

VIRGINIA ACTS OF ASSEMBLY -- 1994 SESSION

CHAPTER 268

An Act to amend and reenact §§ 15.1-131.3 and 15.1-159.7 of the Code of Virginia, relating to cooperation in furnishing police services among local governments and other governmental entities.

[H 528]

Approved April 4, 1994

Be it enacted by the General Assembly of Virginia:

1. That §§ 15.1-131.3 and 15.1-159.7 of the Code of Virginia are amended and reenacted as follows:

§ 15.1-131.3. Agreements for consolidation of police departments or for cooperation in furnishing police services.

The governing body of any county, city or town may, in its discretion, enter into a reciprocal agreement with any other county, city, town, any agency of the federal government exercising police powers, *police of any state-supported institution of higher learning appointed pursuant to § 23-233*, or with any combination of the foregoing, for such periods and under such conditions as the contracting parties deem advisable, for cooperation in the furnishing of police services. Such governing bodies also may enter into an agreement for the cooperation in the furnishing of police services with the Department of State Police. The governing body of any county, city and town also may, in its discretion, enter into a reciprocal agreement with any other county, city or town, or combination thereof, for the consolidation of police departments or divisions or departments thereof. Subject to the conditions of the agreement, all policemen, officers, agents and other employees of such consolidated or cooperating police departments shall have the same powers, rights, benefits, privileges and immunities in every jurisdiction subscribing to such agreement, including the authority to make arrests in every such jurisdiction subscribing to the agreement, except that no policeman or police officer of any county, city or town of the Commonwealth shall have authority to enforce federal laws unless specifically empowered to do so by statute, and that no federal law-enforcement officer shall have authority to enforce the laws of the Commonwealth unless specifically empowered to do so by statute.

The governing body of a county also may enter into a tripartite contract with the governing body of any town, one or more, in such county and the sheriff for such county for the purpose of having the sheriff furnish law-enforcement services in the town. The contract shall be structured as a service contract and may have such other terms and conditions as the contracting parties deem advisable. The sheriff and any deputy sheriff serving as a town law-enforcement officer shall have authority to enforce such town's ordinances. Likewise, subject to the conditions of the contract, the sheriff and such deputy sheriffs while serving as a town's law-enforcement officers shall have the same powers, rights, benefits, privileges and immunities as those of regular town policemen. The sheriff under any such contract shall be the town's chief of police.

§ 15.1-159.7. Mutual aid agreements among governing bodies of contiguous counties, cities, towns and institutions of higher learning.

The governing bodies of counties, cities ~~and~~, towns *and state-supported institutions of higher learning having a police force appointed pursuant to § 23-233* or any combination thereof whose boundaries are contiguous, by proper resolutions, may enter in and become a party to contracts or mutual aid agreements for the use of their joint police forces, both regular and auxiliary, their equipment and materials to maintain peace and good order. Any police officer, regular or auxiliary, while performing his duty under any such contract or agreement, shall have the same authority in any county, city, or town as he has within the county, city, or town where he was appointed.