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## HOUSE BILL NO. 1287

Offered January 10, 2018

Prefiled January 10, 2018

A *BILL to amend and reenact § 9.1-500 of the Code of Virginia, relating to the Law-Enforcement Officers Procedural Guarantee Act; definition of law-enforcement officer.*

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Patron—LaRock

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Referred to Committee for Courts of Justice

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**Be it enacted by the General Assembly of Virginia:****1. That § 9.1-500 of the Code of Virginia is amended and reenacted as follows:****§ 9.1-500. Definitions.**

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

"Agency" means the Department of State Police, the Division of Capitol Police, the Virginia Marine Resources Commission, the Virginia Port Authority, the Department of Game and Inland Fisheries, the Virginia Alcoholic Beverage Control Authority, the Department of Conservation and Recreation, or the Department of Motor Vehicles; *a sheriff's department*; or the political subdivision or the campus police department of any public institution of higher education of the Commonwealth employing the law-enforcement officer.

"Law-enforcement officer" means any person, other than a ~~Chief~~ *chief* of ~~Police~~ *police*, *sheriff*, or the Superintendent of the Department of State Police, who, in his official capacity, is (i) authorized by law to make arrests and (ii) a nonprobationary officer of one of the following agencies:

a. 1. The Department of State Police, the Division of Capitol Police, the Virginia Marine Resources Commission, the Virginia Port Authority, the Department of Game and Inland Fisheries, the Virginia Alcoholic Beverage Control Authority, the Department of Motor Vehicles, or the Department of Conservation and Recreation;

b. 2. The police department, bureau, or force *or the sheriff's department* of any political subdivision or the campus police department of any public institution of higher education of the Commonwealth where such department, bureau, or force *or sheriff's department* has 10 or more law-enforcement officers; or

c. 3. Any conservation police officer as defined in § 9.1-101.

For the purposes of this chapter, "law-enforcement officer" shall not include *an employee of the sheriff's department of any city or county who has the authority to hire, suspend, lay off, promote, discharge, award, or discipline other law-enforcement officers within the sheriff's department if such authority requires the use of independent judgment.*

INTRODUCED

HB1287