

2015 SESSION

INTRODUCED

15101332D

SENATE BILL NO. 1082

Offered January 14, 2015

Prefiled January 13, 2015

A BILL to amend the Code of Virginia by adding a section numbered 18.2-371.1:1, relating to unattended children in motor vehicles; penalty.

Patron—Vogel

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 18.2-371.1:1 as follows:

§ 18.2-371.1:1. Leaving an unattended child in a motor vehicle; penalty.

A. Any person responsible for the care of a child who leaves an unattended child in a motor vehicle is guilty of a Class 1 misdemeanor.

B. A law-enforcement officer who observes or is alerted to the existence of an unattended child shall use whatever means are reasonably necessary to protect the child. If the law-enforcement officer removes the child from the immediate area, he shall leave an obvious written notice on the motor vehicle. The law-enforcement officer shall give notice of the unattended child to the child protective services unit of the local department of social services.

C. As used in this section, "unattended child" means a child four years of age or younger who has been left in a motor vehicle by the person responsible for the care of the child when such person is unable to continuously observe the child, unless a person 12 years of age or older is physically present in the motor vehicle with the child.

D. The provisions of this section shall not preclude prosecution under any other statute.

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