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**HOUSE BILL NO. 1306**

Offered January 20, 2004

*A BILL to amend and reenact §§ 30-34.2:1 and 52-8 of the Code of Virginia, relating to the duties of the Capitol Police and the Department of State Police; executive protective services.*

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Patron—Miles

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Referred to Committee on Rules

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**Be it enacted by the General Assembly of Virginia:****1. That §§ 30-34.2:1 and 52-8 of the Code of Virginia are amended and reenacted as follows:**

§ 30-34.2:1. Powers, duties and functions of Capitol Police.

The Capitol Police may exercise within the limits of the Capitol Square and, when assigned to any other property owned, leased, or controlled by the Commonwealth or any agency, department, institution or commission thereof, all the powers, duties and functions which are exercised by the police of the city, or the police or sheriff of the county within which said property is located. The jurisdiction of the Capitol Police shall further extend 300 feet beyond the boundary of any property they are required to protect, such jurisdiction to be concurrent with that of other law-enforcement officers of the locality in which such property is located. Additionally, the Capitol Police shall have concurrent jurisdiction with law-enforcement officers of the City of Richmond and of any county contiguous thereto in any case involving the theft or misappropriation of the personal property of any member or employee of the General Assembly. Members of the Capitol Police, when assigned to accompany the Governor, members of the Governor's family, the Lieutenant Governor, the Attorney General, members of the General Assembly, or members of the Virginia Supreme Court, or when directed to serve a summons issued by the Clerk of the Senate or the Clerk of the House of Delegates, a joint committee or commission thereof or any committee of either house shall be vested with all the powers and authority of a law-enforcement officer of any city or county in which they are required to be. *The Capitol Police and the Department of State Police shall coordinate, as appropriate, the provision of executive protective services as set forth in § 52-8.* All members of the Capitol Police shall be subject to the provisions of Chapter 5 (§ 9.1-500 et seq.) of Title 9.1 and to the provisions of Chapter 10 (§ 2.2-1000 et seq.) of Title 2.2.

The assignment of jurisdiction to any property pursuant to this section shall be approved by the Legislative Support Commission.

§ 52-8. Powers and duties to enforce criminal laws, investigate aircraft accidents, and protect the Governor.

A. The Superintendent of State Police, his several assistants and police officers appointed by him are vested with the powers of a sheriff for the purpose of (i) enforcing all the criminal laws of this Commonwealth and for; (ii) investigating any aircraft accident which occurs in the Commonwealth, and it shall be the duty of the Superintendent, his several assistants and police officers appointed by him to use their best efforts to enforce the same; (iii) providing executive protective services to the Governor; (iv) providing executive protective services to the Governor's immediate family for specific events or periods of time, as requested of and by the Superintendent; and (v) providing executive protective services to other government officials of the Commonwealth for specific events or periods of time, as requested of and by the Superintendent.

B. Nothing in this section shall be construed as relieving any sheriff or sergeant, commissioner of the revenue, police officer, or any other official now or hereafter invested with police powers and duties, state or local, from the duty of aiding and assisting in the enforcement of such laws within the scope of his authority and duty.

C. *Notwithstanding any other provision of law, the Department of State Police or other representative, employee, or agency of the Commonwealth shall not be required to release to the public those portions of any records containing information related to plans for or resources dedicated to executive protective services.*

INTRODUCED

HB1306