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HOUSE BILL NO. 1562

Offered January 11, 2023

Prefiled January 6, 2023

A *BILL to amend and reenact § 18.2-413 of the Code of Virginia, relating to insurrections; bar to serving in positions of public trust.*

Patrons—Helmer, Mundon King and Lopez

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-413 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-413. Commission of certain offenses in county, city or town declared by Governor to be in state of riot or insurrection; bar to serving in positions of public trust.

A. Any person, who after the publication of a proclamation by the Governor, or who after lawful notice to disperse and retire, resists or aids in resisting the execution of process in any county, city or town declared to be in a state of riot or insurrection, or who aids or attempts the rescue or escape of another from lawful custody or confinement, or who resists or aids in resisting a force ordered out by the Governor or any sheriff or other officer to quell or suppress an insurrection or riot, shall be guilty of a Class 5 felony.

B. Any person convicted of an offense pursuant to subsection A or any substantially similar offense under the laws of another state or territory of the United States, the District of Columbia, or the United States shall be barred from serving in any position of public trust within the Commonwealth. As used in this subsection, "position of public trust" means any position in which a person performs work that involves a significant degree of public trust and confidence that such person will carry out the work in accordance with applicable laws, regulations, and guidelines, including positions with policy making or major program responsibilities or fiduciary monetary responsibilities, educational positions, law-enforcement positions, and public safety or public health positions.

INTRODUCED

HB1562