

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 9.1-116.01, relating to universal*
3 *certification for certain law-enforcement officers.*

4
5 Approved

[S 207]

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That the Code of Virginia is amended by adding a section numbered 9.1-116.01 as follows:**

8 **§ 9.1-116.01. Universal certification for certain law-enforcement officers.**

9 *A. Any sworn law-enforcement officer with at least one year of law-enforcement experience (i) whose*
10 *training qualifications meet or exceed current training standards established by the Board in accordance*
11 *with this article and who is in compliance with §§ 15.2-1705 and 15.2-1706, (ii) who has not had a*
12 *break in service of more than 24 months, and (iii) who is leaving the transferring law-enforcement*
13 *agency in good standing with no pending investigations or disciplinary actions shall be eligible for*
14 *employment at any law-enforcement agency within the Commonwealth or any political subdivision*
15 *thereof. Any such law-enforcement officer shall complete any other training as determined to be*
16 *necessary by the Board to ensure understanding of the criminal laws and all other laws of the*
17 *Commonwealth.*

18 *B. Prior to any conditional offer of employment, the hiring law-enforcement agency shall request*
19 *from all prior employing law-enforcement agencies any information (i) related to an arrest or*
20 *prosecution of the applicant law-enforcement officer, including any expunged arrest or criminal charge*
21 *known to the agency or disclosed during the hiring process that would otherwise be prohibited from*
22 *disclosure in accordance with § 19.2-392.4; (ii) related to a civil suit regarding the applicant*
23 *law-enforcement officer's employment or performance of his duties; (iii) obtained during the course of*
24 *any internal investigation related to the applicant law-enforcement officer's alleged criminal conduct,*
25 *use of excessive force, or other official misconduct in violation of the state professional standards of*
26 *conduct adopted by the Board; and (iv) related to the applicant law-enforcement officer's job*
27 *performance that led to such officer's resignation, dismissal, demotion, suspension, or transfer. The*
28 *hiring law-enforcement agency shall employ all reasonable means to obtain personnel records for*
29 *law-enforcement officers transferring from an out-of-state or federal law-enforcement agency, including*
30 *requiring the applicant law-enforcement officer (a) to complete a waiver or release liability authorizing*
31 *the hiring law-enforcement agency to request such information as listed in this subsection from all prior*
32 *employing law-enforcement agencies and (b) to provide a full disclosure of any incidents or information*
33 *that such prior employing law-enforcement agencies have been requested to disclose as listed in this*
34 *subsection.*

35 *Upon the receipt of all requested information by the hiring law-enforcement agency, the applicant*
36 *law-enforcement officer shall complete a sworn declaration that the provided information or records*
37 *are, to the best of the applicant's knowledge, a true, correct, and complete response to such request.*

38 *C. In addition, the hiring law-enforcement agency may require a candidate for employment to*
39 *undergo a psychological examination, subsequent to a conditional offer of employment, conducted under*
40 *the supervision of a licensed psychiatrist or a licensed clinical psychologist.*

41 *D. Notwithstanding the provisions of this section, any sworn law-enforcement officer may be granted*
42 *an exemption in accordance with the provisions of § 9.1-116 and may be subject to the compulsory*
43 *minimum training standards established by the Board.*

ENROLLED

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