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HOUSE BILL NO. 1159

Offered January 14, 2026

Prefiled January 14, 2026

A BILL to amend and reenact § 18.2-60 of the Code of Virginia, relating to oral threat to kill or to do bodily harm; employees of local or state department of social services; penalty.

Patron—Cherry

Committee Referral Pending

Be it enacted by the General Assembly of Virginia:**1. That § 18.2-60 of the Code of Virginia is amended and reenacted as follows:**

§ 18.2-60. Threats of death or bodily injury to a person or member of his family; threats of death or discharge of a firearm on school property; threats of death or bodily injury to health care providers; penalties.

A. 1. Any person who knowingly communicates, in a writing, including an electronically transmitted communication producing a visual or electronic message, including an email, a text message, or a message or post on any social media platform, a threat to kill or do bodily injury to a person, regardless of whether the person who is the object of the threat actually receives the threat, and the threat places such person who is the object of the threat, or any member of his family, in reasonable apprehension of death or bodily injury to himself or his family member is guilty of a Class 6 felony. However, any person who violates this subsection with the intent to commit an act of terrorism as defined in § 18.2-46.4 is guilty of a Class 5 felony.

2. Any person who communicates a threat orally or in a writing, including an electronically transmitted communication producing a visual or electronic message, including an email, a text message, or a message or post on any social media platform, to kill or discharge a firearm within or (i) on the grounds or premises of any elementary, middle, or secondary school property; (ii) at any elementary, middle, or secondary school-sponsored event; or (iii) on a school bus to any person or persons, regardless of whether the person who is the object of the threat actually receives the threat, and the threat would place the person who is the object of the threat, or is included in the threat, in reasonable apprehension of death or bodily harm is guilty of a Class 6 felony.

3. Any person 18 years of age or older who communicates a threat in writing, including an electronically transmitted communication producing a visual or electronic message such as an email, a text message, or a message or post on any social media platform, to another to kill or to do serious bodily injury to any other person and makes such threat with the intent to (i) intimidate a civilian population at large; (ii) influence the conduct or activities of a government, including the government of the United States, a state, or a locality, through intimidation; or (iii) compel the emergency evacuation, or avoidance, of any place of assembly, any building or other structure, or any means of mass transportation is guilty of a Class 5 felony. Any person younger than 18 years of age who commits such offense is guilty of a Class 1 misdemeanor.

B. Any person who orally makes a threat to kill or to do bodily injury to (i) any employee of any elementary, middle, or secondary school, while on a school bus, on school property, or at a school-sponsored activity ~~or~~; (ii) any health care provider as defined in § 8.01-581.1 who is engaged in the performance of his duties while on the premises of any facility rendering health care as defined in § 8.01-581.1, unless the health care provider is on the premises of any facility rendering health care as defined in § 8.1-581.1 or emergency medical care as a result of an emergency custody order pursuant to § 37.2-808, involuntary temporary detention order pursuant to § 37.2-809, involuntary hospitalization order pursuant to § 37.2-817, or emergency custody order of a conditionally released acquittee pursuant to § 19.2-182.9; *or (iii) any call-center contractor or employee of the Department of Social Services or a local department of social services, as those terms are defined in § 63.2-100, who is engaged in the performance of his duties, is guilty of a Class 1 misdemeanor.*

C. A prosecution pursuant to this section may be in either the county, city, or town in which the communication was made or received.

INTRODUCED

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