

2011 SESSION

LEGISLATION NOT PREPARED BY DLS
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HOUSE BILL NO. 2511

Offered January 21, 2011

A *BILL to amend the Code of Virginia by adding a section numbered 8.01-223.3, relating to immunity for persons acting in defense of property.*

Patrons—Cleaveland, Athey, Carrico, Cole, Crockett-Stark, Lingamfelter and Morefield

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 8.01-223.3 as follows:

§ 8.01-223.3. Immunity for persons acting in defense of property.

A person involved in an incident whereby he injures or kills another while engaged in the defense of his dwelling, its curtilage, or any occupant of the dwelling and its curtilage, shall not be liable for any civil damages resulting from the incident, provided that (i) after an investigation by the attorney for the Commonwealth or other responsible law-enforcement agency for the jurisdiction no criminal charges are filed against the person or (ii) the person is acquitted of any criminal charges filed related to the incident or such charges are otherwise dismissed with prejudice.

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