

VIRGINIA ACTS OF ASSEMBLY -- 1997 SESSION

CHAPTER 779

An Act to amend and reenact § 18.2-128 of the Code of Virginia, relating to trespass upon church property; penalty.

[S 792]

Approved April 2, 1997

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-128 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-128. Trespass upon church or school property.

A. ~~It shall be unlawful for~~ Any person *who*, without the consent of some person authorized to give such consent, ~~to go or enter~~ *goes or enters* upon, in the nighttime, the premises or property of any church or upon any school property for any purpose other than to attend a meeting or service held or conducted in such church or school property, *shall be guilty of a Class 3 misdemeanor.*

B. It shall be unlawful for any person, whether or not a *church member or student*, to enter upon or remain upon any *church or school* property in violation of (i) any direction to vacate the property by a person authorized to give such direction or (ii) any posted notice which contains such information, posted at a place where it reasonably may be seen. Each time such person enters upon or remains on the posted premises or after such direction that person refuses to vacate ~~school~~ *such* property, it shall constitute a separate offense.

~~C. Any person violating the provisions of (i) subsection A shall be guilty of a Class 3 misdemeanor and (ii) subsection B shall be guilty of a violation of this subsection shall be punishable as a Class 1 misdemeanor, except that any person, other than a parent, who violates this subsection B on school property with the intent to abduct a student shall be guilty of a Class 6 felony.~~

~~D. C.~~ For purposes of this section: (i) "school property" includes a school bus as defined in § 46.2-100 and (ii) "church" means any place of worship and includes any educational building or community center owned or leased by a church.