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HOUSE BILL NO. 573**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Militia, Police and Public Safety
on February 10, 2012)

(Patron Prior to Substitute—Delegate Marshall, D.W.)

A BILL to amend and reenact § 18.2-490 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 18.2-488.1, relating to Uniform Flag Act; flag at half mast for certain public safety personnel killed in the line of duty.

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-490 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 18.2-488.1 as follows:

§ 18.2-488.1. Flag at half mast for certain public safety personnel killed in the line of duty.

A. As used in this section, unless the context requires a different meaning:

"Emergency medical services provider" means the same as that term is defined in § 32.1-111.1, and any member of a volunteer lifesaving crew or rescue squad.

"Firefighter" means the same as that term is defined in § 9.1-300, and any member of a volunteer fire department.

"Police officer" means any full-time or part-time employee of a police department or sheriff's office which is a part of or administered by the Commonwealth or any political subdivision thereof and who is responsible for the prevention and detection of crime and the enforcement of the penal, traffic, or highway laws of the Commonwealth.

"Service member" means a member of the United States armed forces.

B. Whenever a service member, police officer, firefighter, or emergency medical services provider who is a resident of Virginia is killed in the line of duty, all flags, national, state, and local, flown at any building owned by the Commonwealth shall be flown at half staff or mast for one day to honor and acknowledge respect for those who made the supreme sacrifice.

C. The Department of General Services shall jointly develop procedures to effectuate the purposes of this section.

§ 18.2-490. Penalty.

Any violation of this article shall be punishable as a Class 1 misdemeanor.

The provisions of this section shall not apply to § 18.2-488.1.