

VIRGINIA ACTS OF ASSEMBLY -- 1996 SESSION

CHAPTER 174

An Act to amend and reenact § 2.1-133.6 of the Code of Virginia, relating to line of duty; Department of Emergency Services hazardous materials officers; nonfirefighter regional hazardous materials emergency response team members.

[S 215]

Approved March 11, 1996

Be it enacted by the General Assembly of Virginia:

1. That § 2.1-133.6 of the Code of Virginia is amended and reenacted as follows:

§ 2.1-133.6. Definitions.

For the purposes of this chapter the following words shall have the following meanings:

"Beneficiary" means the spouse of the deceased and such person or persons as are entitled to take under the will of the deceased if testate, or as his heir at law if intestate.

"Deceased" means any person whose death occurs on or after April 8, 1972, as the direct or proximate result of the performance of his duty, including the presumptions under §§ 27-40.1, 27-40.2, 51.1-813, and 65.2-402, as a law-enforcement officer of this Commonwealth or any of its political subdivisions; a correctional officer as defined in § 53.1-1; a jail officer; a regional jail or jail farm superintendent; a sheriff, deputy sheriff, or city sergeant or deputy city sergeant of the City of Richmond; a member of any fire company or department or rescue squad which has been recognized by an ordinance or a resolution of the governing body of any county, city or town of this Commonwealth as an integral part of the official safety program of such county, city or town; a member of the Virginia National Guard or the Virginia State Defense Force while such member is serving in the Virginia National Guard or the Virginia State Defense Force on official state duty or federal duty under Title 32 of the United States Code; any special agent of the Virginia Alcoholic Beverage Control Board; any agent, investigator, or inspector vested with the power to arrest pursuant to § 56-334; any regular or special game warden who receives compensation from a county, city or town or from the Commonwealth appointed pursuant to the provisions of § 29.1-200; any commissioned forest warden appointed under the provisions of § 10.1-1135; any member or employee of the Virginia Marine Resources Commission granted the power of arrest pursuant to § 28.2-900; *any Department of Emergency Services hazardous materials officer; any nonfirefighter regional hazardous materials emergency response team member*; or any conservation officer of the Department of Conservation and Recreation commissioned pursuant to § 10.1-115.

"Line of duty" means any action the deceased is obligated or authorized to perform by rule, regulation, condition of employment or service, or law.