

2014 SESSION

HOUSE SUBSTITUTE

14104749D

HOUSE BILL NO. 542

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice
on February 7, 2014)

(Patron Prior to Substitute—Delegate McQuinn)

A BILL to amend and reenact § 18.2-422 of the Code of Virginia, relating to wearing masks; exceptions.

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-422 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-422. Prohibition of wearing of masks in certain places; exceptions.

It shall be unlawful for any person over ~~sixteen~~ 16 years of age ~~while wearing to, with the intent to~~
~~conceal his identity, wear~~ any mask, hood or other device whereby a substantial portion of the face is
hidden or covered so as to conceal the identity of the wearer, to be or appear in any public place, or
upon any private property in this Commonwealth without first having obtained from the owner or tenant
thereof consent to do so in writing. However, the provisions of this section shall not apply to persons (i)
wearing traditional holiday costumes; (ii) engaged in professions, trades, employment or other activities
and wearing protective masks which are deemed necessary for the physical safety of the wearer or other
persons; (iii) engaged in any bona fide theatrical production or masquerade ball; or (iv) wearing a mask,
hood or other device for bona fide medical reasons upon (a) the advice of a licensed physician or
osteopath and carrying on his person an affidavit from the physician or osteopath specifying the medical
necessity for wearing the device and the date on which the wearing of the device will no longer be
necessary and providing a brief description of the device, or (b) the declaration of a disaster or state of
emergency by the Governor in response to a public health emergency where the emergency declaration
expressly waives this section, defines the mask appropriate for the emergency, and provides for the
duration of the waiver. The violation of any provisions of this section ~~shall constitute~~ is a Class 6
felony.

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