

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 18.2-370.5 of the Code of Virginia, relating to sex offenses prohibiting*
3 *entry onto school property; penalty.*

4
5 Approved

[H 567]

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That § 18.2-370.5 of the Code of Virginia is amended and reenacted as follows:**

8 § 18.2-370.5. Sex offenses prohibiting entry onto school property; penalty.

9 A. Every adult who is convicted of a sexually violent offense, as defined in § 9.1-902, shall be
10 prohibited from entering and being present, during school hours *and during school-related and*
11 *school-sponsored activities*, upon any property he knows or has reason to know is a public or private
12 elementary or secondary school or child day center property, unless (i) he is a lawfully registered and
13 qualified voter, and is coming upon such property solely for purposes of casting his vote; (ii) he is a
14 student enrolled at the school; or (iii) he has obtained a court order allowing him to enter and be present
15 upon such property, and is in compliance with terms and conditions of the order. A violation of this
16 section is punishable as a Class 6 felony.

17 B. Every adult who is prohibited from entering upon school or child day center property pursuant to
18 subsection A may after notice to the attorney for the Commonwealth and either (i) the proprietor of the
19 child day center, (ii) the superintendent of public instruction of the school division in which the school
20 is located, or (iii) the chief administrator of the school if such school is not a public school, petition the
21 juvenile and domestic relations district court or the circuit court in the county or city where the school
22 or child day center is located for permission to enter such property. For good cause shown, the court
23 may issue an order permitting the petitioner to enter and be present on such property, subject to
24 whatever restrictions of area, reasons for being present, or time limits the court deems appropriate.

25 **2. That the provisions of this act may result in a net increase in periods of imprisonment or**
26 **commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot**
27 **be determined for periods of imprisonment in state adult correctional facilities and is \$0 for**
28 **periods of commitment to the custody of the Department of Juvenile Justice.**

ENROLLED

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