

SENATE BILL NO. _____ HOUSE BILL NO. _____

1 A BILL to amend and reenact §§ 19.2-83.1 and 19.2-291.1 of the Code of Virginia and to amend the
 2 Code of Virginia by adding sections numbered 22.1-23.4 and 22.1-68.1, relating to reports of
 3 certain arrests and convictions of certain individuals to division superintendents; method of
 4 submission; compilation.

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

6 **1. That §§ 19.2-83.1 and 19.2-291.1 of the Code of Virginia are amended and reenacted and that**
 7 **the Code of Virginia is amended by adding sections numbered 22.1-23.4 and 22.1-68.1 as follows:**

8 **§ 19.2-83.1. Report of arrest of school employees and adult students for certain offenses.**

9 A. Every state official or agency and every sheriff, police officer, or other local law-enforcement
 10 officer or conservator of the peace having the power to arrest for a felony, upon arresting a person who
 11 is known or discovered by the arresting official to be a full-time, part-time, permanent, or temporary
 12 teacher or other employee in any public school division in ~~this~~ the Commonwealth for a felony or a
 13 Class 1 misdemeanor or an equivalent offense in another state, shall file a report of such arrest with the
 14 division superintendent of the employing division as soon as practicable. The contents of the report
 15 required pursuant to this section shall be utilized by the local school division solely to implement the
 16 provisions of subsection B of § 22.1-296.2 and § 22.1-315. Such report shall be submitted via fax and
 17 email to the fax number and email address identified by the division superintendent pursuant to § 22.1-
 18 68.1.

19 B. Every state official or agency and every sheriff, police officer, or other local law-enforcement
 20 officer or conservator of the peace having the power to arrest for a felony; shall file a report, as soon as
 21 practicable, with the division superintendent of the school division in which the student is enrolled upon
 22 arresting a person who is known or discovered by the arresting official to be a student age 18 or older in
 23 any public school division in ~~this~~ the Commonwealth for:

24 1. A firearm offense pursuant to Article 4 (§ 18.2-279 et seq.), 5 (§ 18.2-288 et seq.), 6 (§ 18.2-

- 25 299 et seq.), 6.1 (§ 18.2-307.1 et seq.), or 7 (§ 18.2-308.1 et seq.) of Chapter 7 of Title 18.2;
- 26 2. Homicide, pursuant to Article 1 (§ 18.2-30 et seq.) of Chapter 4 of Title 18.2;
- 27 3. Felonious assault and bodily wounding, pursuant to Article 4 (§ 18.2-51 et seq.) of Chapter 4
- 28 of Title 18.2;
- 29 4. Criminal sexual assault, pursuant to Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2;
- 30 5. Manufacture, sale, gift, distribution or possession of Schedule I or II controlled substances,
- 31 pursuant to Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2;
- 32 6. Manufacture, sale or distribution of marijuana pursuant to Article 1 (§ 18.2-247 et seq.) of
- 33 Chapter 7 of Title 18.2;
- 34 7. Arson and related crimes, pursuant to Article 1 (§ 18.2-77 et seq.) of Chapter 5 of Title 18.2;
- 35 8. Burglary and related offenses, pursuant to §§ 18.2-89 through 18.2-93;
- 36 9. Robbery pursuant to § 18.2-58;
- 37 10. Prohibited criminal street gang activity pursuant to § 18.2-46.2;
- 38 11. Recruitment of juveniles for criminal street gang pursuant to § 18.2-46.3;
- 39 12. An act of violence by a mob pursuant to § 18.2-42.1; or
- 40 13. Abduction of any person pursuant to § 18.2-47 or 18.2-48.

41 **§ 19.2-291.1. Report of conviction of school employees for certain offenses.**

42 The clerk of any circuit court or any district court in the Commonwealth shall report to the

43 Superintendent of Public Instruction and the division superintendent of any employing school division

44 the conviction of any person, known by such clerk to hold a license issued by the Board of Education,

45 for any felony involving the sexual molestation, physical or sexual abuse, or rape of a child or involving

46 drugs pursuant to Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2. Such report shall be submitted

47 via fax and email to the fax number and email address identified by the division superintendent pursuant

48 to § 22.1-68.1.

49 **§ 22.1-23.4. Receipt of certain reports by division superintendents; compilation.**

50 The Department shall compile and make publicly available on its website a list of the email

51 addresses and fax numbers identified by each division superintendent for the receipt of reports as set
52 forth in § 22.1-68.1.

53 **§ 22.1-68.1. Receipt of certain reports.**

54 Each division superintendent shall identify, update as necessary, and make available to the
55 Department and to other appropriate individuals a fax number and an email address at which the division
56 superintendent will receive the reports required to be submitted pursuant to subsection A of § 19.2-83.1
57 and § 19.2-291.1.

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