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HOUSE BILL NO. 2229

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Militia, Police and Public Safety
on January 25, 2013)

(Patron Prior to Substitute—Delegate Cline)

A BILL relating to detention or removal of a citizen from the Commonwealth.

Be it enacted by the General Assembly of Virginia:

1. § 1. A. *The Secretary of Public Safety shall request from the U.S. Secretary of Defense that, when an agency of the federal government detains any citizen pursuant to 50 U.S.C. § 1541 as provided by the National Defense Authorization Act for Fiscal Year 2012, P.L. 112-81, § 1021, the U.S. Secretary of Defense shall provide notification within 24 hours of the detention to both the Secretary of Public Safety and the chief law-enforcement officer of the locality in which the citizen is detained.*

B. *The Secretary of Public Safety shall request from the U.S. Secretary of Defense that, when an agency of the federal government detains any citizen pursuant to 50 U.S.C. § 1541 as provided by the National Defense Authorization Act for Fiscal Year 2012, P.L. 112-81, § 1021, the U.S. Secretary of Defense or his designee shall seek authorization from the chief law-enforcement officer of the locality in which the citizen is detained prior to removal of the citizen from the locality.*

C. *The Secretary of Finance shall obtain from each cabinet secretary and submit to the House Appropriations and Senate Finance Committees, to be published in some manner on an annual basis, a list and description of all memoranda of understanding (MOUs) entered into between the Commonwealth and agencies of the federal government.*

D. *If the federal agency detaining any citizen pursuant to 50 U.S.C. § 1541 as provided by the National Defense Authorization Act for Fiscal Year 2012, P.L. 112-81, § 1021, fails to provide such notification as outlined in subsection A or seek authorization as outlined in subsection B, funds appropriated for implementation or continuation of such MOUs shall be contingent upon authorization by an act of the General Assembly in a subsequent year. The Governor may also order termination of any MOU at any time for noncompliance with this section.*

HOUSE
SUBSTITUTE

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