

2016 SESSION

HOUSE SUBSTITUTE

16105529D

HOUSE BILL NO. 494

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on General Laws
on February 11, 2016)

(Patrons Prior to Substitute—Delegates Marshall, R.G., Freitas [HB 1349], and Hugo [HB 852])

A BILL to amend the Code of Virginia by adding a section numbered 2.2-614.2:2, relating to assisting federal government with resettling of certain refugees.

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. *Assisting federal government with resettling of certain refugees.*

A. Except as otherwise required by law, 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 who is a national or resident of Iraq or Syria or who is present in Iraq or Syria at any time while the refugee's application for refugee status is pending or (ii) any such 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 thereof.

B. The provisions of subsection A shall not apply if (i) the refugee has been subjected to thorough background investigations sufficient to determine whether the refugee is a threat to the security of the United States conducted by the Secretary of the U.S. Department of Homeland Security (DHS) and the Director of the Federal Bureau of Investigation (FBI) and (ii) the Secretary of the DHS, with the concurrence of the Director of the FBI and the Director of National Intelligence, has certified that the refugee is not a threat to the security of the United States.

HOUSE
SUBSTITUTE

HB494H1