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HOUSE BILL NO. 1520

Offered January 14, 2015

Prefiled January 6, 2015

A *BILL to amend and reenact §§ 15.2-1609, 15.2-1704, and 52-8 of the Code of Virginia, relating to transportation and security of officials, dignitaries, etc.*

Patron—Lindsey

Referred to Committee on Militia, Police and Public Safety

Be it enacted by the General Assembly of Virginia:

1. That §§ 15.2-1609, 15.2-1704, and 52-8 of the Code of Virginia are amended and reenacted as follows:

§ 15.2-1609. Sheriff.

The voters in every county and city shall elect a sheriff unless otherwise provided by general law or special act. The sheriff shall exercise all the powers conferred and perform all the duties imposed upon sheriffs by general law. He shall enforce the law or see that it is enforced in the locality from which he is elected; assist in the judicial process as provided by general law; and be charged with the custody, feeding and care of all prisoners confined in the county or city jail. He may perform such other duties, not inconsistent with his office, as may be requested of him by the governing body, *including transporting and providing security for government officials, members of civic organizations, and other dignitaries.* The sheriff shall be elected as provided by general law for a term of four years.

§ 15.2-1704. Powers and duties of police force.

A. The police force of a locality is hereby invested with all the power and authority which formerly belonged to the office of constable at common law and is responsible for the prevention and detection of crime, the apprehension of criminals, the safeguard of life and property, the preservation of peace and the enforcement of state and local laws, regulations, and ordinances, *including transporting and providing security for government officials, members of civic organizations, and other dignitaries.*

B. A police officer has no authority in civil matters, except (i) to execute and serve temporary detention and emergency custody orders and any other powers granted to law-enforcement officers in § 16.1-340, 16.1-340.1, 37.2-808, or 37.2-809, (ii) to serve an order of protection pursuant to §§ 16.1-253.1, 16.1-253.4, and 16.1-279.1, (iii) to execute all warrants or summons as may be placed in his hands by any magistrate serving the locality and to make due return thereof, and (iv) to deliver, serve, execute, and enforce orders of isolation and quarantine issued pursuant to §§ 32.1-48.09, 32.1-48.012, and 32.1-48.014 and to deliver, serve, execute, and enforce an emergency custody order issued pursuant to § 32.1-48.02. A town police officer, after receiving training under subdivision 8 of § 9.1-102, may, with the concurrence of the local sheriff, also serve civil papers, and make return thereof, only when the town is the plaintiff and the defendant can be found within the corporate limits of the town.

§ 52-8. Powers and duties to enforce criminal laws and investigate aircraft accidents.

The Superintendent of State Police, his several assistants and police officers appointed by him are vested with the powers of a sheriff for the purpose of enforcing all the criminal laws of this Commonwealth and for investigating any aircraft accident which occurs in the Commonwealth, *including transporting and providing security for government officials, members of civic organizations, and other dignitaries,* and it shall be the duty of the Superintendent, his several assistants and police officers appointed by him to use their best efforts to enforce the same.

Nothing in this section shall be construed as relieving any sheriff or sergeant, commissioner of the revenue, police officer, or any other official now or hereafter invested with police powers and duties, state or local, from the duty of aiding and assisting in the enforcement of such laws within the scope of his authority and duty.

INTRODUCED

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