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HOUSE BILL NO. 1489**FLOOR AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by Delegate Hull on February 9, 1999)

(Patron Prior to Substitute—Delegate Hull)

A BILL to amend and reenact § 8.01-220.1:2 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 22.1-277.01:3, relating to immunity of school personnel and strip searches in schools.

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-220.1:2 of the Code of Virginia is amended and reenacted, and that the Code of Virginia is amended by adding a section numbered 22.1-277. 01:3 as follows:

§ 8.01-220.1:2. Civil immunity for teachers under certain circumstances.

A. Any teacher employed by a local school board in this Commonwealth shall not be liable for any civil damages for any acts or omissions resulting from the supervision, care or discipline of students when such acts or omissions are within such teacher's scope of employment and are taken in good faith in the course of supervision, care or discipline of students, unless such acts or omissions were the result of gross negligence or willful misconduct *or in violation of the provisions of § 22.1-277.01:3.*

B. This section shall not be construed to limit, withdraw or overturn any defense or immunity already existing in statutory or common law or to affect any claim occurring prior to the effective date of this law.

§ 22.1-277. 01:3. *Strip searches prohibited.*

No teacher, instructor, principal, school administrator, school coordinator, guidance counselor, or other professional, administrative, or clerical staff member or other personnel of any elementary or secondary school shall strip search a student.

HOUSE SUBSTITUTE

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