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1 **HOUSE BILL NO. 974**

2 Offered January 14, 2026

3 Prefiled January 13, 2026

4 A BILL to amend the Code of Virginia by adding a section numbered 19.2-268.4, relating to witness
5 impeachment evidence designation; review process.

6 Patron—Price

7 Committee Referral Pending

8 **Be it enacted by the General Assembly of Virginia:**9 **1. That the Code of Virginia is amended by adding a section numbered 19.2-268.4 as follows:**10 **§ 19.2-268.4. Witness impeachment evidence designation; review process.**11 **A. For purposes of this section:**

12 "Law-enforcement officer" means the same as that term is defined in § 9.1-101.

13 "Notice" means written notice given in person or by certified mail or trackable courier service with
14 signature requirement.15 "Witness impeachment evidence designation" means a determination that is made by or designation that
16 is created by the attorney for the Commonwealth relating to a law-enforcement officer who is believed to
17 have given inconsistent statements or otherwise engaged in conduct that meets the requirements for
18 disclosure in a criminal prosecution according to the Constitution of the United States.19 **B. Within seven days of designating a law-enforcement officer as being a witness with a witness**
20 **impeachment evidence designation, the attorney for the Commonwealth shall serve notice upon such law-**
21 **enforcement officer and upon the agency employing such officer specifying the action taken and remedies**
22 **available. Any law-enforcement officer designated as a witness with a witness impeachment evidence**
23 **designation may, within 14 days of receipt of such notice, request to review the evidence or materials**
24 **resulting in his designation by the attorney for the Commonwealth as a witness with a witness impeachment**
25 **evidence designation. Such review shall be granted by the attorney for the Commonwealth within five**
26 **business days.**27 **C. The law-enforcement officer may object to a designation pursuant to subsection B by serving written**
28 **objections to the attorney for the Commonwealth or the Attorney General within 21 days of receipt of notice**
29 **of such designation. Such objections shall state with specificity the grounds on which the objection is raised,**
30 **which may include (i) the factual dispute as to the reasons for such law-enforcement officer's designation as**
31 **a witness with a witness impeachment evidence designation or (ii) the factual dispute over whether such law-**
32 **enforcement officer's conduct rises to the level of conduct that meets the requirements for disclosure in a**
33 **criminal prosecution according to the Constitution of the United States. Such objections may include**
34 **evidence that the law-enforcement officer would like considered and where such evidence may be found.**
35 **Within seven days of receiving such objections, the attorney for the Commonwealth or the Attorney General**
36 **shall issue a written response stating with specificity the grounds on which the law-enforcement officer was**
37 **designated as a witness with a witness impeachment evidence designation or indicating that such designation**
38 **is removed.**39 **D. No law-enforcement officer shall be discharged, disciplined, or threatened with discharge or discipline**
40 **by his employing agency solely due to his designation in a matter as a witness with a witness impeachment**
41 **evidence designation. This subsection shall not prohibit such agency from dismissing, suspending, demoting,**
42 **or taking other disciplinary actions against a law-enforcement officer based on the underlying actions that**
43 **resulted in such officer being designated as a witness with a witness impeachment evidence designation,**
44 **including any conduct that meets the requirement for disclosure in a criminal prosecution according to the**
45 **Constitution of the United States.**

INTRODUCED

HB974