

# 2004 SESSION

INTRODUCED

046530456

## HOUSE BILL NO. 801

Offered January 14, 2004

Prefiled January 14, 2004

*A BILL to amend and reenact § 18.2-56 of the Code of Virginia, relating to hazing.*

Patrons—Petersen, Dillard and Rust; Senators: Cuccinelli and Ticer

Referred to Committee for Courts of Justice

### Be it enacted by the General Assembly of Virginia:

#### 1. That § 18.2-56 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-56. Hazing unlawful; civil and criminal liability; duty of school, etc., officials.

It shall be unlawful to haze, so as to cause bodily injury, (i) any student at any school, college, or university or (ii) any member of a youth gang as defined in § 16.1-299.2 or a criminal street gang as defined in § 18.2-46.1.

Any person found guilty thereof shall be guilty of a Class 1 misdemeanor.

Any person receiving bodily injury by hazing shall have a right to sue, civilly, the person or persons guilty thereof, whether adults or ~~infants~~ juveniles.

The president or other presiding official of any school, college or university receiving appropriations from the state treasury shall, upon satisfactory proof of the guilt of any student hazing another student, sanction and discipline such student in accordance with the institution's policies and procedures. The institution's policies and procedures shall provide for expulsions or other appropriate discipline based on the facts and circumstances of each case. The president or other presiding official of any school, college or university receiving appropriations from the state treasury shall report hazing which causes bodily injury to the attorney for the Commonwealth of the county or city in which such school, college or university is, who shall take such action as he deems appropriate.

For the purposes of this section, "hazing" means to recklessly or intentionally endanger the health or safety of a ~~student or students~~ person or persons or to inflict bodily injury on a ~~student or students~~ person or persons in connection with or for the purpose of initiation, admission into or affiliation with or as a condition for continued membership in a club, organization, association, fraternity, sorority, or student body or gang regardless of whether the ~~student or students~~ person or persons so endangered or injured participated voluntarily in the relevant activity.

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