

# 2019 SESSION

## SENATE SUBSTITUTE

19106090D

### SENATE BILL NO. 1494

#### FLOOR AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by Senator Edwards

on January 31, 2019)

(Patron Prior to Substitute—Senator Edwards)

*A BILL to amend and reenact § 9.1-302 of the Code of Virginia, relating to Firefighters and Emergency Medical Technicians Procedural Guarantee Act; breach of procedures.*

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

**1. That § 9.1-302 of the Code of Virginia is amended and reenacted as follows:**

**§ 9.1-302. Breach of procedures.**

~~Any breach of the procedures required by this chapter shall not exclude any evidence from being presented~~ *Evidence gathered through the conduct of an interrogation that violates the provisions of this chapter shall not be admissible in any case against a firefighter or individual who meets the definition of "emergency medical services personnel" in § 32.1-111.1 and shall not cause any charge to be dismissed unless the firefighter or emergency medical services personnel demonstrates that the breach prejudiced his case.*

SENATE SUBSTITUTE

SB1494S1