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SENATE BILL NO. 1143

Offered January 14, 2015

Prefiled January 13, 2015

A BILL to amend and reenact §§ 32.1-48.06 and 32.1-48.08 of the Code of Virginia, relating to the establishment of quarantine zones.

Patron—Garrett

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That §§ 32.1-48.06 and 32.1-48.08 of the Code of Virginia are amended and reenacted as follows:

§ 32.1-48.06. Definitions.

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

"Affected area" means any part or the whole of the Commonwealth, which has been identified as where persons reside, or may be located, who are known to have been exposed to or infected with or who are reasonably suspected to have been exposed to or infected with a communicable disease of public health threat. "Affected area" shall include, but not be limited to, cities, counties, towns, and subsections of such areas, public and private property, buildings, and other structures.

"Communicable disease of public health threat" means an illness of public health significance, as determined by the State Health Commissioner in accordance with regulations of the Board of Health, caused by a specific or suspected infectious agent that may be reasonably expected or is known to be readily transmitted directly or indirectly from one individual to another and has been found to create a risk of death or significant injury or impairment; ~~this definition shall~~. "Communicable disease of public health threat" includes the Ebola virus, but shall not, however, be construed to include human immunodeficiency viruses or tuberculosis, unless used as a bioterrorism weapon. "Individual" shall include For the purposes of this definition, "individual" includes any companion animal. Further, whenever "person or persons" is used herein it shall be deemed, when the context requires it, to include any individual.

"Companion animal" means, consistent with the provisions of § 3.2-6500, any domestic or feral dog, domestic or feral cat, nonhuman primate, guinea pig, hamster, rabbit not raised for human food or fiber, exotic or native animal, reptile, exotic or native bird, or any feral animal or any animal under the care, custody, or ownership of a person or any animal that is bought, sold, traded, or bartered by any person. Agricultural animals, game species, or any animals regulated under federal law as research animals shall not be considered companion animals for the purposes of this article.

"Isolation" means the physical separation, including confinement or restriction of movement, of an individual or individuals who are infected with or are reasonably suspected to be infected with a communicable disease of public health threat in order to prevent or limit the transmission of the communicable disease of public health threat to other uninfected and unexposed individuals.

"Law-enforcement agency" means any sheriff's office, police department, adult or youth correctional officer, or other agency or department that employs persons who have law-enforcement authority that is under the direction and control of the Commonwealth or any local governing body. "Law-enforcement agency" shall include, by order of the Governor, the Virginia National Guard.

"Quarantine" means the physical separation, including confinement or restriction of movement, of an individual or individuals who are present within an affected area, as defined herein, or who are known to have been exposed or may reasonably be suspected to have been exposed to a communicable disease of public health threat and who do not yet show signs or symptoms of infection with the communicable disease of public health threat in order to prevent or limit the transmission of the communicable disease of public health threat to other unexposed and uninfected individuals.

"Quarantine zone" means an area at any point of entry into the Commonwealth, including an airport, seaport, or marine terminal, secured by the Commissioner for the purpose of providing a location to quarantine an individual arriving to the Commonwealth from a foreign country in which a communicable disease of public health threat, including the Ebola virus, has caused the Centers for Disease Control and Prevention to issue a Level 3 Travel Health Notice.

§ 32.1-48.08. Declaration of quarantine.

A. The State Health Commissioner may declare a quarantine of any person or persons or any affected area after he finds that the quarantine is the necessary means to contain a communicable disease of public health threat as defined in § 32.1-48.06 to which such person or persons or the people of an

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59 affected area have been or may have been exposed and thus may become infected.

60 B. The ~~State Health~~ Commissioner shall record his findings and any information on which he has
61 relied in making the finding required for quarantine pursuant to subsection A. The ~~State Health~~
62 Commissioner's record of findings concerning any communicable disease of public health threat shall be
63 confidential and shall not be disclosed in accordance with subdivision 17 of § 2.2-3705.5.

64 C. The ~~State Health~~ Commissioner may order the quarantined person or persons to remain in their
65 residences, to remain in another place where they are present, or to report to a place or places
66 designated by the ~~State Health~~ Commissioner for the duration of their quarantine. An electronic device
67 may be used to enforce any such quarantine. The Commissioner's order of quarantine shall be for a
68 duration consistent with the known incubation period for such disease or, if the incubation period is
69 unknown, for a period anticipated as being consistent with the incubation period for other similar
70 infectious agents.

71 *D. Notwithstanding any other provision of law, the Governor is authorized to establish quarantine*
72 *zones at any time when an individual enters the Commonwealth where his point of origin is a foreign*
73 *country in which a communicable disease of public health threat, including the Ebola virus, has caused*
74 *the Director of the Centers for Disease Control and Prevention to issue a Level 3 Travel Health Notice.*
75 *The Governor is authorized to direct the Commissioner to declare a quarantine of any individual*
76 *arriving from such country who has been exposed or is reasonably believed to have been exposed to*
77 *such disease. A person held in a quarantine zone pursuant to this subsection shall remain in the*
78 *quarantine zone for a duration consistent with the known incubation period for such disease or, if the*
79 *incubation period is unknown, for a period anticipated as being consistent with the incubation period*
80 *for other similar infectious agents.*

81 **2. That an emergency exists and this act is in force from its passage.**