

2012 RECONVENED SESSION

REENROLLED

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 An Act to prevent any agency, political subdivision, employee, or member of the military of Virginia  
3 from assisting an agency of the armed forces of the United States in the detention of a citizen in  
4 violation of the United States Constitution, the Constitution of Virginia, or any Virginia law or  
5 regulation.

6 [H 1160]  
7 Approved

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

9 1. *§ 1. Notwithstanding any contrary provision of law, no agency of the Commonwealth as defined in*  
10 *§ 8.01-385 of the Code of Virginia, political subdivision of the Commonwealth as defined in § 8.01-385*  
11 *of the Code of Virginia, employee of either acting in his official capacity, or member of the Virginia*  
12 *National Guard or Virginia Defense Force, when such a member is serving in the Virginia National*  
13 *Guard or the Virginia Defense Force on official state duty, shall knowingly aid an agency of the armed*  
14 *forces of the United States in the detention of any citizen pursuant to 50 U.S.C. § 1541 as provided by*  
15 *the National Defense Authorization Act for Fiscal Year 2012 (P.L. 112-81, § 1021) if such aid would*  
16 *knowingly place any state agency, political subdivision, employee of such state agency or political*  
17 *subdivision, or aforementioned member of the Virginia National Guard or the Virginia Defense Force in*  
18 *violation of the United States Constitution, the Constitution of Virginia, any provision of the Code of*  
19 *Virginia, any act of the General Assembly, or any regulation of the Virginia Administrative Code.*

20 *The provisions of this section shall not apply to participation by state or local law enforcement or*  
21 *Virginia National Guard or Virginia Defense Force in joint task forces, partnerships, or other similar*  
22 *cooperative agreements with federal law enforcement as long as they are not for the purpose of*  
23 *participating in such detentions under § 1021 of the National Defense Authorization Act for Fiscal Year*  
24 *2012.*

REENROLLED

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