

2007 SESSION

INTRODUCED

071525800

SENATE BILL NO. 1159

Offered January 10, 2007

Prefiled January 10, 2007

A BILL to amend the Code of Virginia by adding a section numbered 9.1-401.1, relating to the Line of Duty Act; Line of Duty Disability Fund.

Patron—Quayle

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 9.1-401.1 as follows:

§ 9.1-401.1. Line of Duty Disability Fund.

A. There is hereby created in the Department of the Treasury a special nonreverting fund that shall be known as the Line of Duty Disability Fund (the Fund). The Fund shall consist of deposits pursuant to subsection B and shall include such other funds as may be appropriated by the General Assembly from time to time and designated for the Fund, and all interest, dividends, and appreciation that may accrue thereto. Any moneys remaining in the Fund at the end of any fiscal year shall not revert to the general fund but shall remain in the Fund. The Fund shall be used solely to pay the cost of the benefits provided pursuant to § 9.1-401.

B. Whenever a person is convicted by court of competent jurisdiction of any of the offenses enumerated in this section, the court shall, in addition to any fees, fines, or costs imposed, order the person to pay an assessment of \$50 to the Line of Duty Disability Fund for the purposes of defraying the costs associated with the continued health care coverage needs of disabled law-enforcement officers and public safety officers who were injured in the line of duty:

1. The provisions of §§ 18.2-51.4, 18.2-266, 18.2-266.1, 29.1-738, 29.1-738.02, or a similar ordinance, when such operation of a motor vehicle, engine, train or watercraft while so impaired is the proximate cause of the accident or incident;

2. The provisions of Article 7 (§ 46.2-852 et seq.) of Chapter 8 of Title 46.2 relating to reckless driving, when such reckless driving is the proximate cause of the accident or incident;

3. The provisions of Article 1 (§ 46.2-300 et seq.) of Chapter 3 of Title 46.2 relating to driving without a license or driving with a suspended or revoked license; and

4. The provisions of § 46.2-894 relating to improperly leaving the scene of an accident. <title>

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