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HOUSE BILL NO. 668

House Amendments in [] — February 8, 2002

A *BILL to amend Article 5 of Chapter 3 of Title 40.1 of the Code of Virginia by adding a section numbered 40.1-51.4:5, relating to employee safety; immunity of employees from liability for reporting threatening conduct.*

Patron Prior to Engrossment—Delegate Cox

Referred to Committee on Commerce and Labor**Be it enacted by the General Assembly of Virginia:**

1. That Article 5 of Chapter 3 of Title 40.1 of the Code of Virginia is amended by adding a section numbered 40.1-51.4:5 as follows:

§ 40.1-51.4:5. Immunity of employees for reporting threatening conduct.

A. Any employee who, in good faith with reasonable cause and without malice, acts to report [] ~~investigate or cause any investigation to be made into~~ truthfully the] activities of any other person employed at the same workplace that relate to threatening conduct by such person shall be immune from all civil liability that might otherwise be incurred or imposed as the result of the making of such a report, investigation or disclosure.

B. As used in subsection A, "threatening conduct" means any conduct comprising (i) a threat to commit a terroristic act as defined in § 52-8.5 or (ii) the communication, orally or in writing, including an electronically transmitted communication producing a visual or electronic message, of a threat to kill or do bodily injury to any person employed at the same workplace if such threat places, or if known to the object of the threat would place, such person in reasonable apprehension of death or bodily injury.

C. The immunity provided by this section shall not abrogate any other immunity that an employee may be entitled to assert.

ENGROSSED

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