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**SENATE BILL NO. 1252**

Offered January 14, 2015

Prefiled January 14, 2015

A *BILL to amend the Code of Virginia by adding in Chapter 1 of Title 23 a section numbered 23-9.2:15, relating to public institutions of higher education; reporting of sexual assault; penalty.*

Patron—Deeds

Referred to Committee on Education and Health

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

**1. That the Code of Virginia is amended by adding in Chapter 1 of Title 23 a section numbered 23-9.2:15 as follows:**

**§ 23-9.2:15. Reporting of sexual assault; penalty.**

A. Any employee of a public institution of higher education who through the course of his employment obtains information alleging that a violation of Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 has occurred shall report such information within 24 hours to the law-enforcement agency serving the locality in which the institution is located or serving the locality in which the alleged violation occurred unless such report would be a violation of applicable state and federal privacy laws.

B. Any person who knowingly and intentionally violates the provisions of this section is guilty of a Class 1 misdemeanor.

C. No person shall be required to make a report pursuant to this section if the person has actual knowledge that the same matter has already been reported to the law-enforcement agency serving the locality in which the institution is located or serving the locality in which the alleged violation occurred.

D. Any person making a report required by this section or testifying in a judicial or administrative proceeding as a result of such report shall be immune from any civil liability alleged to have resulted therefrom unless such person acted in bad faith or with malicious intent.

**2. That the State Council of Higher Education for Virginia, in conjunction with the Office of the Attorney General, shall develop guidelines that delineate the extent to which state and federal privacy laws limit the reporting of any alleged violation of Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia to law enforcement by an employee of a public institution of higher education.**