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HOUSE BILL NO. 1493

AMENDMENT IN THE NATURE OF A SUBSTITUTE

Proposed by the House Committee on Militia and Police
on February 8, 1996)

(Patron Prior to Substitute—Delegate Scott)

A BILL to amend and reenact § 2.1-116.7 of the Code of Virginia, relating to Law-Enforcement Officers' Procedural Guarantees Act.

Be it enacted by the General Assembly of Virginia:

1. That § 2.1-116.7 of the Code of Virginia is amended and reenacted as follows:

§ 2.1-116.7. Outcome of hearing.

The ~~recommendations~~ findings of the panel, and the reasons therefor, shall be (i) in writing, ~~shall be~~ (ii) transmitted promptly to the law-enforcement officer or his attorney and to the chief executive officer of the law-enforcement agency, and (iii) final and binding on all parties if consistent with law and policy. Such ~~recommendations~~ shall be advisory only, but shall be accorded significant weight. In grievances initiated by state employees, the Director of the Department of Personnel and Training shall review the panel findings to assure the decision is consistent with state law and written policy. In grievances initiated by employees of local governments, the chief administrative officer of the local government or his designee, shall review the findings of the panel to assure the decision is consistent with state law or written policy. If the person designated to review the panel decision has a direct personal involvement with the event or events giving rise to the grievance, the decision review shall be made by the attorney for the Commonwealth for the jurisdiction in which the grievance is pending. Either party may petition the circuit court having jurisdiction in the locality where the grievance arose for an order requiring implementation of the panel decision.

HOUSE SUBSTITUTE

HB1493H1