

2014 SESSION

INTRODUCED

14103827D

HOUSE BILL NO. 1256

Offered January 17, 2014

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

Patrons—Cline and Morris

Referred to Committee on Militia, Police and Public Safety

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.

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HB1256