more recent conduct occurring after he has had time to mature and adjust to prison; (vii) such juvenile offender's occupational skills and employment potential, including his ability and readiness to assume employment-related obligations and responsibilities; (viii) such juvenile offender's reentry plan; and (ix) any other information relevant to such juvenile offender's maturity and rehabilitation.
    - The Board shall give substantial mitigating weight to the following factors when making a determination on whether to grant parole to any juvenile offender: (i) the diminished culpability and heightened capacity for change for juveniles as compared to adults; (ii) the hallmark features of juveniles, including immaturity, impetuosity, and limited ability to assess or appreciate risks and consequences; (iii) the age of such juvenile offender at the time of the offense; (iv) whether and to what extent peer or adult pressure influenced such juvenile offender to commit the offense; (v) such juvenile offender's family and community circumstances at the time of the offense, including any history of abuse, trauma, poverty, and

involvement in the child welfare system; and (vi) the lack of ability of such juvenile offender to extricate himself from criminogenic circumstances.

- Under no circumstance shall the Board consider a juvenile offender's age at the time of the offense as an aggravating factor to deny parole. The Board shall give significant consideration to the juvenile offender's ability to change when making a parole consideration.
- A juvenile offender may request for reconsideration or appeal of a decision by the Board not to grant parole based on (i) the Board's failure to give substantial weight to such juvenile offender's age and its related mitigating circumstances as required by this section or (ii) the Board's overreliance on static factors such as the nature and circumstances of the offense and failure to ground its decision in evidence of maturity, rehabilitation, and a lack of present danger to public safety. The Board shall provide individualized reasons for the grant or denial of parole upon reconsideration or appeal.

HB 361 (Delegate Seibold): Earned sentence credits; incarceration while awaiting trial or pending an appeal, effective date.

- Amends § 53.1-202.2, pertaining to eligibility for earned sentence credits, to add that such eligibility shall include any period of time actually spent in any state or local correctional facility, state hospital, or juvenile detention facility for such offense deducted from such person's term of incarceration or detention pursuant to § 53.1-187.
- All time actually spent by a person in confinement or detention, including such time spent awaiting trial or entry of a final order of conviction by the committing court, shall be used in calculating such person's earned sentence credits.
- Existing language in the statute provides that a juvenile convicted as an adult and sentenced as a serious juvenile offender under clause (i) of subdivision A 1 of § 16.1-272 shall be eligible to earn sentence credits for the portion of the sentence served with the Department of Juvenile Justice in the manner prescribed by this article. Consideration for earned sentence credits shall require adherence to the facility's rules and the juvenile's progress toward treatment goals and objectives while sentenced as a serious juvenile offender under § 16.1-285.1.
- These provisions shall apply retroactively to any person who is confined in any state or local correctional facility on July 1, 2028. If it is determined that, upon retroactive application of the provisions of § 53.1-202.2 of the Code of Virginia, as amended by this act, the newly determined release date of any such person was prior to the effective date of this act, the person shall be released upon approval of an appropriate release plan, if required, and within 60 days of such determination unless otherwise mandated by court order; however, no person shall have a claim for wrongful incarceration pursuant to § 8.01-195.11 of the Code of Virginia on the basis of such retroactive application. If a person is released prior to completion of any reentry programs deemed necessary by the Department of Corrections on the person's most recent annual review or prior to completion of any programs mandated by court order, the person shall be required to complete such programs under probation, provided probation is mandated by the court and current community resources are sufficient to facilitate completion of the aforementioned.
- The provisions of this Act shall become effective July 1, 2028.

HB 726 (Delegate Davis): Credit for time spent in confinement while awaiting trial, extradition or fugitive warrant.

- Amends § 53.1-187 to provide that if any person is extradited from another state pursuant to an extradition warrant from the Commonwealth or a fugitive warrant issued from the state where such person is detained and such person is subsequently sentenced to a term of confinement in a correctional facility in the Commonwealth for an offense from the same act as the violation for which the extradition warrant or fugitive warrant was authorized, such person shall have deducted from any such term all time actually spent in confinement awaiting extradition from such other state, provided that he was solely held on the extradition warrant or fugitive warrant and not on any other offense that he allegedly committed in such other state.

HB 857 (Delegate Cousins): Home/electronic incarceration program; court shall assign pregnant/postpartum persons to program.

- Amends 53.1-131.2 to provide that any court having jurisdiction for the trial of a pregnant person, or postpartum person who still has contact with their infant child, charged with a criminal offense, a traffic offense, an offense under Chapter 5 (§ 20-61 et seq.) of Title 20, or failure to pay child support pursuant to a court order shall, if the defendant is convicted and sentenced to confinement in a state or local correctional facility and is a suitable candidate, assign the offender to a home/electronic incarceration program, if such program exists, under the supervision of the sheriff, the administrator of a local or regional jail, or a Department of Corrections probation and parole district office established pursuant to § 53.1-141.
- However, such an offender is not eligible for a home/electronic incarceration program if there is probable cause to believe that (i) the offender will not appear for trial or hearing or at such other time and place as may be directed or (ii) the offender's liberty will constitute an unreasonable danger to such person, such person's family or household members as defined in § 16.1-228, or the public.
- An offender who is convicted of any of the following violations of Chapter 4 (§ 18.2-30 et seq.) of Title 18.2 shall not be eligible for participation in the home/electronic incarceration program: (a) first and second degree murder and voluntary manslaughter under Article 1 (§ 18.2-30 et seq.) of Chapter 4 of Title 18.2; (b) mob-related felonies under Article 2 (§ 18.2-38 et seq.) of Chapter 4 of Title 18.2; (c) any kidnapping or abduction felony under Article 3 (§ 18.2-47 et seq.) of Chapter 4 of Title 18.2; (d) any malicious felonious assault or malicious bodily wounding under Article 4 (§ 18.2-51 et seq.) of Chapter 4 of Title 18.2; (e) robbery under § 18.2-58; or (f) any criminal sexual assault punishable as a felony under Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2. The court may further authorize the offender's participation in work release employment or educational or other rehabilitative programs as defined in § 53.1-131 or, as appropriate, in a court-ordered intensive case monitoring program for child support. The court shall be notified in writing by the director or administrator of the program to which the offender is assigned of the offender's place of home/electronic incarceration and place of employment and the location of any educational or rehabilitative program in which the offender participates. A postpartum person may continue to be eligible for participation in the home/electronic incarceration program after

the period of postpartum recovery, as that term is defined in § 53.1-133.06, has ended, so long as such person remains a suitable candidate for home/electronic incarceration.

- In any city or county in which a home/electronic incarceration program established pursuant to this section is available, the court, subject to approval by the sheriff or the jail superintendent of a local or regional jail, may assign the accused to such a program pending trial if it appears to the court that the accused is a suitable candidate for home/electronic incarceration and shall assign the accused to such a program pending trial if the accused is a pregnant or postpartum person who still has contact with their infant child. However, such an offender is not eligible for a home/electronic incarceration program if there is probable cause to believe that (i) the offender will not appear for trial or hearing or at such other time and place as may be directed or (ii) the offender's liberty will constitute an unreasonable danger to such person, such person's family or household members as defined in § 16.1-228, or the public. Such a person remains eligible for bond, as defined in § 19.2-119. A postpartum person may continue to be eligible for participation in the home/electronic incarceration program after the period of postpartum recovery, as that term is defined in § 53.1-133.06, has ended, so long as such person remains a suitable candidate for home/electronic incarceration.

DRUGS

HB 26 / SB 62 (Delegate Henson / Senator Lucas): Marijuana-related offenses; modification of sentence, sunset.

- Adds § 19.2-303.03 to provide that, if a person who (i) was adjudicated delinquent or convicted of a felony offense involving the possession, manufacture, selling, giving, distribution, transportation, or delivery of marijuana, committed prior to July 1, 2021; (ii) was sentenced to jail, to DJJ, or to DOC or placed on probation pursuant to § 16.1-278.8 or on community supervision as defined in § 53.1-1 for such adjudication or conviction; and (iii) remains incarcerated in a state or local correctional facility or secure facility, as defined in § 16.1-228, serving the sentence for such adjudication or conviction, a combination of such adjudications or convictions, or a violation of probation imposed pursuant to § 16.1-278.8 or community supervision as defined in § 53.1-1 or remains on probation or community supervision for such adjudication or conviction or a combination of such adjudications or convictions on July 1, 2026, the court that entered the original judgment or order shall schedule a hearing by January 1, 2027, to consider modification of such person's sentence. The Commonwealth shall be made party to the proceeding.
- Further, if a person who (i) was adjudicated delinquent or convicted of a felony offense involving the possession, manufacture, selling, giving, distribution, transportation, or delivery of marijuana, committed prior to July 1, 2021, and on the date of such adjudication or conviction was also adjudicated or convicted of any other offense other than an act of violence as defined in § 19.2-297.1; (ii) was sentenced to jail, to DJJ, or to DOC or placed on probation pursuant to § 16.1-278.8 or on community supervision as defined in § 53.1-1 for such adjudications or convictions; and (iii) remains incarcerated in a state or local correctional facility or secure facility, as defined in § 16.1-228, serving the sentence for

such adjudication or conviction, a combination of such adjudications or convictions, or a violation of probation imposed pursuant to § 16.1-278.8 or community supervision as defined in § 53.1-1 or remains on probation or community supervision for such adjudication or conviction or a combination of such adjudications or convictions on July 1, 2026, the court that entered the original judgment or order shall schedule a hearing by April 1, 2027, to consider modification of such person's sentence that was imposed as a result of his adjudication or conviction of a felony offense or offenses listed in clause (i). The Commonwealth shall be made party to the proceeding.

- Any person eligible for modification of his sentence under this section may file a petition for the assistance of counsel and a statement of indigency with the court on a form provided by the Supreme Court of Virginia; however, if such person was found to be indigent at his original sentencing, he shall be entitled to assistance of counsel for the hearing on modification of his sentence without the filing of such petition.
- Upon a hearing for modification of a sentence pursuant to this section, the court shall consider that marijuana has been legalized, and shall reduce, including a reduction to time served, vacate, or otherwise modify the person's sentence, including removing such person from community supervision, unless the Commonwealth demonstrates it would not be compatible with the public interest to do so. Any modification of sentence shall not exceed the original term imposed by the court.
- The court shall make a decision as to whether to modify a sentence within 30 days following the sentence modification hearing. If modification of a sentence is denied, the court shall file with the record of the case a written explanation for the denial and shall provide a copy of such written explanation to the person whose sentence was considered for modification, to his attorney if he is represented, and to the attorney for the Commonwealth.
- Following the entry of an order to modify a sentence pursuant to this section, the clerk of the court shall cause a copy of such order to be forwarded to the Virginia Criminal Sentencing Commission, the Department of State Police, and the state or local correctional facility or secure facility where the petitioner is incarcerated within five days.
- On or before September 1, 2026, DOC, sheriff of a local jail, regional director of a regional jail, and DJJ, respectively, shall determine which individuals currently incarcerated in such state correctional facility, local correctional facility, or secure facility, or placed on community supervision, respectively, meet the criteria for a hearing on the modification of sentence created by this act, and shall (i) provide an electronic list of such individuals to the clerk of each court in the jurisdiction where the individual was sentenced and (ii) notify all such individuals that they may be eligible for modification of their sentence, that a hearing will be scheduled for such determination, and that they may file a petition for assistance of counsel and a statement of indigency.
- Within 30 days of receiving the electronic list, the clerk of each court shall notify the chief judge or presiding judge of that court who shall subsequently set a hearing within the timeframes required by this Act for each individual to determine whether to modify such individual's sentence.
- The provisions of this act shall expire on July 1, 2029

HB 360 (Delegate Cole): Virginia Consumer Protection Act; prohibited practices, kratom products.

- Amends § 59.1-200 to prohibit selling or offering for sale (i) any kratom product to a person younger than 21 years of age; (ii) any kratom product that does not include a label listing all ingredients and with the following disclosure: "WARNING: Kratom may cause dependence and opioid-like withdrawal. Do not use while pregnant. Use may impair judgment. Not for persons younger than 21 years of age."; (iii) any kratom product not stored in an area that is not directly accessible to consumers, including behind a retail counter or in a locked display case, except for kratom products required to be refrigerated, which may be stored in accordance with relevant Virginia Alcoholic Beverage Control Authority regulations in the same beverage cooler or refrigerator as wine and beer; (iv) any kratom product containing any synthesized material, semi-synthetic alkaloid, or synthetic kratom-like compound; (v) any kratom product containing 7-hydroxymitragynine in an alkaloid fraction exceeding one percent of total alkaloids in the container or providing more than one milligram of 7-hydroxymitragynine per serving; (vi) any kratom product adulterated with any dangerous, poisonous, or otherwise deleterious non-kratom ingredient, including any substance listed as a controlled substance under state or federal law; (vii) any kratom product that is combustible or intended for vaporization or injection; (viii) any kratom product that is manufactured, packaged, or marketed in a manner attractive to children; or (ix) any kratom extract product containing residual solvent levels exceeding applicable statutory or pharmacopeial limits.
- As used in this statute, "kratom" means any part of the leaf of the plant *Mitragyna speciosa* or any extract thereof.

HB 648 / SB 360 (Delegate Kent / Senator Stuart): Nitrous oxide; sale, distribution, etc., prohibited, penalties.

- Amends § 18.2-264 to make it a Class 1 misdemeanor to sell, distribute, or offer to sell or distribute nitrous oxide that has, or is marketed as having, the taste or smell of any food or beverage, including any fruit, candy, dessert, alcoholic beverage, herb, or spice, that is distinguishable by an ordinary consumer either prior to or during consumption or use of such nitrous oxide to any person who is not exempted.
- Enumerated exceptions apply.

HB 652 / SB 133 (Delegate Hayes / Senator Locke): Parental prenatal and postnatal substance use; work group to evaluate Commonwealth's response to use.

- Section 1 bill that requires the Department of Social Services, Department of Behavioral Health and Developmental Services, and Department of Health to convene a work group to evaluate the Commonwealth's response to parental prenatal and postnatal substance use, the services available to address such substance use, and the effects of such substance use on newborns and children.
- The work group shall (i) review existing statutes, regulations, agency guidance, and current practices regarding the response and provision of services to parents using substances legally and illegally and children born affected by exposure to substances, including the development and use of Plans of Safe Care under the federal Child Abuse Prevention and

Treatment Act (42 U.S.C. § 5101 et seq.), to determine whether changes in statute, regulation, or guidance are necessary to meet the needs of families, emphasize preservation of the mother-infant dyad, and ensure the safety of children; (ii) identify best practices for government agencies and service providers; (iii) identify service gaps and make recommendations for addressing them; (iv) identify data gaps and make recommendations for addressing them; (v) identify and recommend training policies and opportunities for government agencies and service providers; and (vi) identify inconsistencies in the implementation of toxicology or cord blood testing of a child or pregnant or postpartum woman and make recommendations to address inconsistent testing.

HB 712 / SB 641 (Delegate Wachsmann / Senator Pillion): Office-based buprenorphine treatment; Board of Medicine to amend regulations.

- Directs the Board of Medicine to amend its regulations regarding office-based buprenorphine treatment to require providers to offer counseling or referral to counseling to each patient as clinically necessary and mutually agreed-upon. The bill specifies that a patient's refusal of counseling does not preclude the patient from receiving office-based buprenorphine treatment for opioid use disorder.

HB 794 / SB 308 (Delegate Reaser / Senator Perkarsky): Drug overdose and drug overdose deaths; Virginia Department of Health to develop plan for opioid overdose response.

- Section 1 bill that requires the Department of Health to develop a strategic plan for opioid overdose response to reduce rates of drug overdose and drug overdose deaths in the Commonwealth. In developing such strategic plan, the Department shall (i) conduct an evaluation and needs assessment of existing opioid overdose prevention, intervention, and treatment efforts in the Commonwealth and (ii) collaborate with the Secretaries of Education, Health and Human Resources, and Public Safety and Homeland Security; representatives of state agencies; and other appropriate stakeholders.
- The Department shall provide a report on the status of the strategic plan and implementation thereof to the Governor, the Chairs of the House Committees on Appropriations and Health and Human Services, the Senate Committees on Education and Health and Finance and Appropriations, and the Joint Commission on Health Care by November 1, 2026, and annually thereafter

HB 1103 (Delegate Hodges): Medetomidine; manufacturing, selling, giving, distributing, or possessing, penalties.

- Amends § 18.2-251.5 to add that any person who knowingly manufactures, sells, gives, distributes, or possesses with the intent to manufacture, sell, give, or distribute the substance medetomidine, intended for human consumption, is guilty of a Class 5 felony.
- Any person who knowingly possesses the substance medetomidine, when intended for human consumption, is guilty of a Class 1 misdemeanor.
- It shall not be an offense to (i) manufacture medetomidine for legitimate veterinary use; (ii) distribute or sell medetomidine for authorized veterinary use; (iii) possess, administer, prescribe, or dispense medetomidine in good faith for use by animals within the course of

legitimate veterinary practice; or (iv) possess or administer medetomidine pursuant to a valid prescription from a licensed veterinarian.

HB 1140 (Delegate Cherry): Drug-related investigations; use of confidential informants.

- Amends § 9.1-102, pertaining to the powers and duties of DCJS and the Criminal Justice Services Board, to direct DCJS to establish a model policy for the use of confidential informants in drug-related investigations and to include in such model policy that (i) no individual currently on probation or pretrial may serve as a confidential informant without notice to his probation, pretrial services, or parole officer; (ii) no individual who has, within the last six months, been found to have violated the terms of his probation or parole shall serve as a confidential informant whose testimony may be necessary in the prosecution of a criminal matter in the courts of the Commonwealth; (iii) law-enforcement personnel shall obtain approval from the appropriate local attorney for the Commonwealth prior to working with a confidential informant; and (iv) such confidential informant shall not unlawfully use or possess any controlled substances.

SB 106 (Senator Stanley): Tianeptine product; selling, giving, or distributing, civil penalty.

- Creates § 18.2-251.6, which provides that a retail establishment that sells, gives, or distributes a tianeptine product, without a prescription, is subject to a civil penalty in the amount of $2,500 for a first violation and a civil penalty in the amount of $5,000 for a second or subsequent violation within a three-year period. For any violation of this section by an employee of a retail establishment, such penalty shall be assessed against the establishment. Any attorney for the Commonwealth of the locality in which an alleged violation occurred may bring an action to recover the civil penalty, which shall be paid into the state treasury. The provisions of this section shall not preclude prosecution under any other statute.
- Defines "tianeptine product" as a product that is marketed for human consumption containing any amount of tianeptine, which is classified as a Schedule I controlled substance pursuant to § 54.1-3446.

EDUCATION

HB 171 (Delegate Askew): Student instruction; Internet safety, policy to include key modern digital safety topics.

- Amends § 22.1-70.2 to (1) require the internet safety component that is integrated into each school division's instructional program as required by its acceptable internet use policy to include instruction on key modern digital safety topics, including online scams, misinformation, and content generated by artificial intelligence; and (2) require the Superintendent of Public Instruction to issue guidelines to school divisions regarding instructional programs related to internet safety that includes these specified topics.

HB 182 / SB 427 (Delegate Reid / Senator Bagby): High school graduation requirements; history and social studies credits.

- Amends § 22.1-253.13:4 to permit any student to substitute the African American History course or the Advanced Placement African American Studies course for the World History I course or the World Geography course for the purpose of satisfying the history and social studies credit requirements, provided that (i) enrollment in such African American History course or Advanced Placement African American Studies course is available to the student and (ii) any such student shall be required to complete and receive a passing score on an applicable local alternative assessment or an equivalent Board-approved assessment, in order to satisfy history and social studies credit requirements for graduation.

HB 201 / SB 109 (Delegate Cohen / Senator Pekarsky): School boards; safe storage of prescription drugs and firearms in the household.

- Amends § 22.1-79.3 to require that each local school board shall develop and implement a policy to require the notification of the parent of each student enrolled in the school division, to be sent by email and, if applicable, SMS text message within 30 calendar days succeeding the first day of each school year, of (i) the importance of securely storing any prescription drug present in the household and (ii) the parent's responsibility, in accordance with § 18.2-56.2, to safely store any firearm present in the household.
    - Such parental notification shall include information on (a) relevant state laws and regulations relating to safe firearm storage and child access to firearms and (b) firearm-related accidents, injuries, and deaths, including the role of firearms in suicides, including youth suicides, tips and resources for seeking help for a child that may be a danger to himself or others, and current statistics published by the Centers for Disease Control and Prevention or an equivalent nationally recognized entity or organization on youth firearm fatality rates. Each school board shall make such parental notification available in multiple languages on its website.

HB 462 (Delegate Cohen): Health Ed. SOL; Bd. of Ed. to require literacy instruction in grade 9 & 10 in next revision.

- Directs the Board of Education, during its next regularly scheduled revision of the Health Education Standards of Learning and Curriculum Framework to, in consultation with the School Health Services Committee, (i) develop a health care literacy program of instruction required in grades nine and 10 for the purpose of helping students navigate the health care system efficiently and effectively, and in the development of this program, consider including the topics enumerated in the bill for such instruction and (ii) identify and remove from the Health Education Standards of Learning and Curriculum Framework for grades nine and 10 any instructional subjects or topics the inclusion of which is duplicative or outdated.

HB 478 (Delegate Watts): Diploma seal for excellence in fine arts; established, industry-recognized workforce credential.

- Amends § 22.1-253.13:1 to require the Board of Education to add such diploma seal to its list of industry-recognized workforce credentials for the purpose of satisfying graduation requirements.
- Amends § 22.1-253.13:4 to include the Board shall establish criteria for awarding a diploma seal for excellence in fine arts, which may include a sequence of coursework, cumulative grade point average in such sequence of coursework, or any other performance-based criteria that the Board deems appropriate. The bill also amends the graduation requirement of a career and technical education credential to include the diploma seal for excellence in fine arts.

HB 592 (Delegate Simonds): Public schools; wearable panic alarm systems.

- Creates a new § 22.1-79.4:1 to allow any school board to provide any school board employee in a public elementary and secondary school building in the local school division with a wearable panic alarm system and defines "wearable panic alarm system" as a security system that is capable of being worn on the body of the user and by which the user manually activates a device that sends (i) a signal to the local 9-1-1 public safety answering point that indicates a school security emergency that requires immediate response and assistance from such public safety answering point and (ii) a multisensory schoolwide school security emergency notification, when appropriate.

HB 849 (Delegate Cousins): Public school employees; suspension, notice and opportunity for a hearing.

- Amends § 22.1-315 to prohibit the suspension of any teacher or school employee, regardless of the length of the suspension, unless such teacher or school employee is advised in writing of the reason for the suspension and afforded an opportunity for a hearing before the school board, if applicable. The bill also requires any teacher or school employee so suspended to continue receiving his then applicable salary unless and until the school board, after a hearing, determines otherwise. Under current law, such requirements only apply to any teacher or school employee who has been suspended for a period in excess of five days.

HB 894 / SB 341 (Delegate Sullivan / Senator Boysko): Private elementary and secondary schools; policies relating to bullying and cyberbullying, etc.

- Creates a new § 22.1-279.6:1 directing each principal, headmaster, or other chief administrator of each private elementary or secondary school in the Commonwealth to include in such school's policies for codes of student conduct procedures (i) for addressing and handling instances of bullying and cyberbullying and (ii) that include a prohibition against bullying.

- At a minimum, the policies and procedures must (i) require notification to the parent of any student involved in a confirmed incident of bullying within 24 hours of confirming the incident of bullying; (ii) include prohibitions against and procedures for addressing instances of cyberbullying that occur between students enrolled in such school; (iii) provide protections designed to ensure that any student who is a victim of or a witness to bullying or cyberbullying is not deterred from reporting or seeking support by fear of retaliation; and (iv) include prohibitions against hazing, as that term is defined in § 18.2-56.

HB 957 (Delegate Guzman): Public elementary & secondary schools; use 988 Suicide & Crisis Lifeline to address bullying, etc.

- Requires the Department of Education to direct each school board to encourage each public elementary and secondary school in the local division to promote or utilize the 988 Suicide and Crisis Lifeline to address student bullying and cyberbullying, as such terms are defined in § 22.1-276.01 of the Code of Virginia.

HB 996 (Delegate Seibold): Postsecondary Education Rehabilitation Transition Program; plan for expansion of Program.

- Directs the Department for Aging and Rehabilitative Services, in collaboration with the Department of Education, to develop a plan to expand the Postsecondary Education Rehabilitation Transition (PERT) Program for the purpose of increasing the number of students assisted in the transition from high school to postsecondary programs by providing clear guidelines on the transition process and helping connect students and their guardians to postsecondary programs. The bill requires such plan to equip local community services boards with the resources to assist an increased number of students in such transition, publish online resources about the transition process, and develop an online dashboard to provide information about possible postsecondary education programs.

HB 1071 (Delegate Laufer): Public elementary and secondary schools & higher educational institutions; threat assessment teams.

- Amends § 9.1-184 to require The Virginia Center for School and Campus Safety to, in consultation with the Department of Education, include in their model policy for the establishment of threat assessment teams specific education and training for threat assessment team members, within existing annual training, on the use of emergency substantial risk orders and substantial risk orders to address the risk of harm to self or others posed by a student's access to a firearm.
- Amends § 22.1-79.4 to require each school board's policies for the establishment of threat assessment teams to include specific education and training on the topics consistent with the model policies developed by the Virginia Center for School and Campus Safety.

- Amends § 23.1-805 to require threat assessment team members to complete yearly training that includes, within existing annual training, specific education and training on the use of emergency substantial risk orders and substantial risk orders.

HB 1113 (Delegate Nivar): Culturally responsive & language-appropriate mental health support & services; guidance & policies.

- Requires, no later than October 1, 2027, the Department of Education to develop, adopt, and provide to each local school board guidance on the adoption of policies governing the provision of culturally responsive and language-appropriate mental health support and services for students in the local school division.
- Permits any school board to develop and adopt policies in the local school division that are consistent with the guidelines adopted and provided by the Department of Education.

HB 1186 / SB 394 (Delegate Rasoul / Senator Pekarsky): Artificial intelligence; use of systems for student instruction.

- Creates § 22.1-20.2:1 to require that the Department of Education shall, in consultation with local school divisions and other relevant stakeholders, (i) compile information on current uses of artificial intelligence systems for student instruction in public schools in the Commonwealth and (ii) establish and post in a publicly accessible location on its website guidance for the safe, ethical, and equitable use of an AIS in instructional settings in public elementary and secondary schools. Each school board shall establish, implement, and enforce policies consistent with the guidance developed by the Department.
- Directs the Department to establish and oversee the AIS Innovation in Education Pilot Program for the purpose of funding, evaluating, and scaling innovative uses of AIS in public elementary and secondary schools by providing support to school divisions in piloting AIS applications for instruction, tutoring, student engagement, operational efficiency, and teacher support and to submit an annual report to the Chairs of the House Committee on Education and the Senate Committee on Education and Health by December 1. The Pilot Program has an expiration date of July 1, 2030.

HB 1224 / SB 396 (Delegate Delaney / Senator Diggs): Driver's licenses; requirements for initial licensure, persons age 18 to 21.

- Amends § 46.2-324.1 to expand from 60 days to 90 days the length of time an applicant for a first-time noncommercial driver's license who is at least 18 years old and not more than 21 years old is required to hold a learner's permit and requires such an applicant to complete a course of driver instruction prior to being issued a driver's license. The bill provides that learner's permits other than motorcycle learner's permits, accompanied by other documentation verifying that the driver is at least 18 years old and less than 21 years old and has successfully completed an approved driver's education course constitute a temporary driver's license for the purpose of driving unaccompanied by a licensed driver 18 years old or older, provided that certain other requirements are met. The bill has a delayed effective date of January 1, 2027.

HB 1278 / SB 685 (Senator Pekarsky / Delegate Reaser): School bd. policies; communication & language accessibility for limited English proficient parents.

- Adds new § 22.1-4.4 to require each school board to develop, implement, and post in a publicly accessible location on its website a language access plan consisting of policies and procedures designed to ensure meaningful communication with and informational accessibility for limited English proficient (LEP) parents, as that term is defined in the bill. The plan must include policies and procedures for ensuring LEP parents are notified as adequately as non-LEP parents of any essential information, identifying each LEP at the enrollment of such parent's child, providing each LEP parent with language assisting services regarding school and school division-level communications, translating vital documents into languages most commonly spoken by the LEP parents, and training relevant school board employees on the requirements of this section with respect to LEP parents.
- The bill has a delayed effective date of July 1, 2027.

HB 1301 / SB 122 (Delegate Thomas / Senator McPike): School boards; student diabetes care & management in schools, division wide plan required.

- Amends § 22.1-274.01:1 to provide that any school board employee that is authorized pursuant to subsection H of § 54.1-3408 and meets the requirements set forth in applicable law to provide certain diabetes-related care shall (i) be exempt from nursing practice requirements pursuant to subdivision A 9 of § 54.1-3001; (ii) not be considered to be engaging in the practice of medicine pursuant to subdivision A 26 of § 54.1-2901; and (iii) be immune from civil liability for ordinary negligence in acts or omissions resulting from the rendering of certain diabetes-related care pursuant to subdivision A 11 of § 8.01-225.
- Amends § 22.1-274.01:1 to provide that no school board shall prohibit any school board employee from providing any diabetes-related care that such school board employee is authorized and meets the requirements set forth in applicable law to provide, including assisting a student with the insertion or reinsertion of an insulin pump or any of its parts. However, nothing in this subsection shall be construed to prohibit a school board from placing reasonable restrictions or parameters on the implementation of diabetes-related care by school board employees, in conjunction with a student's provider, for the purpose of ensuring the effective, efficient, and safe administration and operation of schools and school personnel, which may be included in the school board's division wide plan for the care of students who are diagnosed with diabetes.
- Creates a new § 22.1-274.01:2 to provide that each school board shall develop, amend, and implement a division wide plan for the care of each public elementary or secondary school student who is diagnosed with diabetes in the school division for the purpose of ensuring the maintenance of a safe and healthy learning environment and maximizing the opportunity for academic success for each student. Each such division wide plan shall:
    - Give consideration to and incorporate, where appropriate, the guidelines contained in the Department's Diabetes Management in Schools: Manual for Unlicensed Personnel (the Manual);

- Ensure that any training, education, and professional development opportunities for licensed or unlicensed staff relating to such care are properly tailored to the unique needs that are present in each school in the school division and the skills of the staff in each such school;
- Include procedures, consistent with subsection E of § 22.1-274, for ensuring that in each school building in the school division that is attended by one or more students diagnosed with diabetes and that has an instructional and administrative staff of (i) 10 or more, at least two employees have been trained in the administration of insulin and glucagon and (ii) fewer than 10, at least one employee has been trained in the administration of insulin and glucagon;
- Ensure that the provision or assistance with the provision of diabetes-related care by licensed or unlicensed school board employees is consistent with the guidance contained in the most recent revision of the Manual and is in accordance with applicable law, including:
    - a. Assistance with the administration of insulin or glucagon by a school board employee who is not a licensed practical nurse, registered nurse, advanced practice registered nurse, physician, or physician assistant but who has been trained in the administration of insulin or glucagon in accordance with the provisions of subsection E of § 22.1-274; and
    - b. Assistance with the insertion and reinsertion of the insulin pump or any part thereof by a school board employee who has been trained in the administration of insulin, including the use and insertion of insulin pumps, and the administration of glucagon in accordance with the provisions of subsection B of § 22.1-274.01:1.
- Make available opportunities for parental involvement in the process of providing care for such students at school, including establishing processes and procedures for the submission and consideration of Diabetes Medical Management Plans, the development of Individualized Health Care Plans in collaboration with the school nurse or another qualified staff member, and the consideration of complaints and resolution of disputes relating to such documents or any other aspect of the provision of care for such students at school;
- Provide interested parents with opportunities to provide input on the development or amendment of the division-wide plan;
- Include procedures to implement the division-wide plan in each public elementary and secondary school in the local school division; and
- Address such other matters as the school board deems necessary and appropriate.

HB 1437 / SB 785 (Delegate Dougherty / Senator Carroll Foy): Teacher, other instructional personnel, etc., exits; data collection, disaggregation by race.

- Amends § 22.1-290.2 to require each school board to report to the Department of Education annually the number and type of teacher, other instructional personnel, and

support staff position exits in the school division, disaggregated by the race of the individual who exited the position.

- Directs that for each such exit occurring during the reporting year, the reason for the exit, including whether the exit was voluntary or involuntary, be collected and reported.

HB 1486 / SB 568 (Delegate Rasoul / Senator Sturtevant): Public schools; student instruction, addictive potential of time spent using certain electronic device.

- Amends § 22.1-206 to provide that instruction concerning time spent using electronic devices such as computers, cell phones, and other smart devices and the addictive potential thereof shall be provided by the public schools as prescribed by the Board.

FIREARMS

HB 19 / SB 160 (Delegate McClure / Senator Perry): Firearms; purchase, etc., after assault and battery of family or household member or intimate partner.

- Amends § 18.2-308.1:8 to make it a Class 1 misdemeanor for a person to knowingly and intentionally purchase, possess, or transport a firearm following a misdemeanor conviction for an offense that occurred after July 1, 2026, for (i) the offense of assault and battery against an intimate partner or (ii) an offense substantially similar to clause (i) under the laws of any other state or of the U.S.
- Amends the definition of "family or household member" in § 16.1-288 to include "the person's intimate partner.
- Defines "intimate partner" as an individual who, within the previous 12 months, was in a romantic, dating, or sexual relationship with the person as determined by the length, nature, frequency, and type of interaction between the individuals in the relationship.

HB 40 / SB 323 (Delegate Simon / Senator Ebbin): Plastic firearms or receivers, etc., transfer, etc. prohibited; penalties.

- Creates § 18.2-308.5:2, pertaining to the prohibition on unfinished frames or receivers and unserialized firearms.
- Creates a Class 5 felony for any person who knowingly manufactures or assembles, imports, purchases, sells, transfers, or possesses any firearm that, after removal of all parts other than a major component, as defined in the bill, is not detectable as a firearm when subjected to inspection by the types of detection devices, including X-ray machines, commonly used at airports, government buildings, schools, correctional facilities, and other locations for security screening.
- Creates a Class 1 misdemeanor, which is punishable as a Class 4 felony for a second or subsequent offense, for any person to knowingly possess a firearm or any completed or unfinished frame or receiver that is not imprinted with a valid serial number or to knowingly import, purchase, sell, offer for sale, or transfer ownership of any completed or unfinished frame or receiver, unless the completed or unfinished frame or receiver (i) is deemed to be a firearm pursuant to federal law and (ii) is imprinted with a valid serial number.

- Creates a Class 1 misdemeanor, which is punishable as a Class 4 felony for a second or subsequent offense, for any person to manufacture or assemble, cause to be manufactured or assembled, import, purchase, sell, offer for sale, or transfer ownership of any firearm that is not imprinted with a valid serial number.
- Updates language regarding the types of detection devices that are used at such locations for detecting plastic firearms.
- The provisions of the bill prohibiting unfinished frames or receivers and unserialized firearms have a delayed effective date of January 1, 2027; however, the provisions of the bill prohibiting the knowing possession of a firearm or any completed or unfinished frame or receiver that is not imprinted with a valid serial number have a delayed effective date of July 1, 2027.

HB 93 / SB 38 (Delegate Bennett-Parker / Senator Favola): Firearms; transfer to another person from a prohibited person.

- Amends § 18.2-308.1:8 to provide that a person who is prohibited from possessing a firearm because the person is subject to a protective order or has been convicted of an assault and battery of a family or household member may transfer a firearm owned by the prohibited person to any person who is not otherwise prohibited by law from possessing such firearm, provided that the person who is not otherwise prohibited by law from possessing such firearm is 21 years of age or older and does not reside with the person who is subject to the protective order.
- Under current law, there is no requirement that a transferee cannot be younger than 21 years of age and cannot reside with the prohibited person.
- Provides that the prohibited person who transfers, sells, or surrenders a firearm pursuant to the provisions of the bill shall inform the clerk of the court of the name, address, and signature of the transferee, federally licensed firearms dealer, or law-enforcement agency in possession of the firearm and shall provide a copy of the form to the transferee.
- Provides that a person who is prohibited from possessing a firearm because the person is subject to a protective order or has been convicted of an assault and battery of a family or household member shall be advised that a law-enforcement officer may obtain a search warrant to search for any firearms from the person if the law-enforcement officer has probable cause.

HB 110 / SB 496 (Delegate Laufer / Senator Marsden): Handguns in unattended motor vehicle; definitions, penalty.

- Creates § 18.2-308.7:1, which makes it a Class 4 misdemeanor for a person to knowingly leave a handgun in an unattended vehicle or trunk unless such handgun is placed out of plain view in a locked hard-sided container, including a locked container that is affixed to the vehicle's interior by steel cable, bolt, or welding. A locked container affixed to the vehicle's interior includes a locked glove compartment or a locked center console.
- "Vehicle" has the same meaning as ascribed to "motor vehicle" in § 46.2-364. A "boat" is considered a vehicle and is defined as any vessel or other watercraft, privately owned, whether moved by oars, paddles, sails, or other power mechanism, inboard or outboard, or any other vessel or structure floating on water in the Commonwealth, whether or not capable of self-locomotion, including cruisers, cabin cruisers, runabouts, houseboats, and

barges. However, bicycles, electric personal assistive mobility devices, electric power assisted bicycles, motorized skateboards or scooters, and mopeds are not vehicles.

- A vehicle is considered to be unattended if (i) such vehicle is left unattended (a) on a public highway or other public property or (b) any parking area, lot, or structure intended for commercial or retail use, including such parking areas, lots, or structures exclusively reserved and used by commercial or retail employees, and (ii) the owner, operator, or any passenger of such motor vehicle is unable to observe such motor vehicle.
- The provisions of this section shall not apply to (i) the storage of any antique firearm (ii) a law-enforcement officer as defined in § 9.1-101, or (iii) a person who reports the theft or loss of a firearm to a law-enforcement agency as provided in § 18.2-287.5

HB 217 / SB 749 (Delegate Helmer / Senator Salim): Assault firearms and certain ammunition feeding devices; purchase, sale, etc., prohibited, penalties.

- Creates § 18.2-287.4:1, to, with specific, enumerated exceptions, make it a Class 1 misdemeanor to import, sell, manufacture, purchase, or transfer an assault firearm.
- Creates § 18.2-308.1:9 to make it a Class 1 misdemeanor for any person to knowingly and intentionally purchase, possess, or transport any firearm following a misdemeanor conviction for a violation of § 18.2-287.4:1 (above). Any person convicted of a violation of § 18.2-287.4:1 or this section shall be prohibited from purchasing, possessing, or transporting a firearm for three years following the date of such conviction at which point the person convicted of such offense shall no longer be prohibited from purchasing, possessing, or transporting a firearm pursuant to this section. Such person shall have his firearm rights restored, unless such person receives another disqualifying conviction, is subject to a protective order that would restrict his rights to carry a firearm, or is otherwise prohibited by law from purchasing, possessing, or transporting a firearm.
- Amends § 18.2-308.2:1 to add that it is a Class 1 misdemeanor to sell, barter, give, or furnish, or have in one's possession or under one's control with the intent of selling, bartering, giving, or furnishing, any firearm to any person he knows is prohibited from purchasing, possessing, or transporting a firearm pursuant to § 18.2-308.1:9.
- Amends § 18.2-308.2:2 to redefine "assault firearm" as 1) a semi-automatic center-fire rifle or pistol with a fixed magazine capacity in excess of 15 rounds, 2) a semi-automatic center-fire rifle that has the ability to accept a detachable magazine, not including an attached tubular device designed to accept and capable of operating only with .22 caliber rimfire ammunition, and that has one or more of the following characteristics: (i) a folding, telescoping, or collapsible stock; (ii) a thumbhole stock or pistol grip that protrudes conspicuously beneath the action of the rifle; (iii) a second handgrip or a protruding grip that can be held by the non-trigger hand; (iv) a grenade launcher; or (v) a threaded barrel capable of accepting (a) a muzzle brake, (b) a muzzle compensator, (c) a sound suppressor, or (d) a flash suppressor; 3) a semi-automatic center-fire pistol that has two or more of the following characteristics: (i) a second handgrip or a protruding grip that can be held by the non-trigger hand; (ii) the capacity to accept a magazine that attaches to the pistol outside of the pistol grip; (iii) a shroud that is attached to, or partially or completely encircles, the barrel and that permits the shooter to hold the pistol with the non-trigger hand without being burned; (iv) a threaded barrel capable of accepting (a) a sound suppressor, (b) a flash suppressor, (c) a barrel extender, or (d) a forward handgrip; or (v) a buffer tube, arm brace, or other part that protrudes horizontally behind the pistol grip and is designed or redesigned

to allow or facilitate the firing of a firearm from the shoulder; 4) a semi-automatic shotgun that expels single or multiple projectiles by action of an explosion of a combustible material that has one of the following characteristics: (i) a folding, telescoping, or collapsible stock; (ii) a thumbhole stock or pistol grip that protrudes conspicuously beneath the action of the shotgun; (iii) the ability to accept a detachable magazine; (iv) a fixed magazine capacity in excess of 15 rounds; or (v) any characteristic of like kind as enumerated in clauses (i) through (iv); 5) a shotgun with a revolving cylinder; 6) a firearm that has the capacity to accept a belt ammunition feeding device; or 7) a firearm that has been modified to be operable as an assault firearm as described in subdivisions 1 through 6.

  - The current definition of "assault firearm" is a semi-automatic center-fire rifle or pistol which expels single or multiple projectiles by action of an explosion of a combustible material and is equipped at the time of the offense with a magazine which will hold more than 20 rounds of ammunition or designed by the manufacturer to accommodate a silencer or equipped with a folding stock.

- Amends § 18.2-308.2:5 to provide that any person who willfully and intentionally (i) sells an assault firearm as defined in § 18.2-308.2:2 to another person or (ii) purchases an assault firearm from another person is guilty of a Class 1 misdemeanor.
- Amends § 18.2-308.7 to provide that it is a Class 1 misdemeanor for any person under 18 years of age to knowingly and intentionally possess or transport a handgun or assault firearm, as that term is now defined in § 18.2-308.2:2.
- Creates § 18.2-309.1, pertaining to the prohibited sale, transfer, etc., of certain firearm magazines, which provides that it is a Class 1 misdemeanor for any person to import, sell, barter, transfer, or purchase a "large capacity ammunition feeding device."
  - "Large capacity ammunition feeding device" means a magazine, belt, drum, feed strip, or similar device that has a capacity of, or that can be readily restored or converted to accept, more than 15 rounds of ammunition but does not include an attached tubular device designed to accept and capable of operating only with .22 caliber rimfire ammunition.

HB 229 / SB 173 (Delegate Hernandez / Senator Williams Graves): Weapons; possession prohibited in hospital that provides mental health or developmental services.

- Creates § 18.2-283.3 to make it a Class 1 misdemeanor for any person to knowingly and intentionally possess a (i) firearm, (ii) location restricted knife, or (iii) other dangerous weapon, including explosives and stun weapons as defined in § 18.2-308.1, in the building of any hospital that provides mental health services or developmental services in the Commonwealth, including an emergency department or other facility rendering emergency medical care. Any such firearm, knife, explosive, or weapon shall be subject to seizure by a law-enforcement officer and forfeited to the Commonwealth and disposed of as provided in § 19.2-386.28.
- Notice of the provisions of this section shall be posted conspicuously at each public entrance of any hospital and no person shall be convicted of an offense under this section if such notice is not posted at each such public entrance, unless such person had actual notice of the prohibitions of this section.

HB 626 / SB 272 (Delegate Callsen / Senator Deeds): Firearm or explosive material; exemptions, carrying in public institutions of higher learning.

- Amends § 18.2-283.2 to make it a Class 1 misdemeanor for any person to carry any firearm as defined in § 18.2-308.2:2 or explosive material as defined in § 18.2-308.2 within (i) the Capitol of Virginia; (ii) Capitol Square and the surrounding area; (iii) any building owned or leased by the Commonwealth or any agency thereof; or (iv) any office where employees of the Commonwealth or any agency thereof are regularly present for the purpose of performing their official duties.
- The provisions of clauses (iii) and (iv) (above) shall not apply to (a) any State Police officer who is off-duty; (b) any retired State Police officer who has participated in annual firearms training and has qualified to the standards required of active law-enforcement officers in the Commonwealth, in accordance with subsection C of § 18.2-308.016; (c) any retired law-enforcement officer who has participated in annual firearms training, has qualified pursuant to subsection C of § 18.2-308.016, and is visiting a gun range owned or leased by the Commonwealth; (d) any of the following employees authorized to carry a firearm while acting in the conduct of such employee's official duties: (1) a bail bondsman as defined in § 9.1-185, (2) an employee of the Department of Corrections or a state juvenile correctional facility, (3) an employee of the Department of Conservation and Recreation, or (4) an employee of the Department of Wildlife Resources; (e) any individual carrying a weapon into a courthouse who is exempt under § 18.2-283.1; (f) any proper individual within a building owned or operated by a public institution of higher education who possesses a weapon as part of such public institution of higher education's curriculum or activities as approved through the law-enforcement or public safety unit of the institution or as part of any organization authorized by such public institution of higher education to possess weapons, as approved through the law-enforcement or public safety unit of the institution, while conducting its programs or activities within such building; (g) any state park; or (h) any magistrate acting in the conduct of the magistrate's official duties.
- Notice of the provisions of this section shall be posted conspicuously along the boundary of Capitol Square and the surrounding area and at the public entrance of each location listed, and no person shall be convicted of an offense under § 18.2-283.2 if such notice is not posted at such public entrance, unless such person had actual notice of the prohibitions.

HB 702 (Delegate Cole): Local law-enforcement agencies; firearm give-back or sell-back programs.

- Creates 15.2-915.6 to provide that each county or city law-enforcement agency shall and any town law-enforcement agency may develop policies and procedures to implement either a firearm give-back program or a firearm sell-back program by January 1, 2028, and annually thereafter. Such policies shall: 1) designate when and where a person may voluntarily return a firearm via a firearm give-back or sell back program; 2) require that any firearm voluntarily returned under such a program be subjected to forensic testing and, if such firearm is determined to have been used in the commission of a crime, that such firearm may be retained by the receiving law-enforcement agency for use as evidence; 3) require that any firearm voluntarily returned under such a program be returned to the original owner as provided in § 52-25.1 if such firearm is determined to be lost or stolen; 4) require that any firearm voluntarily returned under such a program be destroyed within 90 days after a determination that such firearm is not evidence and is not required for

prosecution; 5) exempt any antique firearm or historically significant firearm, whether operable or inoperable, from mandatory destruction and provide for donation to a museum, historical society, or educational institution, or transfer to a federally licensed firearms dealer for sale or auction; however, if no museum, historical society, educational institution, or federally licensed firearms dealer agrees to accept such antique firearm or historically significant firearm, the firearm shall be destroyed within 180 days after it has been determined that such firearm is not evidence and is not required for prosecution; and 6) require that the identity of any person who surrenders a firearm be kept confidential.

- All local law-enforcement agencies adopting a program pursuant to this section shall submit an annual report to the Department of State Police that includes the number of firearms received through the implemented program. Any proceeds that may be generated from the sale or auction of a returned firearm shall be deposited into the locality's general fund or used solely for the administration of the locality's firearm give-back program or firearm sell-back program

HB 871 / SB 348 (Delegate Downey / Senator Boysko): Firearms; storage in residence where minor or person prohibited from possessing is present, penalty.

- Creates § 18.2-308.7:1 to provide that any person who possesses a firearm in a residence where such person knows that a minor or a person who is prohibited by law from possessing a firearm is present shall store such firearm in a locked container, compartment, or cabinet that is inaccessible to such minor or prohibited person, or shall render such firearm incapable of being fired by use of a gun locking device appropriate to that firearm and specific to this purpose. A firearm may be stored loaded, provided that (i) such firearm is stored in a storage device with a combination lock, coded lock, or biometric lock and (ii) no minor or prohibited person is an authorized user for the lock of such storage device.
- A violation of this section is guilty of a Class 2 misdemeanor.
- The provisions of this section shall not apply to (i) any person in lawful possession of a firearm who is carrying such firearm on his person or (ii) the storage of any antique firearm as defined in § 18.2-308.2:2.
- Nothing in this section shall be construed as preventing any person from lawfully authorizing a minor to access a firearm in accordance with § 18.2-56.2.
- Every dealer, as defined in § 18.2-308.2:2, shall post in a conspicuous manner at the premises of such dealer a notice stating: "Any person who possesses a firearm in a residence where such person knows that a minor or a person who is prohibited by law from possessing a firearm is present shall store such firearm in a locked container, compartment, or cabinet that is inaccessible to such minor or prohibited person, or shall render such firearm incapable of being fired by use of a gun locking device appropriate to that firearm and specific to this purpose. A violation of this law is a Class 2 misdemeanor."

HB 916 (Delegate Lopez): Concealed handgun permit; demonstrated competence, effective clause.

- Amends §§ 18.2-308.02 and 18.2-308.06 to add a handgun shooting class or course that teaches (i) efficient, effective, and responsible use of a concealed handgun for self-defense outside of the home; (ii) state laws pertaining to handguns; and (iii) proper handgun storage techniques to those programs that satisfy the demonstration of competence requirement for the issuance of a Virginia resident or nonresident concealed handgun permit. The bill

removes the requirement that such a training course must be conducted by the National Rifle Association or the United States Concealed Carry Association.
- The provisions of the bill do not become effective unless reenacted by the 2027 Session of the General Assembly.

HB 969 / SB 364 (Delegate Price / Senator Carroll Foy): Virginia Gun Violence Prevention Center; work group to develop policy, etc., to establish.

- Directs the Secretary of Public Safety to convene a work group to develop policy and legislative recommendations to establish the Virginia Gun Violence Prevention Center. The bill allows the work group to (i) meet both in-person and virtually, (ii) have small group breakouts for the purpose of advancing work in a timely and efficient manner, and (iii) collaborate with experts and other representatives as needed.
- Requires the work group to report its findings and any legislative and policy recommendations to the General Assembly by December 15, 2026.

HB 1015 (Delegate Tran): Firearms, etc.; carrying concealed weapon by persons convicted of misdemeanor hate crime prohibited.

- Amends §§ 18.2-57, 18.2-308.2, and 18.2-308.2:2 to prohibit any person who, on or after July 1, 2026, commits assault or assault and battery against a person he intentionally selected because of his race, religious conviction, gender, disability, gender identity, sexual orientation, color, or ethnic or national origin and is subsequently adjudicated delinquent or convicted of such offense from knowingly and intentionally purchasing, possessing, or transporting any firearm for three years following the date of his conviction, a violation of which is a Class 1 misdemeanor.

HB 1524 / SB 727 (Delegate McGuire / Senator Jones): Assault firearms; carrying in public areas prohibited, exceptions, penalty.

- Amends § 18.2-287.4 to make it a Class 1 misdemeanor for any person to carry an assault firearm as defined in § 18.2-308.2:2 on or about his person on any public street, road, alley, sidewalk, public right-of-way, or in any public park or any other place of whatever nature that is open to the public.

HB 1525 (Delegate McGuire): Firearms, certain; definitions, possession, transportation, or purchase by certain persons.

- Amends § 18.2-308.7 to make it a Class 1 misdemeanor for any person younger than 18 years of age to knowingly and intentionally possess or transport a handgun or assault firearm anywhere in the Commonwealth.
- Makes it a Class 1 misdemeanor for any person younger than 21 years of age to knowingly and intentionally purchase a handgun or assault firearm anywhere in the Commonwealth.
- Effective immediately.

SB 115 (Senator Pekarsky): Concealed handgun permits; reciprocity with other states.

- Substantially amends all of § 18.2-308.014, pertaining to reciprocity for concealed handgun permits.

- Provides that, except for the age of the permit or license holder and the type of weapon authorized to be carried, the requirements and qualifications of the other state's law must be substantially similar to the requirements provided under Virginia law to prevent possession of a permit or license by persons who would be denied a permit in the Commonwealth under this article. The Office of the Attorney General shall determine, and the Department of State Police shall publish on its website, any state that meets the requirements and qualifications of this statute.
- Provides that the Superintendent of State Police shall (a) maintain a registry of such states on the Virginia Criminal Information Network and (b) make the registry available to law-enforcement officers for investigative purposes. The Superintendent of State Police, in consultation with the Attorney General, may also enter into agreements for reciprocal recognition with any state qualifying for recognition under this subsection.
- Provides that a Virginia resident who has not been issued a valid concealed handgun permit pursuant to § 18.2-308.02 shall not use a concealed handgun or concealed weapon permit or license issued by another state to carry a concealed handgun in the Commonwealth.
- The provisions of the statute shall not apply to an active duty service member of the United States Armed Forces or the spouse of such active duty service member.
- Enactment language requires that the Office of the Attorney General review any agreements for reciprocal recognition that are in place with any other states pursuant to § 18.2-308.014 as of July 1, 2026, to determine whether the requirements and qualifications of those states' laws are substantially similar to the requirements under Article 6.1 (§ 18.2-307.1 et seq.) of Chapter 7 of Title 18.2 to prevent possession of a permit or license by persons who would be denied a permit in the Commonwealth as required by § 18.2-308.014 and revoke any reciprocity agreement or recognition of any states that do not meet such requirements or qualifications by December 1, 2026. The Attorney General shall provide a written explanation for any determination that a state's laws are substantially similar to the requirements of Article 6.1 of Chapter 7 of Title 18.2 to prevent possession of such permit or license by persons who would be denied such permit in the Commonwealth.
- Delayed enactment of July 1, 2027.

MENTAL HEALTH & MEDICAL

HB 248 / SB 317 (Delegate Watts / Senator Perry): Interjurisdictional law-enforcement agreements; development of behavioral health co-response.

- Amends § 15.2-1726 to provide that interjurisdictional law-enforcement agreements may allow for the development of co-response teams staffed by one or more law-enforcement agencies that respond to behavioral health-related calls in multiple jurisdictions.

HB 896 (Delegate Sullivan): Substantial Risk Order Training Program; established, delayed effective date, report.

- Amends § 9.1-102, pertaining to the powers and duties of the Department of Criminal Justice Services and the Criminal Justice Services Board, to provide for the power and duty to establish training standards and publish and periodically update model policies for law

enforcement personnel in the proper use and implementation of the substantial risk order law pursuant to Chapter 9.2 (§ 19.2-152.13 et seq.) of Title 19.2.

- Creates § 9.1-116.11 to provide that DCJS shall establish the Substantial Risk Order Training Program for the purposes of training personnel of law-enforcement agencies and other public institutions throughout the Commonwealth on the proper use and implementation of the substantial risk order law pursuant to Chapter 9.2 (§ 19.2-152.13 et seq.) of Title 19.2. The Program shall provide training regarding proper procedures to follow, the circumstances under which the substantial risk order law can be used, the benefits to public safety from proper use of the law, and the harm that may ensue from the law not being used when lawfully available. Additionally, the Program shall be used to train other important parties on the proper use of the law, including mental health professionals, emergency health care providers, public elementary and secondary school personnel, and threat assessment teams at public institutions of higher education. The Program shall also include efforts to educate the public on the substantial risk order law and increase awareness via (i) outreach to community members and organizations, (ii) development and distribution of Program literature, and (iii) publication of best practices for the use of the law.
- DCJS shall report by November 1 each year to the Secretary of Public Safety and Homeland Security regarding the use of Program funds, details of the content of programming developed, and the effectiveness of the Program in assisting law-enforcement agencies and other public institutions in the use of the substantial risk order law.
- The provisions of the first enactment of this act shall become effective on July 1, 2027.

HB 901 / SB 495 (Delegate Sullivan / Senator Deeds): Substantial risk orders; eligible petitioners, court jurisdiction, constr. possession of firearms.

- Amends § 16.1-241, to provide that juvenile and domestic relations district courts have jurisdiction over cases involving petitions involving minors filed pursuant to Chapter 9.2 (§ 19.2-152.13 et seq.) relating to emergency and substantial risk orders.
- Amends 19.2-152.13, pertaining to emergency substantial risk orders, to provide that upon the petition of an attorney for the Commonwealth, or a law-enforcement officer, licensed professional counselor, licensed clinical social worker, licensed marriage and family therapist, licensed clinical psychologist, licensed clinical psychiatrist, licensed psychiatric nurse practitioner, psychiatric physician assistant, psychiatric clinical nurse specialist, doctor of medicine, doctor of osteopathy, certified evaluator, designee of the local community services board, immediate family or household member, intimate partner, school administrator, or superintendent or superintendent's designee, who may be a representative from the threat assessment team established pursuant to § 22.1-79.4, of any school in which the person against whom the order is sought is currently enrolled or has been enrolled in the six months preceding the filing of such petition, a judge of a circuit court, general district court, or juvenile and domestic relations district court or a magistrate, upon a finding at an ore tenus hearing that there is probable cause to believe that a person poses a substantial risk of personal injury to himself or others in the near future by such person's possession or acquisition of a firearm, shall issue an ex parte emergency substantial risk order. Such order shall prohibit the person who is subject to the order from purchasing, possessing, or transporting a firearm for the duration of the order. In

determining whether probable cause for the issuance of an order exists, the judge or magistrate shall consider any relevant evidence, including but not limited to: 1) any recent act of violence, force, or threat as defined in § 19.2-152.7:1 by such person directed toward another person or toward himself, 2) any recent act of violence, force, or threat by the subject of the petition toward an animal; 3) any recent violation of any provision of a protective order issued pursuant to § 16.1-253, 16.1-253.1, 16.1-253.4, 16.1-278.14, 16.1-279.1, 19.2-152.8, or 19.2-152.10; 4) any order entered pursuant to Chapter 8 (§ 37.2-800 et seq.) of Title 37.2; 5) evidence of recent or ongoing abuse of controlled substances or alcohol; or 6) evidence of recent acquisition or attempted acquisition of firearms, ammunition, or deadly weapons.

- Adds that upon receiving credible information that a person poses a substantial risk of personal injury to himself or others in the near future by such person's possession or acquisition of a firearm, law enforcement shall take the proper steps necessary to determine whether grounds exist to file an emergency substantial risk order petition pursuant to this section.
- Adds that when an emergency substantial risk order is issued against a minor, a copy of the order shall be served on the parent or guardian of such minor at any address where such minor resides, or the local board of social services in the case where such minor is the subject of a dependency or court-approved out-of-home placement.
- Amends § 19.2-152.14 to add that not later than 14 days after the issuance of an emergency substantial risk order pursuant to § 19.2-152.13, the circuit court, general district court, or juvenile and domestic relations district court for the jurisdiction where the order was issued shall hold a hearing to determine whether a substantial risk order should be entered. If the emergency substantial risk order pursuant to § 19.2-152.13 was issued by a magistrate, only the circuit court for the jurisdiction where the order was issued shall hold the hearing to determine whether a substantial risk order should be entered. If the emergency substantial risk order pursuant to § 19.2-152.13 was issued by the circuit court, general district court, or juvenile and domestic relations district court, the court that issued such order shall hold the hearing to determine whether a substantial risk order should be entered. The attorney for the Commonwealth for the jurisdiction that issued the emergency substantial risk order shall represent the interests of the Commonwealth.
- Any substantial risk order issued pursuant to this section shall remain in full force and effect pending any appeal.
- Amends 19.2-152.16 to add that it is a Class 1 misdemeanor for any person to knowingly and willfully make any materially false statement or representation to a court or magistrate during the petitioning process.

HB 976 / SB 75 (Delegate Price / Senator Lucas): Emergency and temporary detention transportation; alternative transportation providers.

- Amends § 16.1-340.2, pertaining to the transportation of minors in the temporary detention process, to provide that an alternative transportation provider shall be deemed to be available to provide transportation if the alternative transportation provider states that it is available to take custody of the individual from the law-enforcement agency within six hours of issuance of the temporary detention order or an order changing the transportation provider. An alternative transportation provider shall be deemed to be able to provide transportation in a safe manner for the purposes of this subsection if such alternative

transportation provider is an employee of or person providing services pursuant to a contract with the Department of Behavioral Health and Developmental Services, or an employee of a private or state hospital within the Commonwealth.

- Provides that the alternative transportation provider shall maintain custody of the minor from the time it obtains custody from the primary law-enforcement agency until the minor is transferred to the temporary detention facility, including (i) any time prior to the initiation of transportation of the minor from a facility to which he was transported pursuant to § 16.1-340 and (ii) at all times while transportation is provided pursuant to this section.
- Provides that a law-enforcement agency or alternative transportation provider providing transportation may transfer custody of the minor to a facility or location where the minor is awaiting transport if such facility or location (i) agrees to accept custody of the minor and (ii) is capable of providing the level of security necessary to protect the minor and others from harm.
    - If transportation is provided by a law-enforcement agency, such law-enforcement agency may transfer custody of the minor to a facility or location if, in addition to the other requirements in this subsection, such facility or location has entered into an agreement or memorandum of understanding with such law-enforcement agency setting forth the terms and conditions under which it will accept a transfer of custody.
    - When a bed at the facility of temporary detention becomes available, the facility or location where the minor is awaiting transport pursuant to this subsection shall notify the law-enforcement agency or alternative transportation provider identified on the temporary detention order, and such law-enforcement agency or alternative transportation provider shall transport the minor to the facility of temporary detention.
- An employee or contractor of an entity providing alternative transportation services pursuant to a contract with the Department of Behavioral Health and Developmental Services who has completed training approved by the Department of Behavioral Health and Developmental Services in the proper and safe use of restraint may use restraint if (i) such restraint is necessary to ensure the safety of the minor or others or to maintain custody of the minor and (ii) less restrictive techniques have been determined to be ineffective to ensure the safety of the minor or others or to maintain custody of the minor.

SB 171 (Senator Favola): Minor elementary or secondary school students admitted to inpatient treatment; disclosure of discharge.

- Amends § 16.1-346.1, to provide that, in the event that the facility to which a minor elementary or secondary school student is admitted to inpatient treatment determines that such minor student requires additional educational services upon discharge from the facility, the parents of such student may opt in to the disclosure prior to or at the time of such minor student's discharge from the facility, of such determination by the facility to a mental health professional employed in such minor student's school.
- Provides that, in the event that the facility to which a minor elementary or secondary school student is admitted to inpatient treatment determines, based on communications from such minor student to a mental health service provider at such facility, that the student poses a

specific and immediate threat to cause serious bodily injury or death to an identified or readily identifiable person or persons at the time of the student's discharge from the facility, the facility shall disclose, prior to or at the time of discharge, such determination to a mental health professional employed in such minor student's school or, if applicable, by the school division in which the student is enrolled.

- Provides that no facility shall withhold the discharge of a minor elementary or secondary student from the facility solely for the purpose of making such a disclosure.
- Effective January 1, 2027.

SEX OFFENSES, SEX OFFENDERS & TRAFFICKING

HB 191 (Delegate Convirs-Fowler): Victims of sex trafficking; immunity for minors to arrest or prostitution.

- Amends § 18.2-361.1 to provide that no minor shall be subject to arrest or prosecution for prostitution or frequenting a bawdy place if, at the time of the offense leading to such arrest or charge, such minor was a victim of sex trafficking. Such a minor shall be referred to the local department of social services for a human trafficking or other assessment pursuant to § 63.2-1506.1. A law-enforcement officer or the local department of social services may take custody of the minor pursuant to § 63.2-1517.
- No law-enforcement officer acting in good faith shall be found liable for false arrest if it is later determined that the minor arrested was immune from prosecution under this section.

HB 250 (Delegate Watts): Sex offenses prohibiting proximity to children; Park Authorities Act, penalty.

- Amends § 18.2-370.2, pertaining to sex offenses prohibiting proximity to children, to add that any adult who is convicted of an offense prohibiting proximity to children, when the offense occurred on or after July 1, 2026, shall as part of his sentence be forever prohibited from going, for the purpose of having any contact whatsoever with children who are not in his custody, within 100 feet of the premises of any place owned or operated by an authority created pursuant to the Park Authorities Act (§ 15.2-5700 et seq.) that he knows or should know is a playground, athletic field or facility, or gymnasium.
- Existing language provides that a violation of the statute is a Class 6 felony.

HB 629 (Delegate Callsen): Sex offenses, certain; sexual extortion, unlawful creation of image of another, penalties.

- Amends § 18.2-59.1, pertaining to sexual extortion and § 18.2-386.1, pertaining to the unlawful creation of an image of another.
- Sexual extortion now includes the use of an image in which the genitals, pubic area, buttocks, or female breast of such complaining witness or such complaining witness's family or household member is not exposed but such videographic or still image is obscene, as defined in § 18.2-372.
- Adds to sexual extortion that any person who maliciously threatens a complaining witness in violation of subsection A or B, but such complaining witness does not thereby engage in sexual intercourse, cunnilingus, fellatio, anilingus, anal intercourse, inanimate or

animate object sexual penetration, or an act of sexual abuse, as defined in § 18.2-67.10, is guilty of attempted sexual extortion and shall be punished as prescribed in § 18.2-26.
- The unlawful creation of an image of another has been expanded to include when the victim is not exposed to show the genitals, public area, buttocks, or female breast but such videographic or still image is obscene as defined in § 18.2-372.

HB 1233 / SB 329 (Delegate Delaney / Senator Perry): Virginia Sexual and Domestic Violence Victim fund; fee for offenses related to solicitation of minors.

- Amends § 9.1-116.1 to provide that the clerk shall assess a fee of $500 for conviction of specified sex offenses outlined in the bill which shall be credited to the Virginia Sexual and Domestic Violence Victim Fund and designated for funding support services for eligible victims.
- The bill has a delayed effective date of July 1, 2027.

HB 1298 / SB 748 (Delegate Delaney / Senator Locke): Human trafficking; issuance of vacatur for victims, definitions.

- Amends § 19.2-327.15 through § 19.2-327.19 to expand the current process for the issuance of writs of vacatur for victims of human trafficking to include ancillary matters, defined in the bill, and any charge or arrest related to a qualifying offense as defined in current law. The bill also expands the list of qualifying offenses eligible for such writ.
    - "Ancillary matter" means any (i) violation or alleged violation of the terms and conditions of a suspended sentence, probation, or parole; (ii) violation or alleged violation of contempt of court; (iii) charge or conviction for failure to appear; or (iv) appeal from a bail, bond, or recognizance order related to a qualifying offense.
- A person arrested for, charged with, or convicted or adjudicated delinquent of multiple qualifying offenses shall include all qualifying offenses in one petition, if such arrests, charges, convictions, or adjudications were all entered in the same city or county, and ancillary matters, if any. A person arrested for, charged with, or convicted or adjudicated delinquent of qualifying offenses in different cities or counties shall file petitions in the circuit courts of the cities or counties in which such arrests, charges, convictions or adjudications of delinquency, or ancillary matters, if any, were entered.
- There shall be a rebuttable presumption that the petitioner was a victim of human trafficking if there is official documentation of the petitioner's status as a victim of human trafficking at the time of the offense. If official documentation addressing proximate cause is offered, that documentation shall establish a prima facie case of proximate cause. § 19.2-327.19.

HB 1414 (Delegate McQuinn): Children; certain injuries to be reported by physicians, etc., penalties for failure to report.

- Amends § 63.2-1509 to expand the mandatory reporting requirements to suspected violations of §§ 18.2-370 through 18.2-370.6 (taking indecent liberties with children, sex offenses prohibiting proximity to children, sex offenses prohibiting residing in proximity to children, sex offenses prohibiting working on school property, offenses prohibiting entry onto school property, and penetration of mouth of child with lascivious intent) or § 18.2-374.3 involving a child.

- Provides that when a reportable offense is alleged to have occurred at a private or state-operated hospital, institution, or facility to which children have been committed or where children have been placed for care and treatment, and a person is required to file a report pursuant to this section and fails to do so as soon as possible, but not longer than 24 hours after having reason to suspect a reportable offense of child abuse or neglect, such person is guilty of a Class 1 misdemeanor. A second or subsequent conviction of this subsection is a Class 6 felony.

SB 55 (Senator Diggs): Sex offenses; prohibiting proximity to children on premises of state parks, penalty.

- Amends § 18.2-370.2, pertaining to sex offenses prohibiting proximity to children, to add that an adult convicted of an offense prohibiting proximity to children, when the offense occurred on or after July 1, 2026, shall as a part of his sentence be forever prohibited from going, for the purpose of having any contact whatsoever with children who are not in his custody, within 100 feet of a playground, athletic field or facility, or gymnasium he knows or has reason to know is located on the premises of a state park. A violation is a Class 6 felony.

SB 95 (Senator Roem): Rest area signage; adds human trafficking information.

- Amends § 33.2-267.1, which currently requires notice at all rest stops of the existence of the human trafficking hotline, to also require that such notice shall include information about human trafficking and how to self-identify signs of human trafficking with a QR code or website address directing individuals to a secure, multilingual digital human trafficking identification and reporting platform approved by the Office of the Attorney General. The Attorney General shall certify that any platform used under this section offers anonymous reporting, provides access through the internet or mobile device via text or voice, and routes credible tips in real time to the appropriate law-enforcement and victim-services agencies.

SB 778 (Senator Obenshain): Display of obscene material to a minor unlawful; penalty.

- Amends § 18.2-374.4, to expand the definition of "grooming video or materials" to mean a cartoon, animation, video, photograph, image, or series of images depicting any person (i) totally nude; (ii) in a state of undress so as to expose the genitals, pubic area, buttocks, or female breast; or (iii) not exposed but the material is obscene and such person is engaged in the touching or fondling of the sexual or genital parts of another, the touching or fondling of his sexual or genital parts by another, masturbation, sexual intercourse, cunnilingus, fellatio, anilingus, anal intercourse, or object sexual penetration.
- Existing language was clarified to provide that any person 18 years of age or older who displays, among other items, a "grooming video or materials" to a child younger than 13 years of age with lascivious intent to entice, solicit, or encourage the child to engage in the touching or fondling of his own sexual or genital parts, the touching or fondling of the sexual or genital parts of another, or the touching or fondling of his sexual or genital parts by another, or masturbation, sexual intercourse, cunnilingus, fellatio, anilingus, anal intercourse, or object sexual penetration is guilty of a Class 6 felony.

SOCIAL SERVICES

HB 73 / SB 206 (Delegate Cole / Senator Suestterlein): Juvenile and domestic relations district courts; petitions for relief of care and custody.

- Amends § 16.1-241 to allow the custodian of a child to file a petition for relief of the care and custody of such child in a juvenile and domestic relations district court. Current law only authorizes the parent or parents of a child to file such petition for relief of care and custody.
- Amends § 16.1-277.02, pertaining to petitions for relief of care and custody, to require the petitioning parent or custodian to cooperate with any services provided by a local department of social services during the initial investigation by such local department of social services after such petition for relief of care and custody has been filed.

HB 667 (Delegate Maldonado): Juvenile/domestic rel. district cts.; petition, noncitizen aged 18-21 years for leg. custody/relief.

- Amends § 16.1-228 to include an unmarried noncitizen between the ages of 18 and 21 who has been abused, abandoned, or neglected and for whom physical custody is sought in the definition of "child," "juvenile," or "minor" for the purposes of the Fostering Futures program.
- Amends § 16.1-241 to allow such unmarried noncitizens to petition a juvenile and domestic relations district court to be placed in the physical custody of a proposed legal custodian. Any child who files a petition in accordance with this subsection may subsequently petition the court to terminate the physical custody arrangement at any time.

HB 1363 (Delegate Dougherty): Family abuse protective orders; conditions imposed upon issuance.

- Amends § 16.1-279.1 to provide that in cases of family abuse where the court orders a permanent protective order, the court may require a respondent to pay or to contribute to the payment of rent or mortgage on a residence to which a petitioner was granted possession pursuant to such protective order and may further require that a respondent maintain suitable alternative housing and utility services to a residence to which a petitioner was granted possession.

HB 1490 / SB 640 (Delegate Tran / Senator Pillion): Child abuse or neglect; establishes centralized hotline for reports or complaints, report.

- Amends §§ 63.2-1502 and 16.2-1503 and creates a centralized system for intake for reports and complaints of child abuse or neglect with a centralized hotline. The bill directs the Department of Social Services (DSS) to be the agency responsible for the intake of reports and complaints of child abuse or neglect and specifies that the Department shall determine the validity of such reports and complaints.
- Under current law, local departments of social services are the agency responsible for the intake of reports and complaints of child abuse and determines the validity of such reports and complaints. The bill eliminates the requirement that local departments must be capable

of receiving and responding to reports and complaints of abuse or neglect and instead requires that any complaint of child abuse or neglect received by a local department shall be immediately forwarded to the Department's child abuse and neglect system.
- Directs the State Board of Social Services to promulgate regulations to require that local departments of social services (i) respond to valid reports and complaints alleging suspected abuse or neglect of a child under the age of three within 24 hours of receiving such reports or complaints and (ii) investigate and determine the validity of complaints alleging suspected abuse or neglect of children under the age of three and children with disabilities.

SB 125 (Senator Favola): Children's Ombudsman, Office of the; powers and duties, report.

- Amends §§ 2.2-438 through 2.2-444, 2.2-446, and 2.2-447 to make various amendments to the Office of the Children's Ombudsman Act.
- Expands the Office's access to certain records and reports and allows the Office to report certain complaints to the Office of the Inspector General.
- The Office is required to report findings and recommendations related to failures by state agencies to protect children to the Governor or General Assembly upon request. Under current law, such reports are made to the General Assembly.
- Makes changes to the Office's reporting and recommendation requirements.

STATE & LOCAL ADMINISTRATION OF GOVERNMENT

HB 54 / SB 286 (Delegate Sullivan / Senator Aird): State Government Internship Coordinator; DHRM to establish and employ.

- Amends § 2.2-1201 to require the Department of Human Resource Management to establish the position of and employ a State Government Internship Coordinator to attract high quality interns to the service of the Commonwealth with the goal of developing such interns in a manner that supports their ability to compete for positions in agencies of the Commonwealth upon conclusion of their internships and completion of their educational programs. The bill also requires the Department to establish and administer a system to provide professional development opportunities for state government interns, intern supervisors, and human resources staff.

HB 494 (Delegate Guzman): Virginia Personnel Act; hiring preference in state government, certain former federal employees.

- Creates a new § 2.2-2903.01 to allow for an applicant's status as a former federal employee to be given consideration when applying for employment with the Commonwealth if such applicant was terminated from a position of employment with the federal government on or after January 1, 2025, due to a reduction in the federal budget or initiatives put in place by the federal Department of Government Efficiency, provided that such person meets all of the knowledge, skill, and ability requirements for the available position. The bill directs the Department of Human Resource Management, on

or before January 1 each year, to submit a report to the Governor and the General Assembly that includes the number of job applications submitted by candidates who self-identified as former federal employees, as well as the number of jobs offered to such candidates. The bill has an expiration date of January 21, 2029.

HB 554 (Delegate Anderson): State officers and employees; state agencies to establish alternative work schedules.

- Amends § 2.2-2817.1 to include that the head of each state agency shall annually report to the Secretary of Administration on 1) the status and efficiency of telecommuting and participation in alternative work schedules, including what percentage of changes to the number of employees participating in telecommuting and alternative work is a result of changes in workforce size, a reclassification of positions, or an expansion of telecommuting and alternative work opportunities; 2) the number of employees approved and denied telecommuting and alternative work eligibility; and 3) specific budget requests for information technology, software, telecommunications connectivity (i.e., broadband internet access, additional telephone lines, and online collaborative tools), or other equipment or services needed to increase opportunities for telecommuting and participation in alternate work locations.
- The Department of Human Resource Management shall review the statewide telecommuting and alternative work schedule policy established pursuant to § 2.2-203.1 every two years. Upon completion of each such review and approval by the Secretary of Administration, the Department of Human Resource Management shall publish such policy, including any revisions made as a result of such review, on the Department of Human Resource Management's website. The Secretary of Administration shall ensure that each published version of such policy indicates the date on which such policy was last reviewed and the date on which any revision became effective.

HB 636 / SB 215 (Delegate Maldonado / Senator Boysko): Prospective employer; prohibited from seeking wage or salary of prospective employees.

- Creates § 40.1-28.7:12 to provide that no employer shall:
  - Seek the wage or salary history of a prospective employee;
  - Rely on the wage or salary history of a prospective employee in considering the prospective employee for employment;
  - Rely on the wage or salary history of a prospective employee in determining the wages or salary the prospective employee is to be paid upon hire;
  - Refuse to interview, hire, employ, or promote or otherwise retaliate against a prospective or current employee for not providing wage or salary history or requesting a wage or salary range;
  - Fail or refuse to disclose in each public and internal posting for each job, promotion, transfer, or other employment opportunity the wage, salary, or wage or salary range for the position; or

    - Fail to set a wage or salary range in good faith. Any analysis of whether the wage or salary range has been set in good faith shall consider, among other things, the breadth of such wage or salary range.
- Provides that if a prospective employee voluntarily provides his wage or salary history to an employer without the employer's prompting, then (i) the employer may rely on such wage or salary history to support a wage or salary higher than the employer's initial offer of compensation only to the extent that the higher wage or salary does not violate the provisions of § 40.1-28.6 or federal law and (ii) the employer may seek to confirm the wage or salary history of the prospective employee to support a wage or salary higher than the wage or salary offered by the employer only to the extent that the higher wage or salary does not violate the provisions of § 40.1-28.6 or federal law.
- The Attorney General may bring a civil action to enforce the provisions of this section. An employer that violates the provisions of this section shall be subject to a civil penalty of up to $1,000 for the first violation and up to $5,000 for any subsequent violation. The court may award any other legal and equitable relief it deems appropriate.
- An aggrieved prospective employee or employee may bring an action in a court of competent jurisdiction within one year of when the prospective employee's or employee's rights under this statute were violated. However, an employer shall be afforded an opportunity to correct a violation before a prospective employee may bring an action. Any person may provide written notice to the employer alleging that the employer's posting does not comply with the statute. If an employer receives written notice from any person relating to a particular posting, such notice shall constitute adequate notice for the duration of such posting for any prospective employee seeking remedies under this section. If the employer corrects the posting on the original posting locations within 15 business days of receiving such notice, no action for a violation shall be brought. An employer that violates the provisions of this section shall be liable to the prospective employee or employee for actual damages and any other legal and equitable relief as the court deems appropriate.

HB 644 (Delegate Kent): FOIA; exemption for records of minors participating in certain programs run by state public bodies.

- Amends § 2.2-3705.7 to include an exemption for personal contact information, as defined in the bill, held by any state public body concerning identifiable individuals younger than 18 years of age who are participating in a program, such as an apprenticeship or unpaid internship or externship, run by such state public body. Provides that access shall not be denied to a parent, including noncustodial parent, or guardian of the individual unless the individual is emancipated. The protections afforded by this bill may be waived by a parent or emancipated individual.

HB 840 / SB 677 (Delegate Simonds / Senator Head): Restaurants; exempts certain facilities or programs.

- Amends § 35.1-25, pertaining to exemptions from provisions applicable to restaurants, to provide that a group home, a recovery residence, or a residential service, including a

residential crisis stabilization service, as those terms are defined by the applicable regulations of the State Board of Behavioral Health and Developmental Services are exempted from the requirements.

HB 1086 (Delegate Laufer): Virginia Public Procurement Act; preference for Virginia goods, school nutrition programs, sunset.

- Amends § 2.2-4324 to provide that, in the case of procurement of goods by manufacturers, if the lowest responsive and responsible bidder is not a resident of Virginia and the bid is for agricultural products that are produced or processed in Virginia and intended for school nutrition programs, including fresh fruits, vegetables, and dairy products, and is within 20 percent of such bid, such bidder for agricultural products that are produced or processed in Virginia shall be granted the option to match the price of the lowest responsive and responsible bidder.
- The bill amends provisions of law providing preference for Virginia goods in procurement that are set to expire on July 1, 2027. The bill extends the sunset date of these provisions to July 1, 2028.

HB 1161 (Delegate Tran): Data Collection and Dissemination Practices Act; dissemination of personal info. to federal gov't.

- Amends the Government Data Collection and Dissemination Practices Act, set forth in §§ 2.2-3800 et seq., to place additional restrictions on the collection and dissemination of personal information.
- Although the bill is described as restricting the dissemination of personal information to the federal government, the amendments are not specific to the federal government and, instead, are more broadly applicable.
- Provides that no agency of the Commonwealth shall collect "personal information" except as explicitly or implicitly authorized by law and an agency shall disseminate "personal information" only:
    - To the extent necessary to comply with state or federal law;
    - To the extent necessary to carry out the administration of a state or federal program pursuant to state or federal law;
    - To comply with a subpoena, court order, or administrative proceeding;
    - To the extent necessary to ensure fulfillment of the obligations of a purchase or contract made in accordance with the Virginia Public Procurement Act; or
    - When the data subject has given "consent."
- Broadens the definition of "personal information" to include such information as fingerprints, voiceprints, faceprints, eye retinas, irises, or other unique biological patterns or characteristics, physical or digital photographs videos, and audio.
- The existing § 2.2-3802, involving systems to which the Act is inapplicable, excludes personal information that deals with investigations and intelligence gathering related to criminal activity by the Department of State Police, the police department of the Chesapeake Bay Bridge and Tunnel Commission, police departments of cities, counties,

and towns, sheriff's departments of counties and cities, and campus police departments of public institutions of higher education.
    - DJJ is not excluded for the purposes of investigations and intelligence gathering related to criminal activity.

HB 1188 / SB 447 (Delegate Thomas / Senator Bagby): Virginia Boys and Men Advisory Commission; established, report, sunset provision.

- Establishes the Virginia Boys and Men Advisory Commission in § 30-454 as an advisory commission in the legislative branch of state government and lays out procedures for terms and appointment of chair, vice-chair, and members.
- Provides an outline of the Commission's powers and duties including advising the General Assembly on issues such as education inequity, economic opportunities, disparity in health outcomes, and the impact of social media use as relating to boys and men in the Commonwealth and submitting an annual report to the General Assembly and the Governor for publication as a report document.
- Provides that the provisions of this chapter expire on July 1, 2029.

HB 1313 (Delegate Callsen): Workers' compensation; law-enforcement officers and firefighters, post-traumatic stress disorder.

- Amends § 65.2-107 to provide that, for the purposes of workers' compensation for post-traumatic stress disorder incurred by a law-enforcement officer or firefighter, an incident or exposure without any accompanying physical injury occurring in the line of duty on or after January 1, 2027, is a qualifying event, as defined in the bill.
- The bill has a delayed effective date of January 1, 2027.

HB 1476 (Delegate Schmidt): Law-enforcement civilian oversight bodies; disclosure of certain law-enforcement records.

- Amends § 2.2-3711 to provide an exception to the public meeting requirement of FOIA for discussion or consideration by any law-enforcement civilian oversight body established pursuant to § 9.1-601 or established by a local governing body before July 1, 2020, and operating in a manner consistent with § 9.1-601 of the criminal investigative files, audit findings, and deliberations regarding police operations related to a specific complaint before the body involving any violation or attempted violation of any offense (i) enumerated in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2; (ii) specified in §§ 18.2-361, 18.2-370, or 18.2-370.1; or (iii) involving a juvenile the records of which would not be open to public inspection pursuant to §§ 16.1-301 or 16.1-305.
- Amends § 16.1-301, pertaining to confidentiality of juvenile law-enforcement records, to allow for the inspection of law-enforcement records concerning juveniles by law-enforcement civilian oversight bodies established pursuant to § 9.1-601 or established by a local governing body before July 1, 2020, and operating in a manner consistent with § 9.1-601 when required to perform their duties and any independent policing auditor, manager, director, or other person responsible for duties enumerated in subsection C of § 9.1-601 when designated by the local governing body.

HB 1482 / SB 352 (Delegate Schmidt / Senator Salim): Law-enforcement officers; restrictions on wearing of facial coverings, exceptions, penalty.

- Amends § 9.1-102, pertaining to the powers and duties of DCJS and the Criminal Justice Services Board, to require the establishment of a model policy for law-enforcement agencies on the wearing of facial coverings as defined in § 19.2-83.6:1 by law-enforcement officers while such officers are engaged in the performance of their official duties. Such model policy shall include a statement that (i) no law-enforcement officer shall and (ii) no supervising officer of a law-enforcement agency shall allow a subordinate law-enforcement officer to wear a facial covering as defined in § 19.2-83.6:1 while engaged in the performance of his official duties. Such model policy shall also include exemptions from the prohibition on wearing such facial coverings consistent with the provisions of subsection C of § 19.2-83.6:1.
- Creates § 19.2-83.6:1 to prohibit a law-enforcement officer from wearing a facial covering that conceals, obscures, or otherwise covers his face while such law-enforcement officer is engaged in the performance of his official duties.
- Exceptions to the facial covering prohibition for law-enforcement include 1) a translucent face shield or clear mask, provided that such face shield or mask does not conceal the wearer's identity; 2) an N95 medical mask or surgical mask to protect against the transmission of disease or infection; 3) a mask, helmet, or other device necessary to protect against exposure to any toxin, gas, smoke, severe weather conditions that present a threat to health and safety; 4) a mask, helmet, or other device necessary for underwater use; 5) a motorcycle helmet, or, when agency policy determines, other facial covering when a law-enforcement officer is utilizing a motorcycle or other vehicle that requires a helmet for safety, provided that the law enforcement officer lowers or removes such facial covering to expose the law-enforcement officer's face before he engages with another person; 6) protective eyewear necessary for protection against retinal weapons, including lasers; 7) a facial covering used by any law-enforcement officer assigned to a special weapons and tactics (SWAT) team or other specialized tactical team or unit while engaged in the performance of official SWAT team duties; or 8) a facial covering worn by a law-enforcement officer who is assigned to an undercover, drug, gang, or surveillance unit where the protection of such law-enforcement officer's identity is necessary as determined by the law-enforcement agency overseeing such unit or other responsible law-enforcement agency.
- Requires a law-enforcement officer, while engaged in the performance of his official duties, to visibly display (i) a badge or insignia bearing such law-enforcement officer's name or other individual identifier unique to that particular law-enforcement officer and (ii) the name of the law-enforcement agency that employs such law-enforcement officer.
- A violation of this section is a Class 1 misdemeanor.

HB 1523 (Delegate McGuire): Certified violence prevention professional; clarifies definition, requirements for certification.

- Adds a new § 32.1-15.2 to (i) define a "certified violence professional," (ii) lay out who may use or assume the title of a "certified violence professional," (iii) require that an entity must have been approved by a body approved by the Board of Health to hold itself out as providing training and education for certified violence prevention professionals

required by this section, and (iv) direct the Board of Health to adopt regulations setting forth requirements, qualifications, and limitations for the use of the title "certified violence prevention professional" and the training programs and entities for such title.

SB 699 (Senator Ebbin): Virginia Freedom of Information Act; public bodies to post meeting agendas.

- Amends § 2.2-3707 to require public bodies subject to the Virginia Freedom of Information Act (FOIA) to post the proposed agenda on the public body's official government website, if any, prior to the meeting. The bill provides that no final action may be taken on any items added to an agenda after a meeting commences unless the matter is time-sensitive or is the subject of a closed meeting properly identified in a motion in accordance with FOIA requirements, defines "final action," and enumerates four actions that are not considered a "final action."

VOCATIONAL / WORKFORCE DEVELOPMENT

HB 275 / SB 10 (Delegate Rasoul / Senator Suetterlein): Employment prohibition exceptions; apprenticeship program for children 16 years of age or older.

- Amends § 40.1-100 to provide that a child age 16 years or older may serve in an apprenticeship program or other work-based learning experience related to culinary arts or information technology, provided that:
  - The child is continuously enrolled in an accredited secondary school and receives a letter of support from a school counselor or administrator each semester verifying that the child is on track to graduate on time;
  - The child is an apprentice registered in accordance with Article 3 (§ 2.2-2043 et seq.) of Chapter 20.2 of Title 2.2, 29 C.F.R. § 570.50(b), or 29 C.F.R. § 570.50(c);
  - The child is employed in a work-training program, as provided in § 40.1-89, that is administered in accordance with the rules and regulations promulgated by the Board of Education; and
  - The work being performed by the child is not in violation of the federal Fair Labor Standards Act, any guidance or regulation promulgated by the Virginia Occupational Safety and Health Program, or any law or regulation related to hazardous or prohibited occupations for minors.

HB 298 (Delegate McQuinn): Public elementary or secondary school students; evidence-based restorative disciplinary practices.

- Creates a new § 22.1-279.6 prohibiting any public elementary or secondary school student from being suspended, expelled, or excluded from attendance at school unless the school first considers at least one evidence-based restorative disciplinary practice, as defined in the bill, except in the case of certain enumerated serious offenses or aggravating circumstances, as defined in the bill.
- Requires each school, any time it imposes exclusionary discipline instead of an evidence-based restorative disciplinary practice, to document in the student's disciplinary record, as

a part of the school's existing disciplinary documentation practices and consistent with the guidelines adopted by the Department of Education (the Department) pursuant to the bill, the rationale for the decision to impose exclusionary discipline, including any factors supporting the decision not to utilize an evidence-based restorative disciplinary practice.

- Directs the Department to (i) add the use of evidence-based restorative disciplinary practices to the Student Behavior and Administrative Response survey in order to annually collect and analyze data on the use of such practices and publicly post an annual report containing an evaluation of the effectiveness of such practices based on the data collected and (ii) adopt and make available guidelines and support materials for considering, monitoring, and evaluating the use of evidence-based restorative disciplinary practices.
- The provisions of the bill prohibiting any public school student from being suspended, expelled, or excluded from attendance at school unless the school first considers at least one evidence-based restorative disciplinary practice and requiring each school, any time it imposes exclusionary discipline instead of an evidence-based restorative disciplinary practice, to document in the student's disciplinary record the rationale for such decision, have a delayed effective date of July 1, 2027.

HB 332 / SB 203 (Delegate Rasoul / Senator Suetterlein): Teacher licensure; career and technical education or dual enrollment, three year licenses.

- Creates § 22,1-299.6:1 to provide that the Board of Education shall provide for the issuance of a three-year renewable license to teach solely career and technical education courses or dual enrollment courses that are creditable toward the completion of an undergraduate course, degree, or credential offered in and accepted at a public institution of higher education at public high schools in the Commonwealth to any individual who (i) is employed as an instructor by an institution of higher education that is accredited by a nationally recognized regional accreditation body, (ii) is teaching at such institution in the specific career and technical education or dual enrollment subject area in which such individual seeks to teach at a public school, and (iii) complies with the requirements set forth in subdivisions D 1 and 3 of § 22.1-298.1.
- The Board shall require any individual issued a three-year license pursuant to this section to maintain continuous employment in such position at the applicable institution of higher education as a condition of continued licensure. Any school board that employs an individual issued a three-year license pursuant to this section shall provide training on instruction and assessment for any such instructor during his first year of employment.