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SENATE BILL NO. 633

Offered January 22, 2004

A BILL to amend and reenact § 19.2-83.1 of the Code of Virginia, relating to report of arrest of adult school students to school superintendent for certain offenses.

Patrons—Saslaw, Howell, Newman, Stolle and Williams

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:**1. That § 19.2-83.1 of the Code of Virginia is amended and reenacted as follows:**

§ 19.2-83.1. Report of arrest of school employees, students for certain offenses.

A. Every state official or agency and every sheriff, police officer, or other local law-enforcement officer or conservator of the peace having the power to arrest for a felony, upon arresting a person who is known or discovered by the arresting official to be a full-time, part-time, permanent, or temporary teacher or other employee in any public school division in this Commonwealth for a felony or a Class 1 misdemeanor or an equivalent offense in another state shall file a report of such arrest with the division superintendent of the employing division as soon as reasonably practical. The contents of the report required pursuant to this section shall be utilized by the local school division solely to implement the provisions of §§ 22.1-296.2 B and 22.1-315.

B. Every state official or agency and every sheriff, police officer, or other local law-enforcement officer or conservator of the peace having the power to arrest for a felony, shall file a report, as soon as reasonably practical, with the division superintendent of the appropriate school division upon arresting a person who is known or discovered by the arresting official to be a student age 18 or older in any public school in this Commonwealth for:

1. A firearm offense pursuant to Article 4 (§ 18.2-279 et seq.), 5 (§ 18.2-288 et seq.), 6 (§ 18.2-299 et seq.), or 7 (§ 18.2-308 et seq.) of Chapter 7 of Title 18.2,

2. Homicide, pursuant to Article 1 (§ 18.2-30 et seq.) of Chapter 4 of Title 18.2,

3. Felonious assault and bodily wounding, pursuant to Article 4 (§ 18.2-51 et seq.) of Chapter 4 of Title 18.2,

4. Criminal sexual assault, pursuant to Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2,

5. Manufacture, sale, gift, distribution or possession of Schedule I or II controlled substances, pursuant to Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2,

6. Manufacture, sale or distribution of marijuana pursuant to Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2,

7. Arson and related crimes, pursuant to Article 1 (§ 18.2-77 et seq.) of Chapter 5 of Title 18.2,

8. Burglary and related offenses, pursuant to §§ 18.2-89 through 18.2-93,

9. Robbery pursuant to § 18.2-58,

10. Prohibited criminal street gang activity pursuant to § 18.2-46.2, or

11. Recruitment of juveniles for criminal street gang pursuant to § 18.2-46.3.

INTRODUCED

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