

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 2.1-20.1:8, relating to defense of*
3 *state employees; payment of counsel.*

4 [S 579]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That the Code of Virginia is amended by adding a section numbered 2.1-20.1:8 as follows:**8 *§ 2.1-20.1:8. Defense of employees.*

9 *Notwithstanding any other law, if any state employee, as defined in this chapter, other than an*
10 *agency head, is investigated for a crime, arrested or indicted, or otherwise prosecuted on any charge,*
11 *arising out of any act committed in the discharge of his official duties, the state agency, board, or other*
12 *employer of such state employee, upon a preliminary finding by such agency, board or employer that (i)*
13 *the employee did not violate any law, ordinance or regulation as a result of the act in question and (ii)*
14 *the employee will not be terminated from employment as a result of such act, may employ special*
15 *counsel approved by the Attorney General to defend such person. The reasonable compensation for*
16 *special counsel employed, pursuant to this section, shall, subject to the approval of the Attorney*
17 *General, be paid out of the funds appropriated for the state agency, board, or other employer of such*
18 *state employee.*

ENROLLED

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