

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 18.2-187.2, relating to the*
3 *audiovisual recording of motion pictures.*

4 [H 1129]

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 18.2-187.2 as follows:**8 *§ 18.2-187.2. Audiovisual recording of motion pictures unlawful; penalty.*

9 *A. It shall be unlawful for any person to operate an audiovisual recording function of a device in a*
10 *commercial theater, excluding the lobby and other common areas, to record a motion picture or any*
11 *portion thereof without the consent of the owner or lessee of the theater. Any person who violates the*
12 *provisions of this section is guilty of a Class 1 misdemeanor.*

13 *B. The owner or lessee of a commercial theater where a motion picture is being exhibited, or his*
14 *authorized agent or employee, who has probable cause to believe that a person has made a recording in*
15 *violation of subsection A on the premises of the owner or lessee, may detain such person for a period*
16 *not to exceed one hour pending arrival of a law-enforcement officer. Such owner, lessee, agent or*
17 *employee shall not be held civilly liable for unlawful detention if such detention does not exceed one*
18 *hour, slander, malicious prosecution, false imprisonment, false arrest, or assault and battery of the*
19 *person so arrested or detained, whether such arrest or detention takes place on the premises of the*
20 *owner or lessee or after close pursuit from such premises, provided that, in causing the arrest or*
21 *detention of such person, the owner, lessee, agent or employee had at the time of such arrest or*
22 *detention probable cause to believe the person was making or had made an illegal recording in*
23 *violation of subsection A.*

24 *C. This section shall not apply to any lawfully authorized investigative, law-enforcement, protective,*
25 *or intelligence gathering activity by an agent or employee of the Commonwealth or the federal*
26 *government.*

27 *D. The term "audiovisual recording function" means that component of an analog or digital*
28 *photographic or video camera or other device developed with the capability to record or transmit a*
29 *motion picture or any part thereof.*

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