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HOUSE BILL NO. 1677

House Amendments in [] — February 2, 1995

A *BILL to amend and reenact § 2.1-116.1 of the Code of Virginia, relating to Law-Enforcement Officers' Procedural Guarantees Act.*

Patron—Moore

Referred to Committee on Militia and Police

Be it enacted by the General Assembly of Virginia:**1. That § 2.1-116.1 of the Code of Virginia is amended and reenacted as follows:**

§ 2.1-116.1. Definitions.

As used in this chapter, the following terms have the following meanings:

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

(a) The Department of State Police, *the Division of Capitol Police, the Virginia Marine Resources Commission, the Virginia Port Authority, the Department of Alcoholic Beverage Control, the Department of Motor Vehicles, or the* [~~State Corporation Commission campus police~~] ; or

(b) The police department, bureau or force of any political subdivision *or institution of higher education* of the Commonwealth of Virginia where such department, bureau or force has ten or more law-enforcement officers; however, this shall not include the sheriff's department of any city or county.

This term also means any game warden as defined in § 9-169 (9).

2. "Agency" means:

(a) The Department of State Police, *the Division of Capitol Police, the Virginia Marine Resources Commission, the Virginia Port Authority, the Department of Alcoholic Beverage Control, the Department of Motor Vehicles, and the* [~~State Corporation Commission campus police~~] ; or

(b) The political subdivision *or institution of higher education* of the Commonwealth of Virginia employing the law-enforcement officer.

ENGROSSED

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