

2011 SESSION

INTRODUCED

11104022D

SENATE BILL NO. 1402

Offered January 18, 2011

A *BILL to amend and reenact § 9.1-500 of the Code of Virginia, relating to definition of law-enforcement officer.*

Patron—McEachin

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 9.1-500 of the Code of Virginia is amended and reenacted as follows:

§ 9.1-500. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Agency" means the Department of State Police, the Division of Capitol Police, the Virginia Marine Resources Commission, the Virginia Port Authority, the Department of Game and Inland Fisheries, the Department of Alcoholic Beverage Control, *the Department of Corrections*, the Department of Conservation and Recreation, or the Department of Motor Vehicles; or the political subdivision or the campus police department of any public institution of higher education of the Commonwealth employing the law-enforcement officer.

"Law-enforcement officer" means any person, other than a Chief of Police or the Superintendent of the Department of State Police, who, in his official capacity, is (i) authorized by law to make arrests and (ii) a nonprobationary officer of one of the following agencies:

a. 1. The Department of State Police, the Division of Capitol Police, the Virginia Marine Resources Commission, the Virginia Port Authority, the Department of Game and Inland Fisheries, the Department of Alcoholic Beverage Control, the Department of Motor Vehicles, or the Department of Conservation and Recreation;

b. 2. The police department, bureau or force of any political subdivision or the campus police department of any public institution of higher education of the Commonwealth where such department, bureau or force has ~~ten~~ 10 or more law-enforcement officers; or

c. 3. Any conservation police officer as defined in § 9.1-101.

"Law-enforcement officer" is also defined as a uniformed corrections employee employed by the Department of Corrections, regardless of authority to make arrests.

For the purposes of this chapter, "law-enforcement officer" shall not include the sheriff's department of any city or county.

INTRODUCED

SB1402