

HOUSE BILL NO. 1496

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Communications, Technology and Innovation  
on February 5, 2024)

(Patron Prior to Substitute--Delegate Rasoul)

A BILL to amend and reenact § 9.1-102 of the Code of Virginia and to amend the Code of Virginia by adding in Article 1 of Chapter 1 of Title 9.1 a section numbered 9.1-116.9, relating to Department of Criminal Justice Services; Surveillance Technology Registry established.

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

**1. That § 9.1-102 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Article 1 of Chapter 1 of Title 9.1 a section numbered 9.1-116.9 as follows:**

**§ 9.1-102. Powers and duties of the Board and the Department.**

The Department, under the direction of the Board, which shall be the policy-making body for carrying out the duties and powers hereunder, shall have the power and duty to:

1. Adopt regulations, pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), for the administration of this chapter including the authority to require the submission of reports and information by law-enforcement officers within the Commonwealth. Any proposed regulations concerning the privacy, confidentiality, and security of criminal justice information shall be submitted for review and comment to any board, commission, or committee or other body which may be established by the General Assembly to regulate the privacy, confidentiality, and security of information collected and maintained by the Commonwealth or any political subdivision thereof;

2. Establish compulsory minimum training standards subsequent to employment as a law-enforcement officer in (i) permanent positions and (ii) temporary or probationary status and establish the time required for completion of such training. Such compulsory minimum training standards shall include crisis intervention training in accordance with clause (i) of § 9.1-188;

26           3. Establish minimum training standards and qualifications for certification and recertification for  
27 law-enforcement officers serving as field training officers;

28           4. Establish compulsory minimum curriculum requirements for in-service and advanced courses  
29 and programs for schools, whether located in or outside the Commonwealth, which are operated for the  
30 specific purpose of training law-enforcement officers;

31           5. Establish (i) compulsory minimum training standards for law-enforcement officers who utilize  
32 radar or an electrical or microcomputer device to measure the speed of motor vehicles as provided in §  
33 46.2-882 and establish the time required for completion of the training and (ii) compulsory minimum  
34 qualifications for certification and recertification of instructors who provide such training;

35           6. [Repealed];

36           7. Establish compulsory minimum entry-level, in-service and advanced training standards for those  
37 persons designated to provide courthouse and courtroom security pursuant to the provisions of § 53.1-  
38 120, and to establish the time required for completion of such training;

39           8. Establish compulsory minimum entry-level, in-service and advanced training standards for  
40 deputy sheriffs designated to serve process pursuant to the provisions of § 8.01-293, and establish the time  
41 required for the completion of such training;

42           9. Establish compulsory minimum entry-level, in-service, and advanced training standards, as well  
43 as the time required for completion of such training, for persons employed as deputy sheriffs and jail  
44 officers by local criminal justice agencies and correctional officers employed by the Department of  
45 Corrections under the provisions of Title 53.1. For correctional officers employed by the Department of  
46 Corrections, such standards shall include training on the general care of pregnant women, the impact of  
47 restraints on pregnant inmates and fetuses, the impact of being placed in restrictive housing or solitary  
48 confinement on pregnant inmates, and the impact of body cavity searches on pregnant inmates;

49           10. Establish compulsory minimum training standards for all dispatchers employed by or in any  
50 local or state government agency, whose duties include the dispatching of law-enforcement personnel.  
51 Such training standards shall apply only to dispatchers hired on or after July 1, 1988;

52 11. Establish compulsory minimum training standards for all auxiliary police officers employed  
53 by or in any local or state government agency. Such training shall be graduated and based on the type of  
54 duties to be performed by the auxiliary police officers. Such training standards shall not apply to auxiliary  
55 police officers exempt pursuant to § 15.2-1731;

56 12. Consult and cooperate with counties, municipalities, agencies of the Commonwealth, other  
57 state and federal governmental agencies, and institutions of higher education within or outside the  
58 Commonwealth, concerning the development of police training schools and programs or courses of  
59 instruction;

60 13. Approve institutions, curricula and facilities, whether located in or outside the Commonwealth,  
61 for school operation for the specific purpose of training law-enforcement officers; but this shall not prevent  
62 the holding of any such school whether approved or not;

63 14. Establish and maintain police training programs through such agencies and institutions as the  
64 Board deems appropriate;

65 15. Establish compulsory minimum qualifications of certification and recertification for instructors  
66 in criminal justice training academies approved by the Department;

67 16. Conduct and stimulate research by public and private agencies which shall be designed to  
68 improve police administration and law enforcement;

69 17. Make recommendations concerning any matter within its purview pursuant to this chapter;

70 18. Coordinate its activities with those of any interstate system for the exchange of criminal history  
71 record information, nominate one or more of its members to serve upon the council or committee of any  
72 such system, and participate when and as deemed appropriate in any such system's activities and programs;

73 19. Conduct inquiries and investigations it deems appropriate to carry out its functions under this  
74 chapter and, in conducting such inquiries and investigations, may require any criminal justice agency to  
75 submit information, reports, and statistical data with respect to its policy and operation of information  
76 systems or with respect to its collection, storage, dissemination, and usage of criminal history record  
77 information and correctional status information, and such criminal justice agencies shall submit such  
78 information, reports, and data as are reasonably required;

- 79           20. Conduct audits as required by § 9.1-131;
- 80           21. Conduct a continuing study and review of questions of individual privacy and confidentiality
- 81 of criminal history record information and correctional status information;
- 82           22. Advise criminal justice agencies and initiate educational programs for such agencies with
- 83 respect to matters of privacy, confidentiality, and security as they pertain to criminal history record
- 84 information and correctional status information;
- 85           23. Maintain a liaison with any board, commission, committee, or other body which may be
- 86 established by law, executive order, or resolution to regulate the privacy and security of information
- 87 collected by the Commonwealth or any political subdivision thereof;
- 88           24. Adopt regulations establishing guidelines and standards for the collection, storage, and
- 89 dissemination of criminal history record information and correctional status information, and the privacy,
- 90 confidentiality, and security thereof necessary to implement state and federal statutes, regulations, and
- 91 court orders;
- 92           25. Operate a statewide criminal justice research center, which shall maintain an integrated
- 93 criminal justice information system, produce reports, provide technical assistance to state and local
- 94 criminal justice data system users, and provide analysis and interpretation of criminal justice statistical
- 95 information;
- 96           26. Develop a comprehensive, statewide, long-range plan for strengthening and improving law
- 97 enforcement and the administration of criminal justice throughout the Commonwealth, and periodically
- 98 update that plan;
- 99           27. Cooperate with, and advise and assist, all agencies, departments, boards and institutions of the
- 100 Commonwealth, and units of general local government, or combinations thereof, including planning
- 101 district commissions, in planning, developing, and administering programs, projects, comprehensive
- 102 plans, and other activities for improving law enforcement and the administration of criminal justice
- 103 throughout the Commonwealth, including allocating and subgranting funds for these purposes;
- 104           28. Define, develop, organize, encourage, conduct, coordinate, and administer programs, projects
- 105 and activities for the Commonwealth and units of general local government, or combinations thereof, in

**106** the Commonwealth, designed to strengthen and improve law enforcement and the administration of  
**107** criminal justice at every level throughout the Commonwealth;

**108**           29. Review and evaluate programs, projects, and activities, and recommend, where necessary,  
**109** revisions or alterations to such programs, projects, and activities for the purpose of improving law  
**110** enforcement and the administration of criminal justice;

**111**           30. Coordinate the activities and projects of the state departments, agencies, and boards of the  
**112** Commonwealth and of the units of general local government, or combination thereof, including planning  
**113** district commissions, relating to the preparation, adoption, administration, and implementation of  
**114** comprehensive plans to strengthen and improve law enforcement and the administration of criminal  
**115** justice;

**116**           31. Do all things necessary on behalf of the Commonwealth and its units of general local  
**117** government, to determine and secure benefits available under the Omnibus Crime Control and Safe Streets  
**118** Act of 1968 (P.L. 90-351, 82 Stat. 197), as amended, and under any other federal acts and programs for  
**119** strengthening and improving law enforcement, the administration of criminal justice, and delinquency  
**120** prevention and control;

**121**           32. Receive, administer, and expend all funds and other assistance available to the Board and the  
**122** Department for carrying out the purposes of this chapter and the Omnibus Crime Control and Safe Streets  
**123** Act of 1968, as amended;

**124**           33. Apply for and accept grants from the United States government or any other source in carrying  
**125** out the purposes of this chapter and accept any and all donations both real and personal, and grants of  
**126** money from any governmental unit or public agency, or from any institution, person, firm or corporation,  
**127** and may receive, utilize and dispose of the same. Any arrangements pursuant to this section shall be  
**128** detailed in the annual report of the Board. Such report shall include the identity of the donor, the nature  
**129** of the transaction, and the conditions, if any. Any moneys received pursuant to this section shall be  
**130** deposited in the state treasury to the account of the Department. To these ends, the Board shall have the  
**131** power to comply with conditions and execute such agreements as may be necessary;

132           34. Make and enter into all contracts and agreements necessary or incidental to the performance  
133 of its duties and execution of its powers under this chapter, including but not limited to, contracts with the  
134 United States, units of general local government or combinations thereof, in Virginia or other states, and  
135 with agencies and departments of the Commonwealth;

136           35. Adopt and administer reasonable regulations for the planning and implementation of programs  
137 and activities and for the allocation, expenditure and subgranting of funds available to the Commonwealth  
138 and to units of general local government, and for carrying out the purposes of this chapter and the powers  
139 and duties set forth herein;

140           36. Certify and decertify law-enforcement officers in accordance with §§ 15.2-1706 and 15.2-  
141 1707;

142           37. Establish training standards and publish and periodically update model policies for law-  
143 enforcement personnel in the following subjects:

144           a. The handling of family abuse, domestic violence, sexual assault, and stalking cases, including  
145 standards for determining the predominant physical aggressor in accordance with § 19.2-81.3. The  
146 Department shall provide technical support and assistance to law-enforcement agencies in carrying out  
147 the requirements set forth in subsection A of § 9.1-1301;

148           b. The identification of, communication with, and facilitation of the safe return of individuals  
149 diagnosed with Alzheimer's disease and dementia, which shall include (i) techniques for respectful and  
150 effective communication with individuals with Alzheimer's disease and dementia and their caregivers; (ii)  
151 techniques for addressing the behavioral symptoms of Alzheimer's disease and dementia, including  
152 alternatives to physical restraint; (iii) protocols for identifying and reporting incidents of abuse, neglect,  
153 and exploitation of individuals with Alzheimer's disease and dementia to adult protective services; (iv)  
154 protocols for contacting caregivers when an individual with Alzheimer's disease or dementia is found  
155 wandering or during an emergency or crisis situation; (v) a reference list of local resources available for  
156 individuals with Alzheimer's disease and dementia; and (vi) a reference list of local and national  
157 organizations that assist law-enforcement personnel with locating missing and wandering individuals with  
158 Alzheimer's disease and dementia and returning them to their caregivers;

159 c. Sensitivity to and awareness of systemic and individual racism, cultural diversity, and the  
160 potential for racially biased policing and bias-based profiling as defined in § 52-30.1, which shall include  
161 recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder,  
162 or developmental or cognitive disability;

163 d. Protocols for local and regional sexual assault response teams;

164 e. Communication of death notifications;

165 f. The questioning of individuals suspected of driving while intoxicated concerning the physical  
166 location of such individual's last consumption of an alcoholic beverage and the communication of such  
167 information to the Virginia Alcoholic Beverage Control Authority;

168 g. Vehicle patrol duties that embody current best practices for pursuits and for responding to  
169 emergency calls;

170 h. Criminal investigations that embody current best practices for conducting photographic and live  
171 lineups;

172 i. Sensitivity to and awareness of human trafficking offenses and the identification of victims of  
173 human trafficking offenses for personnel involved in criminal investigations or assigned to vehicle or  
174 street patrol duties;

175 j. The recognition, prevention, and reporting of human trafficking;

176 k. Missing children, missing adults, and search and rescue protocol; and

177 l. The handling and use of tear gas or other gases and kinetic impact munitions, as defined in §  
178 19.2-83.3, that embody current best practices for using such items as a crowd control measure or during  
179 an arrest or detention of another person;

180 38. Establish compulsory training standards for basic training and the recertification of law-  
181 enforcement officers to ensure (i) sensitivity to and awareness of systemic and individual racism, cultural  
182 diversity, and the potential for racially biased policing and bias-based profiling as defined in § 52-30.1,  
183 which shall include recognizing implicit biases in interacting with persons who have a mental illness,  
184 substance use disorder, or developmental or cognitive disability; (ii) training in de-escalation techniques;

185 and (iii) training in the lawful use of force, including the use of deadly force, as defined in § 19.2-83.3,  
186 only when necessary to protect the law-enforcement officer or another person;

187           39. Review and evaluate community-policing programs in the Commonwealth, and recommend  
188 where necessary statewide operating procedures, guidelines, and standards that strengthen and improve  
189 such programs, including sensitivity to and awareness of systemic and individual racism, cultural  
190 diversity, and the potential for racially biased policing and bias-based profiling as defined in § 52-30.1,  
191 which shall include recognizing implicit biases in interacting with persons who have a mental illness,  
192 substance use disorder, or developmental or cognitive disability;

193           40. Establish a Virginia Law-Enforcement Accreditation Center. The Center may, in cooperation  
194 with Virginia law-enforcement agencies, provide technical assistance and administrative support,  
195 including staffing, for the establishment of voluntary state law-enforcement accreditation standards. The  
196 Center may provide accreditation assistance and training, resource material, and research into methods  
197 and procedures that will assist the Virginia law-enforcement community efforts to obtain Virginia  
198 accreditation status;

199           41. Promote community policing philosophy and practice throughout the Commonwealth by  
200 providing community policing training and technical assistance statewide to all law-enforcement agencies,  
201 community groups, public and private organizations and citizens; developing and distributing innovative  
202 policing curricula and training tools on general community policing philosophy and practice and  
203 contemporary critical issues facing Virginia communities; serving as a consultant to Virginia  
204 organizations with specific community policing needs; facilitating continued development and  
205 implementation of community policing programs statewide through discussion forums for community  
206 policing leaders, development of law-enforcement instructors; promoting a statewide community policing  
207 initiative; and serving as a statewide information source on the subject of community policing including,  
208 but not limited to periodic newsletters, a website and an accessible lending library;

209           42. Establish, in consultation with the Department of Education and the Virginia State Crime  
210 Commission, compulsory minimum standards for employment and job-entry and in-service training  
211 curricula and certification requirements for school security officers, including school security officers

212 described in clause (b) of § 22.1-280.2:1, which training and certification shall be administered by the  
213 Virginia Center for School and Campus Safety (VCSCS) pursuant to § 9.1-184. Such training standards  
214 shall be specific to the role and responsibility of school security officers and shall include (i) relevant state  
215 and federal laws; (ii) school and personal liability issues; (iii) security awareness in the school  
216 environment; (iv) mediation and conflict resolution, including de-escalation techniques such as a physical  
217 alternative to restraint; (v) disaster and emergency response; (vi) awareness of systemic and individual  
218 racism, cultural diversity, and implicit bias; (vii) working with students with disabilities, mental health  
219 needs, substance use disorders, and past traumatic experiences; and (viii) student behavioral dynamics,  
220 including child and adolescent development and brain research. The Department shall establish an  
221 advisory committee consisting of local school board representatives, principals, superintendents, and  
222 school security personnel to assist in the development of the standards and certification requirements in  
223 this subdivision. The Department shall require any school security officer who carries a firearm in the  
224 performance of his duties to provide proof that he has completed a training course provided by a federal,  
225 state, or local law-enforcement agency that includes training in active shooter emergency response,  
226 emergency evacuation procedure, and threat assessment;

227 43. License and regulate property bail bondsmen and surety bail bondsmen in accordance with  
228 Article 11 (§ 9.1-185 et seq.);

229 44. License and regulate bail enforcement agents in accordance with Article 12 (§ 9.1-186 et seq.);

230 45. In conjunction with the Virginia State Police and the State Compensation Board, advise  
231 criminal justice agencies regarding the investigation, registration, and dissemination of information  
232 requirements as they pertain to the Sex Offender and Crimes Against Minors Registry Act (§ 9.1-900 et  
233 seq.);

234 46. Establish minimum standards for (i) employment, (ii) job-entry and in-service training  
235 curricula, and (iii) certification requirements for campus security officers. Such training standards shall  
236 include, but not be limited to, the role and responsibility of campus security officers, relevant state and  
237 federal laws, school and personal liability issues, security awareness in the campus environment, and  
238 disaster and emergency response. The Department shall provide technical support and assistance to

239 campus police departments and campus security departments on the establishment and implementation of  
240 policies and procedures, including but not limited to: the management of such departments, investigatory  
241 procedures, judicial referrals, the establishment and management of databases for campus safety and  
242 security information sharing, and development of uniform record keeping for disciplinary records and  
243 statistics, such as campus crime logs, judicial referrals and Clery Act statistics. The Department shall  
244 establish an advisory committee consisting of college administrators, college police chiefs, college  
245 security department chiefs, and local law-enforcement officials to assist in the development of the  
246 standards and certification requirements and training pursuant to this subdivision;

247 47. Assess and report, in accordance with § 9.1-190, the crisis intervention team programs  
248 established pursuant to § 9.1-187;

249 48. In conjunction with the Office of the Attorney General, advise law-enforcement agencies and  
250 attorneys for the Commonwealth regarding the identification, investigation, and prosecution of human  
251 trafficking offenses using the common law and existing criminal statutes in the Code of Virginia;

252 49. Register tow truck drivers in accordance with § 46.2-116 and carry out the provisions of §  
253 46.2-117;

254 50. Administer the activities of the Virginia Sexual and Domestic Violence Program Professional  
255 Standards Committee by providing technical assistance and administrative support, including staffing, for  
256 the Committee;

257 51. In accordance with § 9.1-102.1, design and approve the issuance of photo-identification cards  
258 to private security services registrants registered pursuant to Article 4 (§ 9.1-138 et seq.);

259 52. In consultation with the State Council of Higher Education for Virginia and the Virginia  
260 Association of Campus Law Enforcement Administrators, develop multidisciplinary curricula on trauma-  
261 informed sexual assault investigation;

262 53. In consultation with the Department of Behavioral Health and Developmental Services,  
263 develop a model addiction recovery program that may be administered by sheriffs, deputy sheriffs, jail  
264 officers, administrators, or superintendents in any local or regional jail. Such program shall be based on  
265 any existing addiction recovery programs that are being administered by any local or regional jails in the

266 Commonwealth. Participation in the model addiction recovery program shall be voluntary, and such  
267 program may address aspects of the recovery process, including medical and clinical recovery, peer-to-  
268 peer support, availability of mental health resources, family dynamics, and aftercare aspects of the  
269 recovery process;

270           54. Establish compulsory minimum training standards for certification and recertification of law-  
271 enforcement officers serving as school resource officers. Such training shall be specific to the role and  
272 responsibility of a law-enforcement officer working with students in a school environment and shall  
273 include (i) relevant state and federal laws; (ii) school and personal liability issues; (iii) security awareness  
274 in the school environment; (iv) mediation and conflict resolution, including de-escalation techniques; (v)  
275 disaster and emergency response; (vi) awareness of systemic and individual racism, cultural diversity, and  
276 implicit bias; (vii) working with students with disabilities, mental health needs, substance use disorders,  
277 or past traumatic experiences; and (viii) student behavioral dynamics, including current child and  
278 adolescent development and brain research;

279           55. Establish a model policy for the operation of body-worn camera systems as defined in § 15.2-  
280 1723.1 that also addresses the storage and maintenance of body-worn camera system records;

281           56. Establish compulsory minimum training standards for detector canine handlers employed by  
282 the Department of Corrections, standards for the training and retention of detector canines used by the  
283 Department of Corrections, and a central database on the performance and effectiveness of such detector  
284 canines that requires the Department of Corrections to submit comprehensive information on each canine  
285 handler and detector canine, including the number and types of calls and searches, substances searched  
286 for and whether or not detected, and the number of false positives, false negatives, true positives, and true  
287 negatives;

288           57. Establish compulsory training standards for basic training of law-enforcement officers for  
289 recognizing and managing stress, self-care techniques, and resiliency;

290           58. Establish guidelines and standards for psychological examinations conducted pursuant to  
291 subsection C of § 15.2-1705;

292           59. Establish compulsory in-service training standards, to include frequency of retraining, for law-  
293 enforcement officers in the following subjects: (i) relevant state and federal laws; (ii) awareness of cultural  
294 diversity and the potential for bias-based profiling as defined in § 52-30.1; (iii) de-escalation techniques;  
295 (iv) working with individuals with disabilities, mental health needs, or substance use disorders; and (v)  
296 the lawful use of force, including the use of deadly force, as defined in § 19.2-83.3, only when necessary  
297 to protect the law-enforcement officer or another person;

298           60. Develop a uniform curriculum and lesson plans for the compulsory minimum entry-level, in-  
299 service, and advanced training standards to be employed by criminal justice training academies approved  
300 by the Department when conducting training;

301           61. Adopt statewide professional standards of conduct applicable to all certified law-enforcement  
302 officers and certified jail officers and appropriate due process procedures for decertification based on  
303 serious misconduct in violation of those standards;

304           62. Establish and administer a waiver process, in accordance with §§ 2.2-5515 and 15.2-1721.1,  
305 for law-enforcement agencies to use certain military property. Any waivers granted by the Criminal Justice  
306 Services Board shall be published by the Department on the Department's website;

307           63. Establish compulsory training standards for basic training and the recertification of law-  
308 enforcement officers to include crisis intervention training in accordance with clause (ii) of § 9.1-188;

309           64. Advise and assist the Department of Behavioral Health and Developmental Services, and  
310 support local law-enforcement cooperation, with the development and implementation of the Marcus alert  
311 system, as defined in § 37.2-311.1, including the establishment of local protocols for law-enforcement  
312 participation in the Marcus alert system pursuant to § 9.1-193 and for reporting requirements pursuant to  
313 §§ 9.1-193 and 37.2-311.1;

314           65. Develop an online course to train hotel proprietors and their employees to recognize and report  
315 instances of suspected human trafficking;~~and~~

316           66. Create and maintain a Surveillance Technology Registry consistent with the provisions of §  
317 9.1-116.9; and

318 67. Perform such other acts as may be necessary or convenient for the effective performance of its  
319 duties.

320 **§ 9.1-116.9. Surveillance Technology Registry established.**

321 A. For purposes of this section, "surveillance technology" means any electronic surveillance  
322 device, hardware, or software that is capable of collecting, capturing, recording, retaining, processing,  
323 intercepting, analyzing, monitoring, or sharing audio, visual, digital, location, thermal, biometric,  
324 behavioral, or similar information or communications specifically associated with, or capable of being  
325 associated with, any specific individual, group, or place or any system, device, or vehicle that is equipped  
326 with an electronic surveillance device, hardware, or software. "Surveillance technology" includes (i)  
327 international mobile subscriber identity (IMSI) catchers and other cell site simulators; (ii) automatic  
328 license plate readers; (iii) electronic toll readers; (iv) closed-circuit television cameras; (v) biometric  
329 surveillance technology, including facial, voice, iris, and gait-recognition software and databases; (vi)  
330 mobile DNA capture technology; (vii) gunshot detection and location hardware and services; (viii) x-ray  
331 vans; (ix) video and audio monitoring or recording technology, such as surveillance cameras, wide-angle  
332 cameras, and wearable body cameras; (x) surveillance enabled or capable lightbulbs or light fixtures; (xi)  
333 tools, including software and hardware, used to gain unauthorized access to a computer, computer service,  
334 or computer network; (xii) social media monitoring software; (xiii) through-the-wall radar or similar  
335 imaging technology; (xiv) passive scanners of radio networks; (xv) long-range Bluetooth and other  
336 wireless-scanning devices; (xvi) radio-frequency I.D. (RFID) scanners; and (xvii) software designed to  
337 integrate or analyze data from surveillance technology, including surveillance target tracking and  
338 predictive policing software. The enumeration of surveillance technology examples in this subsection shall  
339 not be interpreted as an endorsement or approval of their use by any law-enforcement entity.

340 B. The Department shall (i) create and maintain a Surveillance Technology Registry (the Registry)  
341 with which localities shall register any surveillance technology used by a law-enforcement entity,  
342 including surveillance technology procured, contracted for, obtained, or shared with a law-enforcement  
343 entity, in its jurisdiction and (ii) store and use such information provided by localities for the purposes of  
344 this section.

345 C. Any locality prior to the use of a surveillance technology by a law-enforcement entity within  
346 its jurisdiction, regardless of whether government funding or appropriations are used for the purchase of  
347 or for contracting with a vendor for the use of such surveillance technology, shall register such technology  
348 with the Registry and provide information, including (i) the type of surveillance technology used, (ii) the  
349 cost and vendor of the surveillance technology, (iii) the approximate location of the surveillance  
350 technology, and (iv) any storage and use requirements for the surveillance technology.

351 If a locality registers a surveillance technology that has not previously been registered in the  
352 Commonwealth, the Department shall initiate a request to the Joint Commission on Technology and  
353 Science to study such surveillance technology, in consultation with a representative from the Virginia  
354 State Crime Commission and providing opportunity for public input, and to issue a report on the use of  
355 such surveillance technology and implications of its use, susceptibility to misuse or cyberattack, and cost.

356 If a locality fails to register the surveillance technology prior to implementation, the Department  
357 shall issue a notice of such failure. Upon receipt of such notice, the locality shall cease to use the  
358 surveillance technology until the locality registers it and, if such study is required pursuant to this section,  
359 the Joint Commission on Technology and Science has studied and issued a report on such surveillance  
360 technology.

361 #