

2012 SESSION

SENATE SUBSTITUTE

12105731D

HOUSE BILL NO. 848

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Local Government
on February 28, 2012)

(Patron Prior to Substitute—Delegate Johnson)

A BILL to amend the Code of Virginia by adding a section numbered 15.2-1716.2, relating to reimbursement to localities for methamphetamine lab cleanup costs.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 15.2-1716.2 as follows:

§ 15.2-1716.2. Methamphetamine lab cleanup costs; Department of State Police and localities may charge for reimbursement.

Any locality may provide by ordinance that any person who is convicted of an offense for manufacture of methamphetamine pursuant to § 18.2-248 or 18.2-248.03 shall be liable at the time of sentencing or in a separate civil action to the locality for the locality's expense in cleaning up any methamphetamine lab related to the conviction. The amount charged by the locality shall not exceed the locality's actual expenses associated with cleanup, removal, or repair of the affected property.

The Department of State Police may seek reimbursement from any person who is convicted of an offense for the manufacture of methamphetamine pursuant to § 18.2-248 or 18.2-248.03 for the Department's expense in cleaning up any methamphetamine lab related to the conviction. Such person shall be liable at the time of sentencing or in a separate civil action to the Department of State Police. The amount charged by the Department of State Police shall not exceed the Department's actual expenses associated with cleanup, removal, or repair of the affected property and the replacement cost of personal protective equipment used.

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