

# 2016 SESSION

LEGISLATION NOT PREPARED BY DLS  
INTRODUCED

16104663D

## HOUSE BILL NO. 1349

Offered January 21, 2016

A *BILL to amend the Code of Virginia by adding a section numbered 2.2-614.2:2, relating to resettlement of refugees; review process.*

Patron—Freitas

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 2.2-614.2:2 as follows:

§ 2.2-614.2:2. *Resettlement of refugees; review process.*

A. Except as otherwise required by the United States Constitution, the Constitution of Virginia, any provision of the Code of Virginia, or an act of assembly, no agency of the Commonwealth as defined in § 8.01-385, political subdivision of the Commonwealth as defined in § 8.01-385, officer or employee of either acting in his official capacity, or member of the Virginia National Guard or Virginia Defense Force, when such member is serving in the Virginia National Guard or the Virginia Defense Force on official state duty, shall knowingly aid, participate with, or otherwise provide any assistance to (i) any agency, department, or other instrumentality of the federal government, or any officer or employee thereof, with the resettlement in the Commonwealth of any refugee as defined in 8 U.S.C. § 1101 or (ii) any refugee who has been resettled in the Commonwealth on or after January 1, 2016, by any agency, department, or other instrumentality of the federal government, or any officer or employee or officer thereof.

B. Notwithstanding the provisions of subsection A, an agency of the Commonwealth, political subdivision of the Commonwealth, officer or employee of either acting in his official capacity, or member of the Virginia National Guard or Virginia Defense Force, when such member is serving in the Virginia National Guard or the Virginia Defense Force on official state duty, shall knowingly aid, participate with, or otherwise provide assistance with regard to the resettlement of any refugee in the Commonwealth who has been approved for resettlement in the Commonwealth in accordance with subsections C through F.

C. Prior to the approval of a refugee for resettlement in the Commonwealth, the State Police shall conduct a background check on such refugee. The State Police shall verify the identity of the refugee and review all documentation provided to it by the federal government as well as any terrorist-related intelligence or information possessed by the Virginia Fusion Intelligence Center that relates to the refugee. Any refugee who is determined by the State Police to be or to have been a member or supporter of a known terrorist organization or who has been convicted of a crime involving violence shall not be approved for resettlement in the Commonwealth. Upon completing of the background check, the State Police shall certify whether it was able to determine that the refugee does not pose a security threat to the Commonwealth. Only refugees certified by the State Police not to pose a security threat may be resettled in accordance with this section.

D. The State Police shall submit to the Governor the name of any refugee certified not to pose a security threat. Despite such certification, the Governor may decline to allow that refugee be resettled in accordance with this section. If the Governor determines that a refugee is eligible for resettlement in the Commonwealth, such refugee shall be required to submit detailed personal information, including information regarding education level, professional licenses or certifications, and work experience. Such refugee shall also be required to take a test to establish his proficiency with the English language and submit to a medical examination.

E. The Department of Social Services shall be responsible for developing a resettlement plan for any refugee determined to be eligible for resettlement by the Governor, including determining the locality where the refugee may be resettled. The Department shall notify the local governing body, the chief law-enforcement officer, if any, and the attorney for the commonwealth for any locality where a refugee is to be resettled at least 60 days before the resettlement date. A representative of the Department shall attend any meeting or hearing held in the locality to discuss the impact of the proposed resettlement. Nothing herein shall preclude the Department from selection a different locality in response to objections raised at such hearings or meetings.

F. Any refugee resettled in the Commonwealth pursuant to this section shall be required to report to the chief law-enforcement officer of the locality within three days of the refugee's resettlement and on a monthly basis for a period of 12 months.

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