

Department of Planning and Budget
2020 Special Session I - Fiscal Impact Statement

1. Bill Number: SB5079

House of Origin	<input checked="" type="checkbox"/>	Introduced	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Engrossed
Second House	<input type="checkbox"/>	In Committee	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Enrolled

2. Patron: Stanley

3. Committee: Senate Committee on the Judiciary

4. Title: Civil action for law-enforcement free zones and standing down during a riot or unlawful assembly.

5. Summary: The proposed bill provides a civil cause of action for any person who suffers a bodily injury or who has property damaged or destroyed in a law-enforcement free zone, defined in the bill.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Preliminary (see Item #8)

8. Fiscal Implications: The bill defines "Law-enforcement free zone" as a geographical area, building, or other structure that law-enforcement officers are lawfully entitled to access but are instructed, demanded, or forced (i) not to access or (ii) to access only in exceptional circumstances. "Law-enforcement free zone" does not include a geographical area, building, or other structure from which law-enforcement officers are briefly not allowed to access as a tactical decision intended to resolve safely and expeditiously a specific and ongoing unlawful incident posing an imminent threat to the safety of individuals or law-enforcement officers.

According to the Virginia State Police, Division of Capitol Police and the Office of the Executive Secretary of the Supreme Court, the bill is not expected to have a material fiscal impact. The impact on local law enforcement agencies cannot be determined at this time.

According to the Department of Treasury Division of Risk Management, any suit arising pursuant to this statute (§ 8.01-42.6.) will be eligible for consideration of protection on a case-by-case basis under the terms and conditions of the defendant's coverage plan.

9. Specific Agency or Political Subdivisions Affected: Courts, Virginia State Police, Division of Capitol Police, Department of Treasury and local law-enforcement officers

10. Technical Amendment Necessary: No

11. Other Comments: None