



## **2024 Legislative Update** **Regular Session Winter/Spring 2024**

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## **2024 Legislative Update**

### **Regular Session Winter/Spring 2024 Master List**

***For More Detail on Each Bill,  
Please Click on the Hyperlink in the Descriptions Below***

#### **[Chapter 25 / Chapter 130](#) Drug Treatment Court Act; renames the Act as the Recovery Court Act.**

Drug Treatment Court Act; name change. Amends §§ 18.2-251.02 and 18.2-254.1. Renames the Drug Treatment Court Act as the Recovery Court Act. The bill also directs the Supreme Court of Virginia to rename the state Drug Treatment Court Advisory Committee as the Recovery Court Advisory Committee.

Effective July 1, 2024

#### **[Chapter 26](#) Protective order in case of family abuse; termination of temporary order of child support.**

Protective order in case of family abuse; termination of temporary order of child support. Amends § 16.1-279.1. Provides that when a court includes a temporary child support order with the issuance of a protective order in the case of family abuse, such temporary child support order shall terminate when a court determines child support in a subsequent proceeding or when the protective order expires, whichever occurs first. Current law requires that such temporary child support order terminate only after a court determines child support in a subsequent proceeding. This bill is a recommendation of the Judicial Council of Virginia and the Committee on District Courts.

Effective July 1, 2024

#### **[Chapter 30](#) Recovery residences; death and serious injury reports.**

Recovery residences; death and serious injury reports. Amends § 37.2-431.1. Requires the Department of Behavioral Health and Developmental Services to promulgate regulations that require recovery residences to report to the Department any death or serious injury that occurs in the recovery residence.

Effective July 1, 2024



### [Chapter 33](#) Prescription Monitoring Program; release of records to drug court administrators.

Prescription Monitoring Program; release of records to drug court administrators and behavioral health docket administrators. Amends § 54.1-2523. Requires the Director of the Department of Health Professions to release otherwise confidential information from the Prescription Monitoring Program when such information is relevant to a specific investigation, supervision, or monitoring of a specific recipient for purposes of the administration of criminal justice to drug court administrators and behavioral health docket administrators who have completed the Virginia State Police Drug Diversion School designated by the Director of the Department of Corrections or his designee. The bill requires release of the information upon receiving a request for information in accordance with the Department of Health Profession's regulations and in compliance with applicable federal law and regulations.

Effective July 1, 2024

### [Chapter 41](#) / [Chapter 117](#) Virginia Rap Back Service; criminal history record monitoring.

Virginia Rap Back Service; criminal history record monitoring. Amends § 52-46. Changes the time frame for which a participating entity in the Virginia Record of Arrest and Prosecution (Rap) Back Service is required to disenroll any individual who is deceased or no longer qualifies as an individual for the purposes of the Virginia Rap Back Service from within 30 days to within five business days. The bill also removes the provision stating that an individual who moves from one participating entity in the Virginia Rap Back Service to another need not be refingerprinted. The bill contains technical amendments.

Effective July 1, 2024

### [Chapter 62](#) / [Chapter 228](#) Drug Control Act; adds certain chemicals to Schedules I, II, IV, and V of Act.

Drug Control Act; Schedule I; Schedule II; Schedule IV; Schedule V. Amends §§ 54.1-3446, 54.1-3448, 54.1-3452, and 54.1-3454. Adds certain chemicals to Schedules I, II, IV, and V of the Drug Control Act. The Board of Pharmacy has added these substances in an expedited regulatory process. A substance added via this process is removed from the schedule after 18 months unless a general law is enacted adding the substance to the schedule.

Effective July 1, 2024

### [Chapter 64](#) Virginia Freedom of Information Act; exemption for complainant personal contact information.

Virginia Freedom of Information Act; exemption for complainant personal contact information. Amends § 2.2-3705.3. Amends an existing exemption from mandatory disclosure under the Virginia Freedom of Information Act for names, addresses, and phone numbers of complainants



furnished in confidence with respect to an investigation of individual zoning enforcement complaints or complaints relating to the Uniform Statewide Building Code or the Statewide Fire Prevention Code made to a local governing body to exempt personal contact information of such complainants as defined in the bill.

Effective July 1, 2024

[Chapter 74](#) Bail; violation of any pretrial condition of release, report available to counsel of record.

Bail; violation of conditions of release; report available to attorney for the Commonwealth and counsel of record. Amends § 19.2-123. Requires that any report of a violation of any pretrial condition of release provided to the court shall be sent by the pretrial services agency to the attorney for the Commonwealth and the counsel of record for the accused or juvenile, or directly to the accused or juvenile if such person is not represented by counsel.

Effective July 1, 2024

[Chapter 76 / Chapter 77](#) Warning light units, certain; increases number of units person may equip on one vehicle, etc.

Certain warning light units. Amends § 46.2-1024. Increases from two to four the number of flashing or steady-burning red or red and white combination warning light units with which a member of a fire department, volunteer fire company, or volunteer emergency medical services agency and any police chaplain may equip one vehicle owned by him.

Effective July 1, 2024

[Chapter 79 / Chapter 80](#) Crash reports; contracted service providers.

Crash reports; contracted service providers. Amends §§ 46.2-373 and 46.2-379. Authorizes law-enforcement agencies to utilize a contracted service provider to forward crash reports electronically to the Department of Motor Vehicles and manage or disseminate copies of certain crash reports as authorized by law. The bill authorizes the release of nonpersonally identifiable vehicle information from crash reports to a contracted service provider.

Effective July 1, 2024

[Chapter 89](#) Venue; obtaining documents from DMV when not entitled thereto, penalty.

Venue; obtaining documents from the Department of Motor Vehicles when not entitled thereto; penalty. Amends § 46.2-105.2. Provides that the venue for a violation of the offense of obtaining documents from the Department of Motor Vehicles (the Department) when not entitled thereto may be in the jurisdiction (i) from which any person obtained any document issued by the



Department, (ii) where any person received or created any counterfeit, forged, or altered document used to obtain a document issued by the Department, or (iii) where any counterfeit, forged, or altered document has been filed with the Department.

Effective July 1, 2024

[Chapter 95](#) Amber warning lights; flashing lights on certain fox hunting vehicles.

Amber warning lights; certain hunting vehicles. Adds § 46.2-1025. Authorizes road whips, defined in the bill, who are operating vehicles during certain fox hunts to display flashing amber warning lights when such vehicles are not in motion for the purpose of warning other vehicles of such hunt happening in the area. The bill requires such vehicles to also display a sign reading "Horse Crossing With Rider."

Effective July 1, 2024

[Chapter 99](#) State correctional and juvenile correctional facilities; use of canines, prohibited acts.

Use of canines in correctional and juvenile correctional facilities; prohibited acts. Adds § 53.1-39.3 and § 66-21.1. Makes it unlawful for any correctional officer or other employee of a state correctional facility who is permitted to handle canines to use a patrol or security canine in any state correctional facility unless such correctional officer or other employee (i) reasonably believes that the use of a patrol or security canine is immediately necessary to protect any prisoner or any officer or employee from the threat of serious bodily injury or death or (ii) has the prior approval of the warden or a supervisor to use a patrol or security canine to intervene in an altercation, fight, or other incident between three or more prisoners. The bill also makes it unlawful for any juvenile correctional officer or other employee of a juvenile correctional facility to use a patrol or security canine in any juvenile correctional facility. The bill specifies that such provisions shall not apply to the training or use of detector canines or detector canine handlers.

Effective July 1, 2024

[Chapter 107](#) / [Chapter 121](#) Commercial driver's licenses & learner's permits; definitions, training, drug & alcohol violations.

Commercial driver's licenses and commercial learner's permits; definitions; commercial driver training; drug and alcohol violations. Amends §§ 46.2-341.4, 46.2-341.12, 46.2-1700, and 46.2-1708. Conforms the definition of commercial motor vehicle to federal regulations, codifies the entry-level driver training system required by federal regulations, and removes contradictory provisions. The bill also prohibits the issuance or continued validity of commercial driver's licenses and commercial learner's permits after a drug or alcohol violation by the applicant, licensee, or permittee. The bill contains technical amendments.

Effective July 1, 2024





### [Chapter 108 / Chapter 118](#) Protective orders; venue.

Violation of protective orders; venue. Amends §§ 16.1-253.2 and 18.2-60.4. Allows a person to be prosecuted for a violation of a protective order charge in the jurisdiction where the party protected by the protective order resided at the time of such violation.

Effective July 1, 2024

### [Chapter 109](#) Failure to appear; contempt of court, penalties.

Penalties for failure to appear; exclusion. Amends §§ 18.2-456 and 19.2-128. Excludes any person who is (i) incarcerated in any correctional facility or (ii) (a) detained in any state or federal facility or (b) in the custody of a law-enforcement officer at the time such person is required to appear before any court or judicial officer from the penalty for willful failure to appear before any such court or judicial officer as required after such person has been charged with any offense or convicted of any offense and execution of sentence is suspended.

Effective July 1, 2024

### [Chapter 136](#) Local and Regional Jails, State Board of; powers and duties.

State Board of Local and Regional Jails; powers and duties. Amends § 53.1-5. Requires the State Board of Local and Regional Jails, when promulgating regulations and adopting any policy or guidance document related to the enforcement of any minimum standards applicable to local, regional, or community correctional facilities, to expressly and specifically include such items in its published agenda for meetings of the Board or any of its subcommittees. The bill also requires the Board, when developing and implementing policies and procedures for the review of the death of any inmate or when establishing minimum standards for health care services, to adhere to procedures of the Administrative Process Act.

Effective July 1, 2024

### [Chapter 138](#) Highway work zones; creates a traffic infraction for any moving violation in a work zone.

Moving violations; highway work zones. Adds § 46.2-808.3. Creates a traffic infraction for any moving violation in a highway work zone punishable by a fine of not less than \$300 for the first offense and not less than \$500 for any subsequent offense. The bill provides that for any subsequent offense that occurs within the same 12-month period as another such offense such fine shall be not less than \$750.

Effective July 1, 2024



### [Chapter 141](#) Law-enforcement officers; training standards.

Training standards for law-enforcement officers; drug use. Amends § 9.1-102. Requires the Department of Criminal Justice Services to establish training standards and publish and periodically update model policies for law-enforcement personnel on the use of naloxone or other opioid antagonists to prevent opioid overdose deaths, in coordination with statewide naloxone training programs developed by the Department of Behavioral Health and Developmental Services and the Virginia Department of Health.

Effective July 1, 2024

### [Chapter 145](#) Dangerous dog; extending the time for adjudication.

Dangerous dog; extending the time for adjudication. Amends §§ 3.2-6540 and 3.2-6540.03. Requires the court, unless good cause is determined by the court, to hold the evidentiary hearing pursuant to the dangerous dog summons within 30 days or as soon as practicable from the issuance of the summons. Under current law, the court is required to hold such hearing not more than 30 days from the issuance of the summons.

Effective July 1, 2024

### [Chapter 161](#) / [Chapter 162](#) Abuse and neglect of children; causing or enabling child to gain possession of a firearm, penalty.

Abuse and neglect of children; causing or enabling child to gain possession of a firearm; penalty. Amends §§ 18.2-371.1 and 53.1-202.3. Creates a Class 5 felony for any parent, guardian, or other person who is 18 years of age or older and is responsible for the care of a child under the age of 18 whose willful act or omission causes or enables that child to gain possession of a firearm (i) after having received notice of a preliminary determination, pursuant to relevant law, that such child poses a threat of violence or physical harm to self or others or (ii) when such parent, guardian, or other person responsible for the care of the child knows or reasonably should know that such child has been charged with, either by warrant or petition, convicted of, or adjudicated delinquent of a violent juvenile felony. The bill provides that no person shall be subject to arrest or prosecution regarding knowledge of a preliminary threat determination if such person received notice that the threat assessment team concluded that the child does not indicate a threat of violence or physical harm to self or others or that any case or review opened or conducted by that threat assessment team as a result of such preliminary determination has been closed. The bill also provides that no person shall be subject to arrest or prosecution if such person has received notice that any pending charge for a violent juvenile felony has been dismissed or a nolle prosequi has been entered. The bill provides an affirmative defense to prosecution if the parent, guardian, or other person responsible for the care of a child caused or enabled such child to gain possession of a firearm while in a dwelling because of a reasonable belief that he or such child was in imminent danger of bodily injury. Lastly, the bill provides that the new offense is eligible for the enhanced earned sentence credits.

Effective July 1, 2024



[Chapter 163](#) / [Chapter 164](#) Auto sears and trigger activators; prohibition on manufacture, importation, sale, etc., penalty.

Manufacture, importation, sale, etc., of auto sears; prohibition; penalty. Amends §§ 18.2-308.5:1 and 19.2-386.28. Prohibits the manufacture, importation, sale or offer to sell, possession, transfer, or transportation of an auto sear, defined in the bill as a device, other than a trigger activator, for use in converting a semi-automatic firearm to shoot automatically more than one shot, without manual reloading, by a single function of the trigger. A violation is punishable as a Class 6 felony. The bill also provides for the forfeiture of any auto sear concealed, possessed, transported, or carried in violation of the prohibition.

Effective July 1, 2024

[Chapter 175](#) / [Chapter 254](#) Criminal Injuries Compensation Fund; claims.

Criminal Injuries Compensation Fund; claims. § 19.2-368.5. Provides that in claims for an award under the Criminal Injuries Compensation Fund involving claims of sexual abuse of a minor where the conduct constitutes a felony, the passage of time shall not be a barrier to when the victim can file a claim. Under current law, such claim involving sexual abuse of a minor shall be filed within 10 years after the minor's eighteenth birthday.

Effective July 1, 2024

[Chapter 179](#) / [Chapter 489](#) Cruelty to animals; possession and ownership of animals.

Cruelty to animals; possession and ownership of animals. Amends § 3.2-6570. Provides that any person convicted of felony cruelty to animals may be prohibited by the court from possession or ownership of companion or equine animals for life and any person convicted of misdemeanor cruelty to animals may be prohibited by the court from possession or ownership of such animals for a period of up to five years. Under current law, such prohibition is limited to companion animals and a period equal to the statutory maximum period of incarceration. The bill also specifies that a court may order that any animal possessed or owned by such person may be disposed of by a local governing body or delivered to another person with a right of property in the animal.

The bill further provides that any person who has his rights to possession or ownership of companion or equine animals prohibited pursuant to a felony conviction may petition the court where such conviction occurred for a restoration of his rights after five years from the date of conviction.

Effective July 1, 2024



[Chapter 187](#) License tax; retired police or military dogs, exemption.

License tax; retired police or military dogs; exemption. Amends § 3.2-6528. Allows a locality by ordinance to exempt any dog that served as a police or law-enforcement dog or military working dog from the license tax on the ownership of dogs. Such ordinance must include a verification process for the vaccination records of such a dog.

Effective July 1, 2024

[Chapter 190](#) Law-enforcement officers; exposure to bodily fluids, petition to the general district court.

Law-enforcement officers; exposure to bodily fluids; petition to the general district court by local attorney for the Commonwealth. Amends § 32.1-45.1. Allows a local attorney for the Commonwealth in the county or city in which such exposure occurred to file a petition for an order requiring testing and disclosure of test results on behalf of a law-enforcement officer when a law-enforcement officer is directly exposed to the bodily fluid of a person in a manner that may, according to the then-current guidelines of the Centers for Disease Control and Prevention, transmit human immunodeficiency virus or hepatitis B or C viruses and such person refuses to submit to testing. Current law limits who may file a petition to the exposed law-enforcement officer or his employer.

Effective July 1, 2024

[Chapter 193](#) Prisoner; physical examination by licensed nurse practitioner.

Physical examination of prisoner; licensed nurse practitioner; licensed physician assistant. Amends § 53.1-33. Provides that each person received by the Department of Corrections shall be examined by a licensed physician, licensed nurse practitioner, or licensed physician assistant upon his arrival, within 30 days prior to any work assignment in food services, medical services, or cosmetological services or a change in work assignment, and at such other times thereafter as may be deemed necessary. Under current law, such examination may be performed only by a licensed physician.

Effective July 1, 2024

[Chapter 201](#) / [Chapter 237](#) Magistrates; certain minimum standards for security and accessibility in quarters.

Quarters for magistrates; certain minimum standards for security and accessibility. Amends § 19.2-48.1. Establishes certain minimum standards for ensuring security and accessibility in quarters for magistrates. This bill is a recommendation of the Judicial Council of Virginia.

Effective July 1, 2024



### [Chapter 232 Towed vehicles; stolen or misused vehicle, police report.](#)

Towed vehicles; stolen or misused vehicle; police report. Amends § 46.2-1209. Requires the owner of a vehicle that was stolen, illegally used, or used without his permission and subsequently subject to a law-enforcement initiated tow to provide the report number and the name of the law-enforcement agency receiving the report that the motor vehicle was stolen, illegally used, or used without his permission to the towing facility where the vehicle is being stored in order to remove the vehicle without paying towing and storage fees.

Effective July 1, 2024

### [Chapter 243 Admission to bail; act of violence.](#)

Admission to bail; act of violence. Amends § 19.2-120. Provides that a judicial officer who admits a person to bail who is charged with an act of violence shall notify the attorney for the Commonwealth for the jurisdiction in which such person's case is filed contemporaneously with such person's grant of bail or release. The bill provides that such notice may be made by facsimile or other electronic means.

Effective July 1, 2024

### [Chapter 253 Commonwealth Public Safety Medal of Valor; medal may be awarded to dispatcher.](#)

Public safety officer; Commonwealth Public Safety Medal of Valor; dispatcher. Amends § 9.1-800. Adds a dispatcher, including a dispatcher employed by the Department of State Police, to the definition of a public safety officer for purposes of possible selection by the Governor for the Commonwealth Public Safety Medal of Valor, presented for performance above and beyond the call of duty involving extraordinary valor in the face of grave danger, at great personal risk. A dispatcher is defined in relevant law as an individual employed by a public safety answering point, an emergency medical dispatch service provider, or both, who is qualified to answer incoming emergency telephone calls or provide for the appropriate emergency response either directly or through communication with the appropriate public safety answering point.

Effective July 1, 2024

### [Chapter 260 Drug Treatment Court Act; eligibility.](#)

Drug Treatment Court Act; eligibility. Amends § 18.2-254.1. Replaces the restriction that renders persons convicted of certain violent felonies or acts of violence within the preceding 10 years ineligible to participate in a drug treatment court with a restriction on participation if any of the following conditions apply: (i) the offender is presently charged with a felony offense or is convicted of a felony offense while participating in any drug treatment court where (a) the offender carried, possessed, or used a firearm or any dangerous weapon during such offense; (b) the death or serious bodily injury of any person occurred during such offense; or (c) the use of force against any other person besides the offender occurred during such offense or (ii) the



offender was previously convicted as an adult of any felony offense that involved the use of force or attempted use of force against any person with the intent to cause death or serious bodily injury. This bill is a recommendation of the Virginia Criminal Justice Conference.

Effective July 1, 2024

[Chapter 262](#) Child pornography; production, publication, sale, financing, etc., penalty.

Production, publication, sale, financing, etc., of child pornography; penalty. Amends § 18.2-374.1. Amends the definition of "child pornography" to include sexually explicit visual material that depicts a minor in a state of nudity or engaged in sexual conduct where such depiction is obscene and specifies that such minor does not have to actually exist.

Effective July 1, 2024

[Chapter 266](#) / [Chapter 334](#) Hate crimes and discrimination; ethnic animosity, penalties.

Hate crimes and discrimination; ethnic animosity; penalties. Amends §§ 2.2-3900, 2.2-3902, 2.2-3904, 2.2-3905, 8.01-49.1, 18.2-57, and 18.2-121. Provides that it is the policy of the Commonwealth to safeguard all individuals within the Commonwealth from unlawful discrimination in employment and in places of public accommodation because of such individual's ethnic origin and prohibits such discrimination. The bill also adds victims who are intentionally selected because of their ethnic origin to the categories of victims whose intentional selection for a hate crime involving assault, assault and battery, or trespass for the purpose of damaging another's property results in a higher criminal penalty for the offense. The bill also provides that no provider or user of an interactive computer service on the Internet shall be liable for any action voluntarily taken by it in good faith to restrict access to material that the provider or user considers to be intended to incite hatred on the basis of ethnic origin.

Effective July 1, 2024

[Chapter 267](#) / [Chapter 353](#) Virginia Retirement System; plan credits and accounts.

Virginia Retirement System; plan credits and accounts. Amends §§ 51.1-142.2 and 55.1-2544. Allows members of the Virginia Retirement System to purchase service credit for prior full-time active duty military service of at least 180 consecutive days in any federally established branch of the armed services. Under current law, such purchases are restricted to prior full-time active duty military service of at least 180 consecutive days in the United States Army, Navy, Air Force, Marines, or Coast Guard.



The bill also provides that any funds or other property held in a Virginia Retirement System defined contribution plan, deferred compensation plan, or cash match plan remaining unclaimed for more than five years shall be presumed abandoned under the Virginia Disposition of Unclaimed Property Act and may escheat to the state treasury. Under current law, the Act does not apply to any Virginia Retirement System defined benefit plan funds or other property.

Effective July 1, 2024

### [Chapter 273 Family or household member; clarifies definition, penalty.](#)

Family or household member; definition; penalty. Amends § 16.1-228. Adds to the definition of family or household member, for the purposes of definitions relating to juvenile and domestic relations district courts and multiple criminal and procedural statutes, an individual who is a legal custodian of a juvenile.

Effective July 1, 2024

### [Chapter 325 Cell phone records; investigation of missing persons.](#)

Cell phone records; missing persons. § 19.2-70.3. Provides that a court shall issue an order for disclosure of records or other information pertaining to a subscriber to or customer of a provider of electronic communication service or remote computing service, including a foreign corporation that provides such services, only if the investigative or law-enforcement officer shows that there is reason to believe the records or other information sought are relevant and material to the investigation of any critically missing person, as defined in relevant law.

Effective July 1, 2024

### [Chapter 337 Tow truck drivers and towing and recovery operators; prohibited acts, certain solicitation.](#)

Tow truck drivers and towing and recovery operators; prohibited acts; certain solicitation and offering of services; penalty. Amends § 46.2-118. Prohibits tow truck drivers and towing and recovery operators from causing any other person to solicit or offer towing services in any manner, directly or indirectly, at the scene of any wrecked or disabled motor vehicle upon a highway when such wrecked or disabled motor vehicle reasonably necessitates removal by a tow truck. The bill provides that a violation of such prohibition constitutes a Class 3 misdemeanor for the first offense and a Class 2 misdemeanor for any subsequent offense.

Effective July 1, 2024



### Chapter 365 Juveniles; evidence of trafficking, sexual abuse, or rape by the alleged victim.

Juveniles; evidence of trafficking, sexual abuse, or rape by the alleged victim prior to or during the commission of the alleged offense; treatment and rehabilitation. Amends §§ 16.1-269.1, 16.1-269.2, and 16.1-272. Requires a juvenile and domestic relations district court, when determining whether to retain jurisdiction of a juvenile defendant during a transfer hearing, to consider any evidence that such juvenile was a victim of felonious sexual assault or trafficking by the alleged victim prior to or during the commission of the alleged offense and that such alleged offense was a direct result of the juvenile being a victim of such felonious sexual assault or trafficking. The bill also requires that a study and report prior to a transfer hearing include any relevant information supporting an allegation that such juvenile was a victim of felonious sexual assault or trafficking by the alleged victim. The bill also creates a procedure for a juvenile to present such evidence in mandatory transfer cases that under current law require the juvenile and domestic relations district court to transfer the case to the circuit court and provides that upon a finding that the alleged offense was a direct result of the juvenile being a victim of such felonious sexual assault or trafficking, the juvenile and domestic relations district court can instead conduct a transfer hearing to determine whether to keep the case in juvenile court. The bill also creates a similar procedure allowing a juvenile to present such evidence in certain cases where current law requires the juvenile and domestic relations district court to transfer the case to circuit court if the attorney for the Commonwealth gives notice of an intent to proceed with such transfer. Also, in juvenile cases that are tried in circuit court, the bill allows the court to set aside a guilty verdict and instead render the juvenile delinquent if prior to the final order or within 21 days of such order, the court receives evidence that the juvenile was a victim of such felonious sexual assault or trafficking. Lastly, the bill states that it is the intent of the General Assembly that these juveniles be viewed as victims and provided treatment and services in the juvenile system.

Effective July 1, 2024

### Chapter 366 Human trafficking; attorneys for the Commonwealth to establish multidisciplinary response teams.

Human trafficking response teams. Amends §§ 2.2-3703, 2.2-3705.7, 2.2-3711, and 9.1-102, and adds § 15.2-1627.6. Requires attorneys for the Commonwealth to establish multidisciplinary human trafficking response teams. The bill provides that each team shall hold a meeting, at least annually, to (i) discuss implementation of protocols and policies; (ii) establish and review guidelines for the community's response to various forms of human trafficking, including sex trafficking and labor trafficking; and (iii) review protocols for the trauma-informed, victim-centered collection, preservation, and secure storage of evidence from physical evidence recovery kit examinations. The bill also provides that the Virginia Freedom of Information Act shall not apply to human trafficking response teams, with certain exceptions.

Effective July 1, 2024





### [Chapter 368](#) Forced labor or service; civil action for trafficking, penalties.

Forced labor or service; penalties. Amends §§ 8.01-42.4, 18.2-47, and 18.2-356. Expands the offense of abduction to penalize any person who, by force, intimidation or deception, and without legal justification or excuse, obtains the labor or services of another, or seizes, takes, transports, detains or secretes another person or threatens to do so. The bill also expands the offense of receiving money for procuring a person to penalize any person who causes another to engage in forced labor or services or provides or obtains labor or services by any act as described in the offense of abduction. Lastly, the bill allows any person injured as a result of an abduction for the purposes of forced labor or services to commence a civil action for recovery of compensatory damages, punitive damages, and reasonable attorney fees and costs.

Effective July 1, 2024

### [Chapter 371](#) Controlled substances; manufacturing, selling, giving, distributing misbranded drugs, etc.

Controlled substances; manufacturing, selling, giving, distributing, etc.; adulterated or misbranded drugs; penalties. Amends §§ 18.2-248.02 and 54.1-3458 and adds §18.2-248.05. Makes it a Class 6 felony for any person, except for permitted manufacturers, to possess, purchase, sell, give, distribute, or possess with intent to sell, give, or distribute an encapsulating machine or a tableting machine that manufactures, compounds, converts, produces, processes, prepares, or otherwise introduces into the human body a controlled substance. The bill makes it a Class 5 felony if such person knows, intends, or has reasonable cause to believe that such action will result in the unlawful manufacture of a controlled substance or counterfeit controlled substance that contains (i) a controlled substance classified in Schedule I or Schedule II of the Drug Control Act or (ii) a controlled substance analog as defined in relevant law.

The bill also makes it a felony punishable by imprisonment for not less than 10 nor more than 40 years for any person 18 years of age or older to knowingly allow a minor or a mentally incapacitated or physically helpless person of any age to be present during the manufacture or attempted manufacture of any substance containing a detectable amount of fentanyl.

The bill also increases from a Class 2 misdemeanor to a Class 6 felony the penalty for violations related to adulterated or misbranded drugs and cosmetics.

Effective July 1, 2024

### [Chapter 380](#) / [Chapter 381](#) Line of Duty Act; increases payment of benefits.

Line of Duty Act; payment of benefits. Amends § 9.1-402. Increases from \$25,000 to \$75,000 the death benefit payout under the Virginia Line of Duty Act for a death caused by occupational cancer, respiratory disease, or hypertension or heart disease for those deaths that will occur on or after January 1, 2025.



Effective July 1, 2024

[Chapter 392 / Chapter 393](#) Corrections Ombudsman, Office of the Department of; created, annual report.

Office of the Department of Corrections Ombudsman; created. Adds §§ 53.1-17.2 through 53.1-17.10. Creates, within the Office of the State Inspector General, the Office of the Department of Corrections Ombudsman (the Office) headed by an Ombudsman who is selected by the State Inspector General. The bill creates the Corrections Oversight Committee (the Committee) made up of four members of the General Assembly, nine nonlegislative citizen members appointed by the Governor, subject to criteria described in the bill, and two nonvoting members, appointed as described in the bill, who monitor the activities of the Ombudsman and the Department of Corrections (the Department). The bill provides the Office with authority to conduct inspections at least once every three years and more often when warranted of Department facilities and requires the Office to establish a statewide toll-free telephone number, website, mailing address, and paper and electronic forms for inmates, family members, friends, and advocates to submit complaints and inquiries. In addition, the bill requires the Committee to hold at least two public hearings per year and requires the Office to submit an annual report to be made available online and to be delivered to the Governor, the Attorney General, the Senate Committee on Rehabilitation and Social Services, the House Committee on Public Safety, the Committee, and the Director of the Department. The bill directs the Office to develop a short-term and long-term strategic plan and to provide a report on its initial activities and strategic plan to the Governor and the General Assembly on or before November 15, 2025.

Effective July 1, 2024

[Chapter 397](#) Multi-jurisdiction grand jury; elder abuse crimes.

Multi-jurisdiction grand jury; elder abuse crimes. Amends § 19.2-215.1. Adds the following to the list of crimes that a multi-jurisdiction grand jury may investigate: (i) financial exploitation of a vulnerable adult, (ii) financial exploitation of a vulnerable adult by an agent, and (iii) abuse and neglect of a vulnerable adult. This bill is a recommendation of the Virginia Criminal Justice Conference.

Effective July 1, 2024

[Chapter 402](#) Correctional facilities, local; stores and telephone systems, fees.

Stores and telephone systems in local correctional facilities; fees. Amends §§ 53.1-115.2, 53.1-127.1, and 53.1-127.2. Provides that the net profits from the operation of stores and telephonic communication systems in local correctional facilities shall be used within each facility respectively for educational, recreational, or medical purposes for the benefit of the inmates to include behavioral health, substance abuse, reentry, and rehabilitative services and may be expended to pay for the training, salaries, and benefits of employees or contractors whose primary job is to provide such programs and services to the inmates.



Effective July 1, 2024

[Chapter 403 Interference with commercial fishing vessels or activity; penalty.](#)

Interference with commercial fishing vessels or activity; penalty. Adds § 18.2-146.2. Creates a Class 1 misdemeanor for any person who knowingly and intentionally interferes with or impedes the operation or commercial fishing activity, defined in the bill, of a commercial fishing vessel within the territorial waters of the Commonwealth. The bill deems a person to be ineligible for any hunting or fishing license for a period of one year upon a first conviction of this offense and for a period of three years upon a second or subsequent conviction. The bill also requires any person convicted of a violation of this offense to complete boating safety education.

Effective July 1, 2024

[Chapter 416 Virginia Law Officers' Retirement System; extends membership to conservation officers.](#)

Virginia Law Officers' Retirement System; conservation officers. Amends § 51.1-212. Extends membership in the Virginia Law Officers' Retirement System (VaLORS) to conservation officers of the Department of Conservation and Recreation. The bill has a delayed effective date of July 1, 2025, and provides that such membership would apply only to service earned on or after July 1, 2025. The bill contains a reenactment clause.

Effective July 1, 2025

[Chapter 436 / Chapter 510 All-terrain vehicles and off-road motorcycles; seizure, impounding, and disposition.](#)

All-terrain vehicles and off-road motorcycles; seizure, impounding, and disposition. Amends § 46.2-915.1. Authorizes the governing body of any city to provide by ordinance for the lawful seizure, impounding, and disposition of an illegally operated all-terrain vehicle or off-road motorcycle operated on a highway or sidewalk within such city.

Effective July 1, 2024

[Chapter 440 Naloxone or other opioid antagonists; possession by state agencies, guidelines for private employer.](#)

Naloxone or other opioid antagonists; possession and administration by state agencies. Amends § 54.1-3408 and adds § 2.2-2833. Requires state agencies to possess naloxone or other opioid antagonists used for overdose reversal to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose and permits employees of any state agency to possess and administer naloxone or other opioid antagonists. The bill also directs the Department of Health to post on its website informational resources relating to the use of naloxone and other opioid antagonists for opioid overdose reversal and prevention in



public places. Finally, the bill directs the Department of Health to develop a plan for the procurement and distribution of naloxone or other opioid antagonists to each state agency and for the possession of naloxone or other opioid antagonists by each state agency and to report its progress in developing such plan to the Governor and the Chairmen of the House Committee on Health and Human Services and the Senate Committee on Education and Health by November 1, 2024.

Effective July 1, 2024

[Chapter 472 / Chapter 516](#) Xylazine; penalty for manufacturing, selling, etc., for human consumption.

Xylazine; manufacturing; selling; giving; distributing; possessing; veterinary use exemption; penalties. Adds § 18.2-251.5. Provides that any person who knowingly manufactures, sells, gives, distributes, or possesses with the intent to manufacture, sell, give, or distribute the substance xylazine, when intended for human consumption, is guilty of a Class 5 felony. Under the bill, any person who knowingly possesses xylazine, when intended for human consumption, is guilty of a Class 1 misdemeanor. Under the bill, it is not an offense to (i) manufacture xylazine for legitimate veterinary use; (ii) distribute or sell xylazine for authorized veterinary use; (iii) possess, administer, prescribe, or dispense xylazine in good faith for use by animals within the course of legitimate veterinary practice; or (iv) possess or administer xylazine pursuant to a valid prescription from a licensed veterinarian.

Effective July 1, 2024

[Chapter 475](#) Larceny and embezzlement offenses; prosecution in any county or city where the victim resides.

Larceny offenses; venue. Amends §§ 18.2-95 and 18.2-111. Allows grand larceny and embezzlement offenses to be prosecuted in any county or city where the victim of the larceny or embezzlement resides.

Effective July 1, 2024

[Chapter 480](#) J.D. Power Official Used Car Guide; added to list of publications for retail value of vehicles.

Motor vehicle value; J.D. Power Official Used Car Guide. Amends § 8.01-419.1. Adds the J.D. Power Official Used Car Guide to the list of publications from which the retail value of an automobile is admissible as evidence of fair market value of such automobile in any civil or criminal case in which the price of an automobile is in issue.

Effective July 1, 2024



### Chapter 485 Fixing period of suspension of sentence; sexual abuse of a child under 15 years of age.

Fixing period of suspension of sentence; sexual battery; sexual abuse of a child under 15 years of age. Amends § 19.2-303.1. Allows the court to fix the period of suspension of sentence for a period not to exceed three years for the offenses of sexual battery and sexual abuse of a child 13 years of age or older but under 15 years of age. Current law allows a court to fix the period of suspension for up to the maximum period for which the defendant might originally have been sentenced to be imprisoned.

Effective July 1, 2024

### Chapter 487 Subpoenas; release of witness.

Subpoenas; release of witness. Amends § 8.01-407. Makes the provisions governing a release of a witness from a subpoena applicable to a subpoena issued at the request of a party or by or at the request of an attorney representing a party. Under current law, these provisions apply to the release of a witness from an attorney-issued subpoena only. This bill is a recommendation of the Boyd-Graves Conference.

Effective July 1, 2024

### Chapter 494 Law-enforcement and jail officers; various changes to provisions related to decertification.

Decertification of law-enforcement officers and jail officers. Amends §§ 2.2-3711, 9.1-102, 15.2-1707, 15.2-1708, and 19.2-83.7. Makes various changes to the provisions related to decertification of law-enforcement officers and jail officers. The bill provides that the Department of Criminal Justice Services may conduct decertification review hearings in accordance with the provisions of the Administrative Process Act. The bill provides that the findings and decision of the Department may be appealed to the Board and that the final administrative decision of the Board may be then appealed and reviewed by a court. The bill also provides that records provided to the Board or Department for the purposes of decertification of an identifiable law-enforcement officer or jail officer may be withheld from the public in accordance with the Virginia Freedom of Information Act and those meetings concerning the decertification of an identifiable law-enforcement or jail officer may be closed. The bill also allows the Department to grant a continuance of any informal fact-finding conference or formal hearing upon motion by the decertified officer or his counsel or the Attorney General for good cause shown. The bill requires an officer to remain decertified during a period of continuance of any informal fact-finding conference or formal hearing for a pending criminal charge unless the Department finds the officer's continued decertification may cause circumstances that constitute a manifest injustice to the officer, in which case the officer's certification may be reinstated during the period of continuance until the conviction becomes final. Current law allows the Board, when an officer's conviction has not become final, to decline to decertify such officer after considering the likelihood of irreparable damage to the officer if such officer is decertified during the pendency of an ultimately successful appeal, the likelihood of injury or damage to the public if the officer is



not decertified, and the seriousness of the offense. Additionally, the bill allows for the decertification of an officer who is terminated or resigns for an act committed while in the performance of his duties that compromises an officer's credibility, integrity, or honesty or that constitutes exculpatory or impeachment evidence in a criminal case. The bill also provides that persons who are currently in a recruit or field training status and have committed an act that would be any basis for decertification are ineligible for certification. The bill also specifies that the required notification to the Department related to an officer being terminated or resigning (i) for engaging in serious misconduct; (ii) while such officer is the subject of a pending internal investigation involving serious misconduct; or (iii) for an act committed while in the performance of his duties that compromises an officer's credibility, integrity, or honesty or constitutes exculpatory or impeachment evidence in a criminal case shall be within 48 hours of completion of an internal investigation. Under current law, such notification is required to be within 48 hours of the termination or resignation. The bill also requires the Department to establish standards and procedures for when the Department may grant a petition for reinstatement of certification of a decertified officer. The bill directs the Department to adopt emergency regulations to implement the provisions of the bill.

Effective July 1, 2024

#### [Chapter 522](#) Firearm safety device tax credit; expands definition of device.

Firearm safety device tax credit; definition of firearm safety device. Amends § 58.1-339.14. Expands the definition of "firearm safety device" as it relates to the firearm safety device tax credit to include any device that, when installed on a firearm, is designed to prevent the firearm from being operated without first deactivating the device. The provisions of the bill are effective for taxable years beginning on and after January 1, 2024.

Effective January 1, 2024

#### [Chapter 523](#) / [Chapter 571](#) Search warrants, subpoenas, court orders, or other process; menstrual health data prohibited.

Search warrants, subpoenas, court orders, or other process; menstrual health data prohibited. Amends § 19.2-53 and adds § 19.2-60.2. Prohibits the issuance of a search warrant, subpoena, court order, or other process for the purpose of the search and seizure or production of menstrual health data, as defined in the bill, including data stored on a computer, computer network, or other device containing electronic or digital information.

Effective July 1, 2024

#### [Chapter 530](#) / [Chapter 578](#) Financial institutions; reporting financial exploitation of elderly or vulnerable adults.

Financial institutions; reporting financial exploitation of elderly or vulnerable adults. Adds § 6.2-103.2. Permits a financial institution to allow an elderly or vulnerable adult, as defined in the bill,



to submit and periodically update a list of trusted persons whom such financial institution or financial institution staff, as defined in the bill, may contact in the case of the suspected financial exploitation of such adult. The bill also permits a financial institution to conduct a training to instruct its staff on how to identify and report the suspected financial exploitation of an elderly or vulnerable adult internally at such financial institution, to a designated trusted contact, and to various other authorities. The bill directs the Bureau of Financial Institutions of the State Corporation Commission to develop and publish guidelines for such training by January 1, 2026. The bill provides that no financial institution staff that have received such training shall be liable in any civil or administrative proceeding for disclosing the suspected financial exploitation of an elderly or vulnerable adult pursuant to the bill's provisions if such disclosure was made in good faith and with reasonable care. The bill provides that no financial institution that has provided such training shall be liable for any such disclosure by financial institution staff.

Effective July 1, 2024

#### [Chapter 537 Towing violations; enforcement.](#)

Towing violations; enforcement; fuel surcharge fee. Amends §§ 46.2-1232 and 46.2-1233.3. Authorizes localities in Planning Districts 8 and 16 to require written authorization of the owner of the property from which the vehicle is towed at the time the vehicle is being towed and regulate the monitoring practices that may be used by towing and recovery operators. Current law authorizes localities other than those in Planning Districts 8 and 16 to require written authorization of the owner of the property from which the vehicle is towed at the time the vehicle is being towed. The bill changes the penalty for certain trespass towing offenses in Planning District 8 from \$150 per violation paid to the Literary Fund to 10 times the total amount charged for such removal, towing, and storage to be paid to the victim of the unlawful towing. The bill also changes the expiration date of the authorization for towing and recovery operators to charge a fuel surcharge fee of no more than \$20 for each vehicle towed or removed from private property without the consent of its owner and the prohibition on local governing bodies limiting or prohibiting such fee from July 1, 2024, to July 1, 2025.

Effective July 1, 2024

#### [Chapter 540 Investigators; powers, enforcement of certain tobacco laws.](#)

Powers of investigators; enforcement of certain tobacco laws. Amends §§ 2.2-509.1 and 4.1-105. Authorizes investigators with the Office of the Attorney General to seize cigarettes that are unlawfully sold, possessed, distributed, transported, imported, or otherwise held and to accompany and participate with special agents of the Alcoholic Beverage Control Board or other law-enforcement officials engaging in an enforcement action involving counterfeit and unstamped cigarettes.

Effective July 1, 2024



[Chapter 542](#) / [Chapter 581](#) Law-enforcement officers, certain; universal certification, necessary training.

Universal certification for certain law-enforcement officers. Adds § 9.1-116.01. Provides that any sworn law-enforcement officer with at least one year of experience (i) whose training qualifications meet or exceed current training standards established by the Board of Criminal Justice Services and who is in compliance with the minimum qualifications, (ii) who has not had a break in service of more than 24 months, and (iii) who is leaving the transferring agency in good standing with no pending investigations or disciplinary actions shall be eligible for employment at any law-enforcement agency within the Commonwealth or its political subdivisions. Prior to any conditional offer of employment, the bill requires the hiring law-enforcement agency to request certain specified information from all prior law-enforcement agencies and to employ all reasonable means to obtain personnel records for law-enforcement officers transferring from an out-of-state or federal law-enforcement agency. The bill requires that upon the receipt of all requested information by the hiring law-enforcement agency, the applicant law-enforcement officer shall complete a sworn declaration that the provided information or records are, to the best of the applicant's knowledge, a true, correct, and complete response to such request.

Effective July 1, 2024

[Chapter 550](#) State Emergency Medical Services Advisory Board; guidelines for the provision of emergency treatment of fire, police, and search and rescue dogs.

Requires the State Emergency Medical Services Advisory Board, in consultation with the Board of Veterinary Medicine, to develop guidelines and guidance for the provision of emergency treatment of fire, police, and search and rescue dogs injured in the line of duty and the transportation of such dogs by an emergency medical services vehicle to a veterinary care facility equipped to provide emergency treatment to such dog.

Effective July 1, 2024

[Chapter 553](#) Absentee voting; persons confined awaiting trial or for conviction of a misdemeanor.

Absentee voting; persons confined awaiting trial or for conviction of a misdemeanor. Amends §§ 24.2-701 and 24.2-1005.2 and adds § 24.2-700.1. Provides that any registered voter who is confined while awaiting trial or for having been convicted of a misdemeanor may vote by absentee ballot and requires the institution or facility in which such voter is confined to (i) provide the means and opportunity for such voter to complete and submit a timely application for an absentee ballot and to properly mark his absentee ballot and (ii) ensure such voter's marked absentee ballot is returned in accordance with law.

Effective July 1, 2024





### [Chapter 556](#) Criminal justice training academies; curriculum.

Criminal justice training academies; curriculum. Amends §§ 9.1-102 and 9.1-112.1. Provides that an approved criminal justice training academy may utilize an alternative curriculum and lesson plans that meet or exceed the compulsory minimum training standards without seeking a waiver from the Department of Criminal Justice Services. Under current law, the Department is required to develop a uniform curriculum to be used at all criminal justice training academies unless a waiver to the uniform curriculum is granted by the Department.

Effective July 1, 2024

### [Chapter 560](#) Line of Duty Act; clarifies definition of eligible dependent.

Line of Duty Act; eligible dependent. Amends § 9.1-400. Provides that for purposes of continued health insurance pursuant to the Line of Duty Act, an eligible dependent means the natural or adopted child or children of a deceased person or disabled person or of a deceased or disabled person's eligible spouse, provided that any such natural child is born as the result of a pregnancy that occurred prior to, or no later than six months after, the time of the employee's death or disability and that any such adopted child is (i) adopted prior to, or no later than six months after, the time of the employee's death or disability or (ii) adopted more than six months after the employee's death or disability if the adoption is pursuant to a preadoptive agreement entered into prior to, or no later than six months after, the death or disability. Under current law, an eligible dependent includes a child born or adopted prior to the time of the employee's death or disability. The bill's provisions only apply to an eligible dependent of a deceased person or disabled person when such death or disability occurred on or after July 1, 2017, and the bill specifies that any new health insurance coverage for those qualifying as an eligible dependent is only prospective from July 1, 2024.

Effective July 1, 2024

### [Chapter 561](#) Trial by jury; contact with jurors after trial prohibited, penalty.

Trial by jury; contact with jurors after trial prohibited; penalty. Adds § 18.2-465.2. Creates a Class 1 misdemeanor for any defendant who knowingly and intentionally contacts, with the intent to harass, intimidate, or threaten, a juror regarding such juror's service as a juror after a jury trial.

Effective July 1, 2024

### [Chapter 574](#) Towing without consent of vehicle owner; prohibited acts by towing and recovery operator.

Towing without consent of vehicle owner; fee. Amends § 46.2-118. Prohibits towing and recovery operators from requiring an individual who appears to retrieve a vehicle towed to provide to the towing and recovery operator, in addition to payment of fees, any document not otherwise required by law before releasing the vehicle to the individual.



Effective July 1, 2024

[Chapter 580](#) Virginia Freedom of Information Act; release of criminal investigative files exception.

Virginia Freedom of Information Act; release of criminal investigative files exception. Amends § 2.2-3706.1. Exempts a victim's insurance company and attorney from the prohibition on releasing photographic, audio, video, or other records depicting such victim. The bill also permits a victim, a victim's immediate family members if the victim is deceased, a victim's parent or guardian, the victim's insurance company, or the victim's attorney to waive the 14-day period for a public body to respond to a request for criminal investigative files.

Effective July 1, 2024

[Chapter 582](#) FOIA; removal of Virginia residency requirement for access to certain criminal investigation files.

Virginia Freedom of Information Act; removal of Virginia residency requirement for access to certain criminal investigation files. Amends §§ 2.2-3706.1 and 8.01-622.2. Removes the requirement that persons to whom non-ongoing criminal investigation files shall otherwise be disclosed be citizens of the Commonwealth. Current law limits disclosure of public records to individuals who are citizens of the Commonwealth unless a clear exception applies.

Effective July 1, 2024

[Chapter 592](#) Carnal knowledge and sexual battery; persons detained or arrested by a law-enforcement officer; confidential informants, pretrial defendants or posttrial offenders; penalty.

Amends §§ 18.2-64.2 and 18.2-67.4. Provides that an accused is guilty of carnal knowledge of a person serving as a confidential informant, defined in the bill, if he (i) is a law-enforcement officer; (ii) knows that such person is serving as a confidential informant for the law-enforcement agency where such officer is employed; and (iii) carnally knows, without use of force, threat, or intimidation, such confidential informant while such person is serving as a confidential informant or is expected to testify in a criminal case for which the confidential informant assisted the law-enforcement agency with its investigation. The bill provides that such offense is a Class 6 felony. The bill also provides that an accused is guilty of sexual battery if he sexually abuses (a) a person detained or arrested by a law-enforcement officer and the accused is a law-enforcement officer, (b) a pretrial defendant or posttrial offender and the accused is an owner or employee of the bail company that posted the pretrial defendant's or posttrial offender's bond, or (c) a person serving as a confidential informant and the accused is a law-enforcement officer. Current law provides that sexual battery is a Class 1 misdemeanor for a first offense and a Class 6 felony for a third or subsequent offense.

Effective July 1, 2024



### [Chapter 594](#) Protective orders; respondent to notify court of change of address.

Amends §§ 16.1-253.1, 16.1-279.1, 19.2-152.9, and 19.2-152.10. Requires the respondent against whom a protective order has been issued to notify the court in writing within seven days of any change of residence while such order is in effect, provided that such order has been properly served upon the respondent. In a proceeding involving a preliminary protective order, the bill provides that the court may require the respondent to notify the court in writing within seven days of any change of residence while such preliminary protective order is in effect. The bill also provides that any failure of a respondent to make such required notification shall be punishable by contempt.

Effective July 1, 2024

### [Chapter 614](#) Surveillance technology reporting by state and local law-enforcement agencies and sheriff's departments.

Adds § 9.1-116.9. Requires all state and local law-enforcement agencies and sheriff's departments to provide to the Department of Criminal Justice Services (the Department) a list of surveillance technologies, defined in the bill, procured by such agencies and departments on an annual basis by November 1 of each year. The bill requires the Department to provide such information to the Virginia State Crime Commission and the Joint Commission on Technology and Science.

Effective July 1, 2024

### [Chapter 615](#) Child abuse and neglect; mandatory reporters; statute of limitations; penalties.

Amends § 63.2-1509. Adds aggravated sexual battery of a child and attempted rape, sodomy, aggravated sexual battery, or object sexual penetration of a child to the list of offenses for which a failure to report subjects a mandatory reporter to criminal liability.

Effective July 1, 2024

### [Chapter 625](#) Department of Criminal Justice Services; priority treatment for incarcerated women who are pregnant and in need of substance abuse treatment; work group; report.

Directs the Department of Criminal Justice Services, in collaboration with the Department of Behavioral Health and Developmental Services and the Department of Health, to convene a work group of relevant stakeholders to study and make recommendations related to prioritizing treatment for incarcerated women who are pregnant and in need of substance abuse treatment. The bill requires the work group to report its findings and recommendations to the Chairmen of



the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by November 1, 2024.

Effective July 1, 2024

[Chapter 632](#) / [Chapter 674](#) Employee protections; medicinal use of cannabis oil.

Amends § 40.1-27.4. Amends the provision that prohibits an employer from discriminating against an employee for such employee's lawful use of medical cannabis oil, with certain exceptions, by specifying that such use must conform to the laws of the Commonwealth and by including the employees, other than law-enforcement officers, of the Commonwealth and other public bodies in such protections.

Effective July 1, 2024

[Chapter 643](#) / [Chapter 680](#) Temporary detention order; alternative transportation.

Amends § 37.2-810. Provides that when a magistrate is determining whether an alternative transportation provider is available for the purposes of designating a transportation provider for the transportation of a person who is the subject of a temporary detention order, an alternative transportation provider shall be deemed available if the provider states that it is available to take custody of the person from law enforcement within six hours of issuance of the temporary detention order or an order changing the transportation provider.

The bill also provides that if (i) no alternative transportation provider is available to provide transportation, willing to provide transportation, and able to provide transportation in a safe manner or (ii) the law-enforcement agency elects to provide transportation, the magistrate shall designate the primary law-enforcement agency and jurisdiction designated to execute the temporary detention order to provide transportation of the person.

Effective July 1, 2024

[Chapter 658](#) / [Chapter 667](#) Alert for missing or endangered children; Virginia Critical Operation for a Disappeared Child Initiative (Codi) Alert Program.

Adds §§ 52-34.3:1, 52-34.3:2, and 52-34.3:3. Creates a program for local, regional, or statewide notification of a missing or endangered child. The bill defines a missing or endangered child as a child (i) who is 17 years of age or younger or is currently enrolled in a secondary school in the Commonwealth, regardless of age; (ii) whose whereabouts are unknown; and (iii) whose disappearance is under suspicious circumstances or poses a credible threat as determined by law enforcement to the safety and health of the child and under such other circumstances as deemed appropriate by the Virginia State Police. The bill requires the Virginia State Police to develop, in consultation with representatives of local law-enforcement agencies, including representatives from the Virginia Sheriffs' Association and the Virginia Association of Chiefs of Police, policies for the establishment of uniform standards for the creation of Codi Alert Programs throughout the Commonwealth. The Virginia State Police shall ensure the Virginia



Critical Operation for a Disappeared Child Initiative Alert Program, or Codi Alert Program, as created by this act, is available and operational no later than July 1, 2025.

Effective July 1, 2024

### [Chapter 669 Virginia Freedom of Information Act; charges for production of public records; report.](#)

Amends § 2.2-3704. Prohibits a public body from charging a requester for any costs incurred during the first hour spent accessing, duplicating, supplying, or searching for records requested in conjunction with the requester's first request. The bill provides that for any additional time spent accessing, duplicating, supplying, or searching for such records, or for any additional record requests, the public body shall not charge an hourly rate for accessing, duplicating, supplying, or searching for the records exceeding the lesser of the hourly rate of pay of the lowest-paid individual capable of fulfilling the request or \$40 per hour. The bill allows a public body to petition the appropriate court for relief from the \$40-per-hour fee cap upon showing by a preponderance of the evidence that there is no qualified individual capable of fulfilling the request for \$40 per hour or less and requires such petition to be heard within seven days of when the petition is made, provided that the public body has sent and the requester has received a copy of the petition at least three working days prior to filing. The bill also provides that in certain instances a hearing on any petition shall be given precedence on a circuit court's docket over all cases that are not otherwise given precedence by law and that the time period the public body has to respond to a record request shall be tolled between the requester's receipt of the petition and the final disposition of the court. The bill prohibits a public body from charging a requester for any court costs or fees resulting from a petition. The bill directs the Virginia Freedom of Information Advisory Council to study whether public bodies should charge requesters pursuant to the bill and report on its findings by December 2024. The provisions of the bill amending the Code of Virginia do not become effective unless reenacted by the 2025 Session of the General Assembly.

### [Chapter 678 Joint Commission on Technology and Science; analysis of the use of artificial intelligence by public bodies; report.](#)

Directs the Joint Commission on Technology and Science (JCOTS), in consultation with relevant stakeholders, to conduct an analysis of the use of artificial intelligence by public bodies in the Commonwealth and the creation of a Commission on Artificial Intelligence. JCOTS shall submit a report of its findings and recommendations to the Chairmen of the House Committees on Appropriations and Communications, Technology and Innovation and the Senate Committees on Finance and Appropriations and General Laws and Technology no later than December 1, 2024.

### [Chapter 697 Unlawful dissemination or sale of images of another; penalty.](#)

Amends §§ 18.2-386.2 and 19.2-8. Expands the current categories of images that are unlawful to disseminate or sell to include any videographic or still image that depicts another person



whose genitals, pubic area, buttocks, or female breast are not exposed but such videographic or still image is obscene, as defined in the bill.

The bill adds to the statute of limitations for the misdemeanor offense of unlawful creation of the image of another to provide that a prosecution shall be commenced within five years of the commission of the offense or within one year of the date the victim discovers the offense or, by the exercise of due diligence, reasonably should have discovered the offense, whichever is later. The bill creates the same statute of limitations for the offense of unlawful dissemination or sale of the image of another. Current law starts the statute of limitations for the offense of unlawful creation of the image of another upon the commission of the offense.

Effective July 1, 2024

### [Chapter 712 / Chapter 758](#) Local animal cruelty registries.

Amends § 3.2-6573.1. Allows any locality to establish an animal cruelty registry for public access on the website of such locality or its local police department. The bill provides that such registry may include the names and relevant information of persons convicted of certain felony offenses for animal cruelty and that a person on such registry may request removal of his name after 15 years, provided that he has no additional felony convictions of an animal cruelty offense. The bill directs that all costs relating to a locality's animal cruelty registry shall be borne by such locality.

Effective July 1, 2024

### [Chapter 719](#) Custodial interrogation of a child; failure to comply with section; inadmissibility of statement.

Amends § 16.1-247.1. Provides that if a law-enforcement officer knowingly fails to comply with existing law regarding parental notification and contact prior to a custodial interrogation of a child, any statements made by such child shall be inadmissible in any delinquency proceeding or criminal proceeding against such child, unless the attorney for the Commonwealth proves by a preponderance of the evidence that the statement was made knowingly, intelligently, and voluntarily. The provisions of this act shall not apply to any statements made by a child prior to July 1, 2024.

Effective July 1, 2024

### [Chapter 742 / Chapter 773](#) Law-enforcement training; individuals with autism spectrum disorder.

Amends § 9.1-102. Requires the Department of Criminal Justice Services to establish compulsory minimum and in-service training standards for law-enforcement officers on communicating with individuals with an intellectual disability or a developmental disability, such as autism spectrum disorder, which shall include (i) an overview and behavioral recognition of autism spectrum disorder, (ii) best practices for crisis prevention and de-escalation techniques,



(iii) an objective review of any relevant tools and technology available to assist in communication, and (iv) education on law-enforcement agency and community resources for the autism community on future crisis prevention. The bill requires that such training standards be established in consultation with at least one individual with autism spectrum disorder, one family member of an individual with autism spectrum disorder, one specialist who works with individuals with autism spectrum disorder, one representative from the Department of Behavioral Health and Developmental Services, and one representative from a state or local law-enforcement agency. The bill requires the Department to establish such training standards by January 1, 2027, and requires any person employed as a law-enforcement officer prior to July 1, 2024, to complete the compulsory in-service training by July 1, 2028.

#### [Chapter 755](#) Deferred dispositions; expungement.

Amends § 19.2-298.02. Clarifies that a charged dismissed after a deferred disposition that may be eligible for expungement upon agreement of all parties includes an original charge that was reduced or a charge that is dismissed after a plea or stipulation of the facts that would justify a finding of guilt.

Effective July 1, 2024

#### [Chapter 759](#) Preliminary analysis of breath to determine alcoholic content of blood; failure to advise person of rights.

Amends § 18.2-267. Provides that if a police officer or a member of any sheriff's department fails to advise a person of his rights to refuse a preliminary breath test, any preliminary breath test sample shall not be admissible by the Commonwealth in any motion to suppress for the purpose of determining probable cause.

Effective July 1, 2024

#### [Chapter 771](#) Task Force on Fentanyl and Heroin Enforcement established.

Amends § 9.1-116.9. Creates the Task Force on Fentanyl and Heroin Enforcement whose purpose is to study ways to enhance the ability of law-enforcement officers throughout the Commonwealth to combat the illegal manufacturing, importation, and distribution of fentanyl, heroin, and other similar controlled substances. The bill requires the Task Force to meet at least annually and to report to the Governor and General Assembly by December 1 of each year regarding its activities and any recommendations.

Effective July 1, 2024



[Chapter 779](#) / [Chapter 829](#) Children's advocacy centers; definitions; investigations by local departments of social services.

Amends §§ 15.2-1627.5, 63.2-100, 63.2-1505, and 63.2-1506.1. Replaces the term "child advocacy center" with "children's advocacy center" and defines such term. The bill provides that if it is determined during a human trafficking assessment that a forensic interview of the child is needed, such interview may be conducted by a children's advocacy center within the jurisdiction; however, if the interview cannot be completed within 14 days, the forensic interview may be conducted by a children's advocacy center located in another jurisdiction.

Effective July 1, 2024

[Chapter 785](#) / [Chapter 811](#) First-time drug offenders.

Amends § 18.2-251. Provides that any person who has not previously been convicted of any felony drug offense under relevant law or under any substantially similar statute of the United States or of any state may be eligible for first-time drug offender disposition. Under current law, such disposition is limited to any person who has not been convicted of any criminal drug offense.

Effective July 1, 2024

[Chapter 786](#) Removing, altering, etc., serial number on firearm; selling, giving, etc., or possessing firearm with removed, altered, etc., serial number; penalties.

Amends § 18.2-311.1. Makes it a Class 1 misdemeanor for any person, firm, association, or corporation to knowingly possess any pistol, shotgun, rifle, machine gun, or any other firearm, except for an antique firearm, that has a serial number that has been removed, altered, changed, destroyed, or obliterated in any manner. The bill also makes it a Class 6 felony for any person, firm, association, or corporation to knowingly sell, give, or distribute any pistol, shotgun, rifle, machine gun, or any other firearm, except for an antique firearm, that has a serial number that has been removed, altered, changed, destroyed, or obliterated in any manner.

Effective July 1, 2024

[Chapter 793](#) / [Chapter 828](#) Liquid nicotine and nicotine vapor products; certification and directory; penalties.

Amends §§ 59.1-200 and 59.1-293.10 and adds §§ 59.1-293.12 through 59.1-293.19. Requires every manufacturer of liquid nicotine or nicotine vapor products that are sold for retail sale in the Commonwealth to certify to the Attorney General that (i) the manufacturer has received a marketing authorization or similar order for the liquid nicotine or nicotine vapor product from the U.S. Food and Drug Administration (FDA) or (ii) (a) the liquid nicotine or nicotine vapor product was marketed in the United States as of August 8, 2016, or (b) the manufacturer submitted a premarket tobacco product application for the liquid nicotine or nicotine vapor product to the FDA on or before September 9, 2020, and such application either remains under review by the





FDA or a final decision on the application has not otherwise taken effect. The bill requires a manufacturer to submit such a form for each liquid nicotine or nicotine vapor product that such manufacturer sells for retail sale in the Commonwealth. Under the bill, any manufacturer that falsely represents any of the information required by the certification requirement is guilty of a Class 3 misdemeanor for each false representation.

The bill requires the Attorney General to establish and maintain a directory that lists all liquid nicotine or nicotine vapor product manufacturers and liquid nicotine and nicotine vapor products for which current and accurate certification forms have been submitted. The bill requires the Attorney General to remove or exclude from such directory any such product that is not in compliance and to notify the manufacturer of such noncompliance. The bill allows a 10-business-day period for a manufacturer to establish compliance. The bill requires that any such products that are removed from the list be sold or removed from retail sale within 30 days or become subject to seizure and requires a manufacturer, wholesaler, or retail dealer to notify each purchaser of a removed product that it has been removed from the directory at the time of delivery of such product. The bill entitles such a purchaser to a refund of the purchase price and creates a cause of action to recover such refund.

The bill prohibits the sale, distribution, importation, or offer for sale of any liquid nicotine or nicotine vapor product that is not listed in the directory. The bill provides for a civil penalty of \$1,000 per day for each product offered for sale in violation of the bill's provisions until the offending product is removed from the market or until the offending product is properly listed on the directory.

The bill requires any person that receives, stores, sells, handles, or transports liquid nicotine or nicotine vapor products to preserve all records relating to the purchase, sale, exchange, receipt, or transportation of all liquid nicotine or nicotine vapor products for a period of three years. The bill provides that all such records are subject to audit or inspection at any time by any duly authorized representative of the Attorney General. Any person who violates the recordkeeping provisions of the bill is guilty of a Class 2 misdemeanor.

Additionally, the bill provides that the Department of Taxation, the Attorney General, any other law-enforcement agency of the Commonwealth, or any federal law-enforcement agency conducting a criminal investigation involving the trafficking of liquid nicotine or nicotine vapor products may access at any time such records. The bill requires the Department of Taxation to impose a penalty of \$1,000 for each day that a person fails or refuses to allow or cooperate with an audit, inspection, or investigation of such records.

The bill authorizes the Attorney General and, with the concurrence of the Attorney General, any attorney for the Commonwealth, or the attorney for any city, county, or town to cause an action to enjoin any violation of the provisions of the bill. The circuit courts are authorized by the bill to (a) issue temporary or permanent injunctions to restrain and prevent violations of the provisions of the bill and (b) order forfeiture of any property seized for such a violation. The bill authorizes the Attorney General to issue a civil investigative demand.

Under the bill, any retailer and wholesaler that sells or distributes any liquid nicotine or nicotine vapor product in the Commonwealth is subject to scheduled or unscheduled compliance checks carried out by the Attorney General, or an agent thereof, for enforcement purposes.



The bill requires the Attorney General to provide an annual report to the General Assembly regarding the status of the directory, manufacturers and products included in the directory, and revenues and expenditures related to and enforcement activities undertaken pursuant to the requirements of the bill.

Finally, the bill makes a violation of its provisions a prohibited practice under the Virginia Consumer Protection Act.

Effective July 1, 2025

### [Chapter 796](#) / [Chapter 821](#) Purchase, possession, and sale of retail tobacco products; retail tobacco products and liquid nicotine tax; penalties.

Amends §§ 18.2-246.8, 18.2-371.2, 22.1-79.5, 22.1-206, 22.1-279.6, 58.1-1021.01, 58.1-1021.02, 58.1-1021.04:1, 58.1-1021.04:5, 59.1-293.10, and 59.1-293.11 and adds §§ 58.1-1021.06 through 58.1-1021.09 and adds §§ 59.1-293.12, 59.1-293.13, and 59.1-293.14. Prohibits Internet sales of liquid nicotine or nicotine vapor products, except to a retail dealer, and prohibits the sale of retail tobacco products from vending machines. The bill updates, for the purpose of the crime of selling or distributing tobacco products to a person younger than 21 years of age, the definition of "retail tobacco products" by including in such definition products currently defined as "nicotine vapor products" or "alternative nicotine vapor products." The bill also removes provisions prohibiting the attempt to purchase, the purchase, or the possession of tobacco products by persons younger than 21 years of age.

The bill provides that the punishment of a retail dealer that sells, gives, or furnishes a tobacco product to a person younger than 21 years of age or to a person who does not demonstrate that such person is at least 21 years of age is (i) a civil penalty of \$1,000 for a first offense within a 36-month period, (ii) a civil penalty of \$5,000 for a second offense within a 36-month period such retail dealer shall become subject to specific age-verification requirements, (iii) a civil penalty of \$10,000 and a 30-day suspension of such retail dealer's distributor's license for a third offense within a 36-month period, and (iv) revocation of such license and such retail dealer shall be ineligible to hold a license for a period of three years following the most recent violation for a fourth offense within a 36-month period. The bill requires the Department of Taxation, in collaboration with the Virginia Alcoholic Beverage Control Authority and local law enforcement, to conduct a compliance check every 24 months on any retail dealer selling retail tobacco products and to use a person younger than 21 years of age to conduct such checks.

The bill also imposes a tax upon liquid nicotine in closed systems, as defined in the bill, at the rate of \$0.066 per milliliter and upon liquid nicotine in open systems, as defined in the bill, at the rate of 20 percent of the wholesale price for purchases on and after July 1, 2024. The bill applies licensing requirements to manufacturers, distributors, and retail dealers of liquid nicotine and creates new safety requirements related to the advertising, marketing, and labeling of liquid nicotine and nicotine vapor products.

Effective July 1, 2024



### [Chapter 809](#) Written complaints; felony offenses.

Amends § 19.2-72. Provides that a written complaint is required for a felony offense, regardless of whether the complainant is a law-enforcement officer. Current law only requires a written complaint for any offense if the complainant is not a law-enforcement officer.

Effective July 1, 2024

### [Chapter 813](#) Civilian deaths in custody; report.

Amends § 9.1-192 and adds § 9.1-192.1. Requires every law-enforcement agency and state or juvenile correctional facility to report to the Department of Criminal Justice Services and every local or regional correctional facility to report to the State Board of Local and Regional Jails certain information regarding the death of any person who is detained, under arrest or in the process of being arrested, en route to be incarcerated, incarcerated, or otherwise in the custody of such law-enforcement agency or correctional facility. The bill provides that any law-enforcement agency or state or juvenile correctional facility that fails to comply may, at the discretion of the Department, be declared ineligible for state grants or funds. The bill also requires the Department and the Board to analyze the submitted data to determine the means by which such information can be used to reduce the number of such deaths. Finally, the bill requires the Director of the Department and the Board to annually report the findings and recommendations resulting from the analysis and interpretation of the data to the Governor, the General Assembly, and the Attorney General beginning on or before July 1, 2025, and each July 1 thereafter.

Effective July 1, 2024

### [Chapter 843](#) Board of Education; guidelines on school-connected overdose policies; response and parental notification.

Adds § 22.1-272.1:1. Requires the Board of Education to establish guidelines for school-connected overdose response and parental notification policies to aid local school boards in the implementation of such policies. The bill requires such guidelines to include (i) a model action plan for each school board to follow in responding to any school-connected overdose, including communicating and coordinating with the Department of Education and the applicable law-enforcement liaison or the local law-enforcement agency that employs such school division's school resources officers, and (ii) criteria for issuing parental notification to ensure sensitivity to the privacy interests of affected individuals and compliance with any applicable law, rules, or regulations relating to the disclosure and protection of a minor's personal, confidential, or otherwise sensitive information.

Effective July 1, 2024