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HOUSE BILL NO. 2697

FLOOR AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by Senator Watkins

on February 23, 1999)

(Patron Prior to Substitute—Delegate Byron)

A *BILL to amend and reenact §§ 15.2-926 and 22.1-266 of the Code of Virginia, relating to unauthorized absences from public school or alternative education programs.*

Be it enacted by the General Assembly of Virginia:

1. That §§ 15.2-926 and 22.1-266 of the Code of Virginia are amended and reenacted as follows:

§ 15.2-926. Prohibiting loitering; curfew for minors; penalty.

Any locality may by ordinance prohibit loitering in, upon or around any public place, whether on public or private property. Any locality may by ordinance also prohibit minors who are not attended by their parents from frequenting or being in public places, whether on public or private property, at such times, between 10:00 p.m. and 6:00 a.m., as the governing body deems proper.

A violation of such ~~ordinance~~ *ordinances* by a minor shall be disposed of as provided in §§ 16.1-278.4 and 16.1-278.5.

§ 22.1-266. Law-enforcement officers and truant children.

Notwithstanding the provisions of § 16.1-246, any law-enforcement officer as defined in § 9-169 or any attendance officer may pick up any child who is reported to be truant from school by a school principal or division superintendent or who the law-enforcement officer or attendance officer reasonably determines, by reason of the child's age and circumstances, is *either (i) truant from school or (ii) has been expelled from school and has been required to attend an alternative education program pursuant to § 22.1-277.1*, and may deliver such child to the appropriate school *or such alternative education program* and personnel thereof without charging the parent or guardian of such child with a violation of any provision of law.