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SENATE BILL NO. 543

Offered January 14, 2026

Prefiled January 13, 2026

A BILL to amend and reenact §§ 3.2-4118, 3.2-4126, 4.1-226, 4.1-227, 4.1-604, 8.01-216.3, 9.1-102, and 58.1-3700 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 12 of Title 4.1 a section numbered 4.1-1201 and adding in Chapter 13 of Title 4.1 sections numbered 4.1-1304 and 4.1-1305, relating to marijuana and hemp products; enforcement.

Patron—Aird

Referred to Committee on Rehabilitation and Social Services

Be it enacted by the General Assembly of Virginia:

1. That §§ 3.2-4118, 3.2-4126, 4.1-226, 4.1-227, 4.1-604, 8.01-216.3, 9.1-102, and 58.1-3700 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Chapter 12 of Title 4.1 a section numbered 4.1-1201 and adding in Chapter 13 of Title 4.1 sections numbered 4.1-1304 and 4.1-1305 as follows:

§ 3.2-4118. Forfeiture of industrial hemp grower, handler, or processor registration; violations.

A. The Commissioner shall deny the application, or suspend or revoke the registration, of any person who, with a culpable mental state greater than negligence, (i) violates any provision of this article or (ii) has repeatedly violated any provisions of the Cannabis Control Act (§ 4.1-600 et seq.) by, without displaying a decal as required pursuant to § 4.1-1304, engaging in the illegal sale of marijuana or marijuana products on the licensed premises of an establishment or marketing or labeling products as marijuana or marijuana products. The Commissioner shall provide reasonable notice of an informal fact-finding conference pursuant to § 2.2-4019 to any person in connection with the denial, suspension, or revocation of a registration.

B. If a registration is revoked as the result of an informal hearing, the decision may be appealed, and upon appeal an administrative hearing shall be conducted in accordance with the Administrative Process Act (§ 2.2-4000 et seq.). The grower, handler, or processor may appeal a final order to the circuit court in accordance with the Administrative Process Act.

C. A person issued a registration pursuant to § 3.2-4115 who negligently (i) fails to provide a description and geographic data sufficient for locating his production field, handler's storage site, or process site; (ii) grows, handles, or processes Cannabis sativa with a tetrahydrocannabinol concentration greater than that allowed by federal law; or (iii) produces a Cannabis sativa product shall comply with any corrective action plan established by the Commissioner in accordance with the provisions of subsection E. The Commissioner shall not deem a grower negligent if such grower makes reasonable efforts to grow industrial hemp and grows Cannabis sativa with a tetrahydrocannabinol concentration that does not exceed the total tetrahydrocannabinol concentration percentage established in federal regulations applicable to negligent violations located at 7 C.F.R. § 990.6(b)(3).

D. A person who grows, handles, or processes industrial hemp and who negligently fails to register pursuant to § 3.2-4115 shall comply with any corrective action plan established by the Commissioner in accordance with the provisions of subsection E.

E. A corrective action plan established by the Commissioner in response to a negligent violation of a provision of this article shall identify a reasonable date by which the person who is the subject of the plan shall correct the negligent violation and shall require such person to report periodically for not less than two calendar years to the Commissioner on the person's compliance with the provisions of this article.

F. No person who negligently violates the provisions of this article three times in a five-year period shall be eligible to grow, handle, or process industrial hemp for a period of five years beginning on the date of the third violation.

§ 3.2-4126. Civil penalties.

A. The Commissioner may, in accordance with the Administrative Process Act (§ 2.2-4000 et seq.), deny the application for a regulated hemp product retail facility registration or suspend or revoke the regulated hemp product retail facility registration of any person that (i) violates a provision of this article or (ii) has repeatedly violated any provisions of the Cannabis Control Act (§ 4.1-600 et seq.) by, without displaying a decal as required pursuant to § 4.1-1304, engaging in the illegal sale of marijuana or marijuana products on the licensed premises of an establishment or marketing or labeling products as marijuana or marijuana products.

B. Any person that (i) offers for sale or sells at retail a regulated hemp product without first obtaining a registration to do so from the Commissioner in accordance with § 3.2-4122, (ii) continues to offer for sale or sell at retail a regulated hemp product after revocation or suspension of such registration, (iii) offers for sale

59 or sells at retail a substance intended for human consumption, orally or by inhalation, that (a) contains a total
 60 tetrahydrocannabinol concentration that is greater than 0.3 percent or (b) contains more than two milligrams
 61 of total tetrahydrocannabinol per package and does not contain an amount of cannabidiol that is at least 25
 62 times greater than the amount of total tetrahydrocannabinol per package, (iv) offers for sale or sells at retail a
 63 regulated hemp product in violation of § 3.2-4123, ~~or~~ (v) offers for sale or sells at retail a substance intended
 64 for human consumption, orally or by inhalation, that is advertised or labeled as containing an industrial
 65 hemp-derived cannabinoid without a regulated hemp product retail facility registration, *or (vi) has repeatedly*
 66 *violated any provisions of the Cannabis Control Act (§ 4.1-600 et seq.) by, without displaying a decal as*
 67 *required pursuant to § 4.1-1304, engaging in the illegal sale of marijuana or marijuana products on the*
 68 *licensed premises of an establishment or marketing or labeling products as marijuana or marijuana products*
 69 is, in addition to any other penalties provided, subject to a civil penalty not to exceed \$10,000 for each day a
 70 violation occurs. Such penalty shall be collected by the Commissioner and the proceeds shall be payable to
 71 the State Treasurer for remittance to the Department.

72 **§ 4.1-226. Grounds for which Board shall suspend or revoke licenses.**

73 The Board shall suspend or revoke any license, other than a brewery license, in which case the Board may
 74 impose penalties as provided in § 4.1-227, if it finds that:

75 1. A licensee has violated or permitted the violation of § 18.2-331, relating to the illegal possession of a
 76 gambling device, upon the premises for which the Board has granted a license for the sale of alcoholic
 77 beverages to the public.

78 2. In the licensed establishment of a mixed beverage licensee there (i) is entertainment of an obscene
 79 nature, entertainment commonly called stripteasing, topless entertaining, or entertainment that has employees
 80 who are not clad both above and below the waist or (ii) are employees who solicit the sale of alcoholic
 81 beverages. The provisions of clause (i) shall not apply to persons operating theaters, concert halls, art centers,
 82 museums, or similar establishments that are devoted primarily to the arts or theatrical performances, when the
 83 performances that are presented are expressing matters of serious literary, artistic, scientific, or political
 84 value.

85 3. A licensee has defrauded or attempted to defraud the Board, or any federal, state, or local government
 86 or governmental agency or authority, by making or filing any report, document, or tax return required by
 87 statute or regulation that is fraudulent or contains a willful or knowing false representation of a material fact
 88 or has willfully deceived or attempted to deceive the Board, or any federal, state, or local government or
 89 governmental agency or authority, by making or maintaining business records required by statute or
 90 regulation that are false or fraudulent.

91 4. *A licensee has repeatedly violated any provisions of the Cannabis Control Act (§ 4.1-600 et seq.) by,*
 92 *without displaying a decal as required pursuant to § 4.1-1304, engaging in the illegal sale of marijuana or*
 93 *marijuana products on the licensed premises of an establishment or marketing or labeling products as*
 94 *marijuana or marijuana products.*

95 **§ 4.1-227. Suspension or revocation of licenses; notice and hearings; imposition of penalties.**

96 A. Except for temporary licenses, before the Board may impose a civil penalty against a brewery licensee
 97 or suspend or revoke any license, reasonable notice of such proposed or contemplated action shall be given to
 98 the licensee in accordance with the provisions of § 2.2-4020 of the Administrative Process Act (§ 2.2-4000 et
 99 seq.).

100 Notwithstanding the provisions of § 2.2-4022, the Board shall, upon written request by the licensee,
 101 permit the licensee to inspect and copy or photograph all (i) written or recorded statements made by the
 102 licensee or copies thereof or the substance of any oral statements made by the licensee or a previous or
 103 present employee of the licensee to any law-enforcement officer, the existence of which is known by the
 104 Board and upon which the Board intends to rely as evidence in any adversarial proceeding under this chapter
 105 against the licensee, and (ii) designated books, papers, documents, tangible objects, buildings, or places, or
 106 copies or portions thereof, that are within the possession, custody, or control of the Board and upon which the
 107 Board intends to rely as evidence in any adversarial proceeding under this chapter against the licensee. In
 108 addition, any subpoena for the production of documents issued to any person at the request of the licensee or
 109 the Board pursuant to § 4.1-103 shall provide for the production of the documents sought within ten working
 110 days, notwithstanding anything to the contrary in § 4.1-103.

111 If the Board fails to provide for inspection or copying under this section for the licensee after a written
 112 request, the Board shall be prohibited from introducing into evidence any items the licensee would have
 113 lawfully been entitled to inspect or copy under this section.

114 The action of the Board in suspending or revoking any license or in imposing a civil penalty against the
 115 holder of a brewery license shall be subject to judicial review in accordance with the Administrative Process
 116 Act. Such review shall extend to the entire evidential record of the proceedings provided by the Board in
 117 accordance with the Administrative Process Act. An appeal shall lie to the Court of Appeals from any order
 118 of the court. Notwithstanding § 8.01-676.1, the final judgment or order of the circuit court shall not be
 119 suspended, stayed or modified by such circuit court pending appeal to the Court of Appeals. Neither
 120 mandamus nor injunction shall lie in any such case.

121 B. In suspending any license the Board may impose, as a condition precedent to the removal of such
 122 suspension or any portion thereof, a requirement that the licensee pay the cost incurred by the Board in
 123 investigating the licensee and in holding the proceeding resulting in such suspension, or it may impose and
 124 collect such civil penalties as it deems appropriate. In no event shall the Board impose a civil penalty
 125 exceeding \$2,000 for the first violation occurring within five years immediately preceding the date of the
 126 violation or \$5,000 for the second violation occurring within five years immediately preceding the date of the
 127 second violation. However, if the violation involved selling alcoholic beverages to a person prohibited from
 128 purchasing alcoholic beverages or allowing consumption of alcoholic beverages by underage, intoxicated, or
 129 interdicted persons, the Board may impose a civil penalty not to exceed \$3,000 for the first violation
 130 occurring within five years immediately preceding the date of the violation and \$6,000 for a second violation
 131 occurring within five years immediately preceding the date of the second violation in lieu of such suspension
 132 or any portion thereof, or both. The Board may also impose a requirement that the licensee pay for the cost
 133 incurred by the Board not exceeding \$25,000 in investigating the licensee and in holding the proceeding
 134 resulting in the violation in addition to any suspension or civil penalty incurred.

135 C. Following notice to (i) the licensee of a hearing that may result in the suspension or revocation of his
 136 license or (ii) the applicant of a hearing to resolve a contested application, the Board may accept a consent
 137 agreement as authorized in subdivision 21 of § 4.1-103. The notice shall advise the licensee or applicant of
 138 the option to (a) admit the alleged violation or the validity of the objection; (b) waive any right to a hearing or
 139 an appeal under the Virginia Administrative Process Act (§ 2.2-4000 et seq.); and (c)(1) accept the proposed
 140 restrictions for operating under the license, (2) accept the period of suspension of the licensed privileges
 141 within the Board's parameters, (3) pay a civil penalty in lieu of the period of suspension, or any portion of the
 142 suspension as applicable, or (4) proceed to a hearing.

143 D. In case of an offense by the holder of a brewery license, the Board may (i) require that such holder pay
 144 the costs incurred by the Board in investigating the licensee, (ii) suspend or revoke the on-premises privileges
 145 of the brewery, and (iii) impose a civil penalty not to exceed \$25,000 for the first violation, \$50,000 for the
 146 second violation, and for the third or any subsequent violation, suspend or revoke such license or, in lieu of
 147 any suspension or portion thereof, impose a civil penalty not to exceed \$100,000. Such suspension or
 148 revocation shall not prohibit the licensee from manufacturing or selling beer manufactured by it to the owners
 149 of boats registered under the laws of the United States sailing for ports of call of a foreign country or another
 150 state, and to persons outside the Commonwealth.

151 E. The Board shall, by regulation or written order:

152 1. Designate those (i) objections to an application or (ii) alleged violations that will proceed to an initial
 153 hearing;

154 2. Designate the violations for which a waiver of a hearing and payment of a civil charge in lieu of
 155 suspension may be accepted for a first offense occurring within three years immediately preceding the date of
 156 the violation;

157 3. Provide for a reduction in the length of any suspension and a reduction in the amount of any civil
 158 penalty for any retail licensee where the licensee can demonstrate that it provided to its employees alcohol
 159 server or seller training certified in advance by the Board, which training shall include a course developed or
 160 approved by the Department of Criminal Justice Services pursuant to § 9.1-102 on recognizing and reporting
 161 instances of suspected human trafficking;

162 4. Establish a schedule of penalties for such offenses, prescribing the appropriate suspension of a license
 163 and the civil charge acceptable in lieu of such suspension; and

164 5. Establish a schedule of offenses for which any penalty may be waived upon a showing that the licensee
 165 has had no prior violations within five years immediately preceding the date of the violation. No waiver shall
 166 be granted by the Board, however, for a licensee's willful and knowing violation of this subtitle or Board
 167 regulations.

168 *F. In addition, the Board shall impose a civil penalty against a brewery licensee or suspend or revoke any*
 169 *license pursuant to this section upon a finding that such licensee has repeatedly violated any provisions of the*
 170 *Cannabis Control Act (§ 4.1-600 et seq.) by, without displaying a decal as required pursuant to § 4.1-1304,*
 171 *engaging in the illegal sale of marijuana or marijuana products on the licensed premises of an establishment*
 172 *or marketing or labeling products as marijuana or marijuana products.*

173 **§ 4.1-604. Powers and duties of the Board.**

174 The Board shall have the following powers and duties:

175 1. Promulgate regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.) and
 176 § 4.1-606;

177 2. Control the possession, sale, transportation, and delivery of marijuana and marijuana products;

178 3. Grant, suspend, restrict, revoke, or refuse to grant or renew any license or permit issued or authorized
 179 pursuant to this subtitle;

180 4. Determine the nature, form, and capacity of all containers used for holding marijuana products to be
 181 kept or sold and prescribe the form and content of all labels and seals to be placed thereon;

182 5. Maintain actions to enjoin common nuisances as defined in § 4.1-1113;

- 183 6. Establish standards and implement an online course for employees of retail marijuana stores that trains
184 employees on how to educate consumers on the potential risks of marijuana use;
- 185 7. Establish a plan to develop and disseminate to retail marijuana store licensees a pamphlet or similar
186 document regarding the potential risks of marijuana use to be prominently displayed and made available to
187 consumers;
- 188 8. Establish a position for a Cannabis Social Equity Liaison who shall lead the Cannabis Business Equity
189 and Diversity Support Team and liaise with the Director of Diversity, Equity, and Inclusion on matters
190 related to diversity, equity, and inclusion standards in the marijuana industry;
- 191 9. Establish a Cannabis Business Equity and Diversity Support Team, which shall (i) develop
192 requirements for the creation and submission of diversity, equity, and inclusion plans by persons who wish to
193 possess a license in more than one license category pursuant to subsection C of § 4.1-805, which may include
194 a requirement that the licensee participate in social equity apprenticeship plan, and an approval process and
195 requirements for implementation of such plans; (ii) be responsible for conducting an analysis of potential
196 barriers to entry for small, women-owned, and minority-owned businesses and veteran-owned businesses
197 interested in participating in the marijuana industry and recommending strategies to effectively mitigate such
198 potential barriers; (iii) provide assistance with business planning for potential marijuana establishment
199 licensees; (iv) spread awareness of business opportunities related to the marijuana marketplace in areas
200 disproportionately impacted by marijuana prohibition and enforcement; (v) provide technical assistance in
201 navigating the administrative process to potential marijuana establishment licensees; and (vi) conduct other
202 outreach initiatives in areas disproportionately impacted by marijuana prohibition and enforcement as
203 necessary;
- 204 10. Establish a position for an individual with professional experience in a health related field who shall
205 staff the Cannabis Public Health Advisory Council, established pursuant to § 4.1-603, liaise with the Office
206 of the Secretary of Health and Human Resources and relevant health and human services agencies and
207 organizations, and perform other duties as needed;
- 208 11. Establish and implement a plan, in coordination with the Cannabis Social Equity Liaison and the
209 Director of Diversity, Equity, and Inclusion to promote and encourage participation in the marijuana industry
210 by people from communities that have been disproportionately impacted by marijuana prohibition and
211 enforcement and to positively impact those communities;
- 212 12. Sue and be sued, implead and be impleaded, and complain and defend in all courts;
- 213 13. Adopt, use, and alter at will a common seal;
- 214 14. Fix, alter, charge, and collect rates, rentals, fees, and other charges for the use of property of, the sale
215 of products of, or services rendered by the Authority at rates to be determined by the Authority for the
216 purpose of providing for the payment of the expenses of the Authority;
- 217 15. Make and enter into all contracts and agreements necessary or incidental to the performance of its
218 duties, the furtherance of its purposes, and the execution of its powers under this subtitle, including
219 agreements with any person or federal agency;
- 220 16. Employ, at its discretion, consultants, researchers, architects, engineers, accountants, financial experts,
221 investment bankers, superintendents, managers, and such other employees and special agents as may be
222 necessary and fix their compensation to be payable from funds made available to the Authority. Legal
223 services for the Authority shall be provided by the Attorney General in accordance with Chapter 5 (§ 2.2-500
224 et seq.) of Title 2.2;
- 225 17. Receive and accept from any federal or private agency, foundation, corporation, association, or person
226 grants or other aid to be expended in accomplishing the objectives of the Authority, and receive and accept
227 from the Commonwealth or any state and any municipality, county, or other political subdivision thereof or
228 from any other source aid or contributions of either money, property, or other things of value, to be held,
229 used, and applied only for the purposes for which such grants and contributions may be made. All federal
230 moneys accepted under this section shall be accepted and expended by the Authority upon such terms and
231 conditions as are prescribed by the United States and as are consistent with state law, and all state moneys
232 accepted under this section shall be expended by the Authority upon such terms and conditions as are
233 prescribed by the Commonwealth;
- 234 18. Adopt, alter, and repeal bylaws, rules, and regulations governing the manner in which its business
235 shall be transacted and the manner in which the powers of the Authority shall be exercised and its duties
236 performed. The Board may delegate or assign any duty or task to be performed by the Authority to any
237 officer or employee of the Authority. The Board shall remain responsible for the performance of any such
238 duties or tasks. Any delegation pursuant to this subdivision shall, where appropriate, be accompanied by
239 written guidelines for the exercise of the duties or tasks delegated. Where appropriate, the guidelines shall
240 require that the Board receive summaries of actions taken. Such delegation or assignment shall not relieve the
241 Board of the responsibility to ensure faithful performance of the duties and tasks;
- 242 19. Conduct or engage in any lawful business, activity, effort, or project consistent with the Authority's
243 purposes or necessary or convenient to exercise its powers;
- 244 20. Develop policies and procedures generally applicable to the procurement of goods, services, and

245 construction, based upon competitive principles;

246 21. Develop policies and procedures consistent with Article 4 (§ 2.2-4347 et seq.) of Chapter 43 of Title
247 2.2;

248 22. Acquire, purchase, hold, use, lease, or otherwise dispose of any property, real, personal or mixed,
249 tangible or intangible, or any interest therein necessary or desirable for carrying out the purposes of the
250 Authority; lease as lessee any property, real, personal or mixed, tangible or intangible, or any interest therein,
251 at such annual rental and on such terms and conditions as may be determined by the Board; lease as lessor to
252 any person any property, real, personal or mixed, tangible or intangible, or any interest therein, at any time
253 acquired by the Authority, whether wholly or partially completed, at such annual rental and on such terms
254 and conditions as may be determined by the Board; sell, transfer, or convey any property, real, personal or
255 mixed, tangible or intangible, or any interest therein, at any time acquired or held by the Authority on such
256 terms and conditions as may be determined by the Board; and occupy and improve any land or building
257 required for the purposes of this subtitle;

258 23. Purchase, lease, or acquire the use of, by any manner, any plant or equipment that may be considered
259 necessary or useful in carrying into effect the purposes of this subtitle, including rectifying, blending, and
260 processing plants;

261 24. Appoint every agent and employee required for its operations, require any or all of them to give bonds
262 payable to the Commonwealth in such penalty as shall be fixed by the Board, and engage the services of
263 experts and professionals;

264 25. Hold and conduct hearings, issue subpoenas requiring the attendance of witnesses and the production
265 of records, memoranda, papers, and other documents before the Board or any agent of the Board, and
266 administer oaths and take testimony thereunder. The Board may authorize any Board member or agent of the
267 Board to hold and conduct hearings, issue subpoenas, administer oaths and take testimony thereunder, and
268 decide cases, subject to final decision by the Board, on application of any party aggrieved. The Board may
269 enter into consent agreements and may request and accept from any applicant, licensee, or permittee a
270 consent agreement in lieu of proceedings on (i) objections to the issuance of a license or permit or (ii)
271 disciplinary action. Any such consent agreement (a) shall include findings of fact and provisions regarding
272 whether the terms of the consent agreement are confidential and (b) may include an admission or a finding of
273 a violation. A consent agreement shall not be considered a case decision of the Board and shall not be subject
274 to judicial review under the provisions of the Administrative Process Act (§ 2.2-4000 et seq.), but may be
275 considered by the Board in future disciplinary proceedings;

276 26. Make a reasonable charge for preparing and furnishing statistical information and compilations to
277 persons other than (i) officials, including court and police officials, of the Commonwealth and of its
278 subdivisions if the information requested is for official use and (ii) persons who have a personal or legal
279 interest in obtaining the information requested if such information is not to be used for commercial or trade
280 purposes;

281 27. Take appropriate disciplinary action and assess and collect civil penalties and civil charges for
282 violations of this subtitle and Board regulations;

283 28. Review and approve any proposed legislative or regulatory changes suggested by the Chief Executive
284 Officer as the Board deems appropriate;

285 29. Report quarterly to the Secretary of Public Safety and Homeland Security on the law-enforcement
286 activities undertaken to enforce the provisions of this subtitle;

287 30. Establish and collect fees for all permits set forth in this subtitle, including fees associated with
288 applications for such permits;

289 31. Develop and make available on its website guidance documents regarding compliance and safe
290 practices for persons who cultivate marijuana at home for personal use, which shall include information
291 regarding cultivation practices that promote personal and public safety, including child protection, and
292 discourage practices that create a nuisance;

293 32. Develop and make available on its website a resource that provides information regarding (i)
294 responsible marijuana consumption; (ii) health risks and other dangers associated with marijuana
295 consumption, including inability to operate a motor vehicle and other types of transportation and equipment;
296 and (iii) ancillary effects of marijuana consumption, including ineligibility for certain employment
297 opportunities. The Board shall require that the web address for such resource be included on the label of all
298 retail marijuana and retail marijuana product as provided in § 4.1-1402; ~~and~~

299 33. *Establish, advertise, and administer a tip line, which may be accessed by phone and by internet, for*
300 *members of the public to anonymously report concerns about, or suspected instances of, illicit retail*
301 *marijuana practices in violation of this subtitle;*

302 34. *Create and require a decal for retail marijuana store licensees to prominently display on the premises*
303 *of such store that allows consumers to electronically verify the validity of such store's license from the Board;*
304 *and*

305 35. Do all acts necessary or advisable to carry out the purposes of this subtitle.

306 **§ 4.1-1201. Posted decal required; civil penalty.**

307 *No licensee shall engage in the sale of marijuana or marijuana products on the licensed premises of an*
 308 *establishment or marketing or labeling products as marijuana or marijuana products without a decal issued*
 309 *by the Board prominently displayed outside and within such establishment. A licensee violating this section is*
 310 *subject to a civil penalty of \$10,000 per day for each day that such decal is not displayed at the establishment*
 311 *in violation of this requirement.*

312 **§ 4.1-1304. Selling, etc. without decal; false decal; civil penalty.**

313 *A. No person shall engage in the sale of marijuana or marijuana products or marketing or labeling*
 314 *products as marijuana or marijuana products without a decal issued by the Board and prominently*
 315 *displayed. A person violating this subsection is subject to a civil penalty of \$10,000 per day for each day that*
 316 *such decal is not displayed in violation of this requirement.*

317 *B. It is unlawful for any person to create or display a falsified decal that purports such person to be*
 318 *licensed by the Board to engage in the sale of marijuana or marijuana products or market or label products*
 319 *as marijuana or marijuana products. Any person who violates this subsection is subject to a civil penalty of*
 320 *\$10,000.*

321 **§ 4.1-1305. Issuance of notice of violation and order to cease by Board; civil penalties.**

322 *A. The Board may issue a notice of violation and order to cease unlicensed activity to any person who is*
 323 *engaged in the cultivation, processing, distribution, or selling of marijuana or marijuana products in*
 324 *violation of this subtitle. If the Board issues such notice and order, it may also order the seizure of such*
 325 *marijuana or marijuana products.*

326 *B. Upon receipt of such notice and order issued pursuant to subsection A, such person shall cease all*
 327 *activities described in subsection A. The Board shall cause a copy of such notice and order to be affixed to*
 328 *the front window, door, or exterior wall of the location where such unlicensed activity is occurring. Such*
 329 *notice and order shall be within five feet of the front door or other opening to such location where customers*
 330 *enter from the street, at a vertical height no less than four feet and no more than six feet from the ground or*
 331 *floor. If such location does not have a direct entrance from the street, the owner of such location shall allow*
 332 *such notice and order to be affixed at the immediate point of entry in a place where potential customers or*
 333 *members of the public are likely to see it. Unless authorized by the Board, such notice or order affixed*
 334 *pursuant to subsection B shall not be removed. Any person who intentionally violates this subsection is*
 335 *subject to a civil penalty prescribed by the board, not to exceed \$5,000.*

336 *C. In addition to affixing the notice and order pursuant to subsection B, the person subject to such notice*
 337 *and order shall allow the Board to affix one or more warning stickers at or near the front door or other*
 338 *opening to such location where customers enter from the street advising the public that the business is*
 339 *ordered to stop the unlawful activity and of the public health and safety concerns relating to illicit marijuana*
 340 *and marijuana products. Unless authorized by the Board, such notice or order affixed pursuant to subsection*
 341 *B shall not be removed. Any person who intentionally violates this subsection is subject to a civil penalty*
 342 *prescribed by the board, not to exceed \$5,000.*

343 **§ 8.01-216.3. False claims; civil penalty.**

344 *A. Any person who:*

345 *1. Knowingly presents, or causes to be presented, a false or fraudulent claim for payment or approval;*

346 *2. Knowingly makes, uses, or causes to be made or used, a false record or statement material to a false or*
 347 *fraudulent claim;*

348 *3. Conspires to commit a violation of subdivision 1, 2, 4, 5, 6, 7, 8, ~~9~~, or 10;*

349 *4. Has possession, custody, or control of property or money used, or to be used, by the Commonwealth*
 350 *and knowingly delivers, or causes to be delivered, less than all such money or property;*

351 *5. Has possession, custody, or control of an illegal gambling device, as defined in § 18.2-325, knowing*
 352 *such device is illegal, and knowingly conceals, avoids, or decreases an obligation to pay or transmit money to*
 353 *the Commonwealth that is derived from the operation of such device;*

354 *6. Manufactures for sale, sells, or distributes an illegal gaming device knowing that such device is or is*
 355 *intended to be operated in the Commonwealth in violation of Article 1 (§ 18.2-325 et seq.) or Article 1.1:1*
 356 *(§ 18.2-340.15 et seq.) of Chapter 8 of Title 18.2;*

357 *7. Is authorized to make or deliver a document certifying receipt of property used, or to be used, by the*
 358 *Commonwealth and, intending to defraud the Commonwealth, makes or delivers the receipt without*
 359 *completely knowing that the information on the receipt is true;*

360 *8. Knowingly buys or receives as a pledge of an obligation or debt, public property from an officer or*
 361 *employee of the Commonwealth who lawfully may not sell or pledge the property; ~~or~~*

362 *9. Knowingly makes, uses, or causes to be made or used, a false record or statement material to an*
 363 *obligation to pay or transmit money or property to the Commonwealth or knowingly conceals or knowingly*
 364 *and improperly avoids or decreases an obligation to pay or transmit money or property to the*
 365 *Commonwealth; or*

366 *10. Except as otherwise permitted by the Cannabis Control Act (§ 4.1-600 et seq.), offers for sale or sells*
 367 *at retail a substance intended for human consumption, orally or by inhalation, that (i) contains a total*
 368 *tetrahydrocannabinol concentration that is greater than 0.3 percent or (ii) contains more than two*

369 milligrams of total tetrahydrocannabinol per package and does not contain an amount of cannabidiol that is
370 at least 25 times greater than the amount of total tetrahydrocannabinol per package in violation of
371 § 3.2-4126 or Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2;

372 shall be liable to the Commonwealth for a civil penalty of not less than \$10,957 and not more than
373 \$21,916, except that these lower and upper limits on liability shall automatically be adjusted to equal the
374 amounts allowed under the Federal False Claims Act, 31 U.S.C. § 3729 et seq., as amended, as such penalties
375 in the Federal False Claims Act are adjusted for inflation by the Federal Civil Penalties Inflation Adjustment
376 Act of 1990, as amended (28 U.S.C. § 2461 Note, P.L. 101-410), plus three times the amount of damages
377 sustained by the Commonwealth.

378 A person violating this section shall be liable to the Commonwealth for reasonable attorney fees and costs
379 of a civil action brought to recover any such penalties or damages. All such fees and costs shall be paid to the
380 Attorney General's Office by the defendant and shall not be included in any damages or civil penalties
381 recovered in a civil action based on a violation of this section.

382 B. If the court finds that (i) the person committing the violation of this section furnished officials of the
383 Commonwealth responsible for investigating false claims violations with all information known to the person
384 about the violation within 30 days after the date on which the defendant first obtained the information; (ii)
385 such person fully cooperated with any Commonwealth investigation of such violation; (iii) at the time such
386 person furnished the Commonwealth with the information about the violation, no criminal prosecution, civil
387 action, or administrative action had commenced with respect to such violation; and (iv) the person did not
388 have actual knowledge of the existence of an investigation into such violation, the court may assess not less
389 than two times the amount of damages that the Commonwealth sustains because of the act of that person. A
390 person violating this section shall also be liable to the Commonwealth for the costs of a civil action brought
391 to recover any such penalty or damages.

392 C. For purposes of this section, the terms "knowing" and "knowingly" mean that a person, with respect to
393 information, (i) has actual knowledge of the information; (ii) acts in deliberate ignorance of the truth or
394 falsity of the information; or (iii) acts in reckless disregard of the truth or falsity of the information and
395 require no proof of specific intent to defraud.

396 D. Except as provided in subdivision A 5, this section shall not apply to claims, records, or statements
397 relating to state or local taxes.

398 **§ 9.1-102. Powers and duties of the Board and the Department.**

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

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

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

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

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

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

421 6. [Repealed];

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

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

428 9. Establish compulsory minimum entry-level, in-service, and advanced training standards, as well as the
429 time required for completion of such training, for persons employed as deputy sheriffs and jail officers by
430 local criminal justice agencies and correctional officers employed by the Department of Corrections under the

431 provisions of Title 53.1. For deputy sheriffs and jail officers who are employees of local or regional
432 correctional facilities and correctional officers employed by the Department of Corrections, such standards
433 shall include training on the general care of pregnant women, the impact of restraints on pregnant inmates
434 and fetuses, the impact of being placed in restrictive housing or solitary confinement on pregnant inmates,
435 and the impact of body cavity searches on pregnant inmates;

436 10. Establish compulsory minimum training standards for all dispatchers employed by or in any local or
437 state government agency, whose duties include the dispatching of law-enforcement personnel. Such training
438 standards shall apply only to dispatchers hired on or after July 1, 1988. Such training shall include training in
439 the identification of, communication with, and facilitation of the safe return of individuals diagnosed with
440 Alzheimer's disease and dementia, which shall include (i) techniques for respectful and effective
441 communication with individuals with Alzheimer's disease and dementia and their caregivers; (ii) techniques
442 for addressing the behavioral symptoms of Alzheimer's disease and dementia, including alternatives to
443 physical restraint; (iii) protocols for identifying and reporting incidents of abuse, neglect, and exploitation of
444 individuals with Alzheimer's disease and dementia to adult protective services; (iv) protocols for contacting
445 caregivers when an individual with Alzheimer's disease or dementia is found wandering or during an
446 emergency or crisis situation; (v) a reference list of local resources available for individuals with Alzheimer's
447 disease and dementia; and (vi) a reference list of local and national organizations that assist law-enforcement
448 personnel with locating missing and wandering individuals with Alzheimer's disease and dementia and
449 returning them to their caregivers;

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

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

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

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

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

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

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

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

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

476 20. Conduct audits as required by § 9.1-131;

477 21. Conduct a continuing study and review of questions of individual privacy and confidentiality of
478 criminal history record information and correctional status information;

479 22. Advise criminal justice agencies and initiate educational programs for such agencies with respect to
480 matters of privacy, confidentiality, and security as they pertain to criminal history record information and
481 correctional status information;

482 23. Maintain a liaison with any board, commission, committee, or other body which may be established
483 by law, executive order, or resolution to regulate the privacy and security of information collected by the
484 Commonwealth or any political subdivision thereof;

485 24. Adopt regulations establishing guidelines and standards for the collection, storage, and dissemination
486 of criminal history record information and correctional status information, and the privacy, confidentiality,
487 and security thereof necessary to implement state and federal statutes, regulations, and court orders;

488 25. Operate a statewide criminal justice research center, which shall maintain an integrated criminal
489 justice information system, produce reports, provide technical assistance to state and local criminal justice
490 data system users, and provide analysis and interpretation of criminal justice statistical information;

491 26. Develop a comprehensive, statewide, long-range plan for strengthening and improving law

492 enforcement and the administration of criminal justice throughout the Commonwealth, and periodically
493 update that plan;

494 27. Cooperate with, and advise and assist, all agencies, departments, boards and institutions of the
495 Commonwealth, and units of general local government, or combinations thereof, including planning district
496 commissions, in planning, developing, and administering programs, projects, comprehensive plans, and other
497 activities for improving law enforcement and the administration of criminal justice throughout the
498 Commonwealth, including allocating and subgranting funds for these purposes;

499 28. Define, develop, organize, encourage, conduct, coordinate, and administer programs, projects and
500 activities for the Commonwealth and units of general local government, or combinations thereof, in the
501 Commonwealth, designed to strengthen and improve law enforcement and the administration of criminal
502 justice at every level throughout the Commonwealth;

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

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

510 31. Do all things necessary on behalf of the Commonwealth and its units of general local government, to
511 determine and secure benefits available under the Omnibus Crime Control and Safe Streets Act of 1968 (P.L.
512 90-351, 82 Stat. 197), as amended, and under any other federal acts and programs for strengthening and
513 improving law enforcement, the administration of criminal justice, and delinquency prevention and control;

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

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

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

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

533 36. Certify and decertify law-enforcement officers in accordance with §§ 15.2-1706 and 15.2-1707 and
534 provide for a decertification review process in accordance with § 15.2-1708;

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

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

541 b. The identification of, communication with, and facilitation of the safe return of individuals diagnosed
542 with Alzheimer's disease and dementia, which shall include (i) techniques for respectful and effective
543 communication with individuals with Alzheimer's disease and dementia and their caregivers; (ii) techniques
544 for addressing the behavioral symptoms of Alzheimer's disease and dementia, including alternatives to
545 physical restraint; (iii) protocols for identifying and reporting incidents of abuse, neglect, and exploitation of
546 individuals with Alzheimer's disease and dementia to adult protective services; (iv) protocols for contacting
547 caregivers when an individual with Alzheimer's disease or dementia is found wandering or during an
548 emergency or crisis situation; (v) a reference list of local resources available for individuals with Alzheimer's
549 disease and dementia; and (vi) a reference list of local and national organizations that assist law-enforcement
550 personnel with locating missing and wandering individuals with Alzheimer's disease and dementia and
551 returning them to their caregivers;

552 c. Sensitivity to and awareness of systemic and individual racism, cultural diversity, and the potential for
553 racially biased policing and bias-based profiling as defined in § 52-30.1, which shall include recognizing

554 implicit biases in interacting with persons who have a mental illness, substance use disorder, or
555 developmental or cognitive disability;

556 d. Protocols for local and regional sexual assault and human trafficking response teams;

557 e. Communication of death notifications;

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

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

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

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

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

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

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

573 m. The use of naloxone or other opioid antagonists to prevent opioid overdose deaths, in coordination
574 with statewide naloxone training programs developed by the Department of Behavioral Health and
575 Developmental Services and the Virginia Department of Health;

576 38. Establish compulsory training standards for basic training and the recertification of law-enforcement
577 officers to ensure (i) sensitivity to and awareness of systemic and individual racism, cultural diversity, and
578 the potential for racially biased policing and bias-based profiling as defined in § 52-30.1, which shall include
579 recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder, or
580 developmental or cognitive disability; (ii) training in de-escalation techniques; and (iii) training in the lawful
581 use of force, including the use of deadly force, as defined in § 19.2-83.3, only when necessary to protect the
582 law-enforcement officer or another person;

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

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

594 41. Promote community policing philosophy and practice throughout the Commonwealth by providing
595 community policing training and technical assistance statewide to all law-enforcement agencies, community
596 groups, public and private organizations and citizens; developing and distributing innovative policing
597 curricula and training tools on general community policing philosophy and practice and contemporary critical
598 issues facing Virginia communities; serving as a consultant to Virginia organizations with specific
599 community policing needs; facilitating continued development and implementation of community policing
600 programs statewide through discussion forums for community policing leaders, development of law-
601 enforcement instructors; promoting a statewide community policing initiative; and serving as a statewide
602 information source on the subject of community policing including, but not limited to periodic newsletters, a
603 website and an accessible lending library;

604 42. Establish, in consultation with the Department of Education and the Virginia State Crime
605 Commission, compulsory minimum standards for employment and job-entry and in-service training curricula
606 and certification requirements for school security officers, including school security officers described in
607 clause (b) of § 22.1-280.2:1, which training and certification shall be administered by the Virginia Center for
608 School and Campus Safety (VCSCS) pursuant to § 9.1-184. Such training standards shall be specific to the
609 role and responsibility of school security officers and shall include (i) relevant state and federal laws; (ii)
610 school and personal liability issues; (iii) security awareness in the school environment; (iv) mediation and
611 conflict resolution, including de-escalation techniques such as a physical alternative to restraint; (v) disaster
612 and emergency response; (vi) awareness of systemic and individual racism, cultural diversity, and implicit
613 bias; (vii) working with students with disabilities, mental health needs, substance use disorders, and past
614 traumatic experiences; and (viii) student behavioral dynamics, including child and adolescent development
615 and brain research. The Department shall establish an advisory committee consisting of local school board

616 representatives, principals, superintendents, and school security personnel to assist in the development of the
617 standards and certification requirements in this subdivision. The Department shall require any school security
618 officer who carries a firearm in the performance of his duties to provide proof that he has completed a
619 training course provided by a federal, state, or local law-enforcement agency that includes training in active
620 shooter emergency response, emergency evacuation procedure, and threat assessment;

621 43. License and regulate property bail bondsmen and surety bail bondsmen in accordance with Article 11
622 (§ 9.1-185 et seq.);

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

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

627 46. Establish minimum standards for (i) employment, (ii) job-entry and in-service training curricula, and
628 (iii) certification requirements for campus security officers. Such training standards shall include, but not be
629 limited to, the role and responsibility of campus security officers, relevant state and federal laws, school and
630 personal liability issues, security awareness in the campus environment, and disaster and emergency
631 response. The Department shall provide technical support and assistance to campus police departments and
632 campus security departments on the establishment and implementation of policies and procedures, including
633 but not limited to: the management of such departments, investigatory procedures, judicial referrals, the
634 establishment and management of databases for campus safety and security information sharing, and
635 development of uniform record keeping for disciplinary records and statistics, such as campus crime logs,
636 judicial referrals and Clery Act statistics. The Department shall establish an advisory committee consisting of
637 college administrators, college police chiefs, college security department chiefs, and local law-enforcement
638 officials to assist in the development of the standards and certification requirements and training pursuant to
639 this subdivision;

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

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

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

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

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

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

654 53. In consultation with the Department of Behavioral Health and Developmental Services, develop a
655 model addiction recovery program that may be administered by sheriffs, deputy sheriffs, jail officers,
656 administrators, or superintendents in any local or regional jail. Such program shall be based on any existing
657 addiction recovery programs that are being administered by any local or regional jails in the Commonwealth.
658 Participation in the model addiction recovery program shall be voluntary, and such program may address
659 aspects of the recovery process, including medical and clinical recovery, peer-to-peer support, availability of
660 mental health resources, family dynamics, and aftercare aspects of the recovery process;

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

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

672 56. Establish compulsory minimum training standards for detector canine handlers employed by the
673 Department of Corrections, standards for the training and retention of detector canines used by the
674 Department of Corrections, and a central database on the performance and effectiveness of such detector
675 canines that requires the Department of Corrections to submit comprehensive information on each canine
676 handler and detector canine, including the number and types of calls and searches, substances searched for
677 and whether or not detected, and the number of false positives, false negatives, true positives, and true

678 negatives;

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

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

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

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

692 61. Adopt statewide professional standards of conduct applicable to all certified law-enforcement officers
693 and certified jail officers and appropriate due process procedures for decertification based on serious
694 misconduct in violation of those standards and provide for a decertification review process in accordance
695 with § 15.2-1708;

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

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

701 64. Advise and assist the Department of Behavioral Health and Developmental Services, and support local
702 law-enforcement cooperation, with the development and implementation of the Marcus alert system, as
703 defined in § 37.2-311.1, including the establishment of local protocols for law-enforcement participation in
704 the Marcus alert system pursuant to § 9.1-193 and for reporting requirements pursuant to §§ 9.1-193 and
705 37.2-311.1;

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

708 66. Develop an online course to train unarmed security officers, armed security officers, couriers, security
709 canine handlers, and alarm respondents to recognize and report instances of suspected human trafficking to
710 meet the compulsory minimum, entry-level, and in-service training standards as required by § 9.1-141;

711 67. Establish standards and procedures for when the Board may grant a petition for reinstatement of
712 certification of a decertified officer pursuant to subsection E of § 15.2-1708;

713 68. Establish compulsory minimum and in-service training standards for law-enforcement officers on
714 communicating with individuals with an intellectual disability or a developmental disability as defined in
715 § 37.2-100, such as autism spectrum disorder as defined in the most recent edition of the Diagnostic and
716 Statistical Manual of Mental Disorders of the American Psychiatric Association, which shall include (i) an
717 overview and behavioral recognition of autism spectrum disorder, (ii) best practices for crisis prevention and
718 de-escalation techniques, (iii) an objective review of any relevant tools and technology available to assist in
719 communication, and (iv) education on law-enforcement agency and community resources for the autism
720 community on future crisis prevention. Such training standards shall be established in consultation with at
721 least one individual with autism spectrum disorder, one family member of an individual with autism spectrum
722 disorder, one specialist who works with individuals with autism spectrum disorder, one representative from
723 the Department of Behavioral Health and Developmental Services, and one representative from a state or
724 local law-enforcement agency;

725 69. Develop an online course for the Virginia Alcoholic Beverage Control Authority to offer to retail
726 licensees and their employees to train such licensees and employees to recognize and report instances of
727 suspected human trafficking;

728 70. Establish a model policy for best practices for law-enforcement officers responding to or investigating
729 an overdose, when prescriber information has been obtained during the course of such response or
730 investigation, to notify the prescriber of any controlled substance found to be in the possession of or believed
731 to have been ingested by the victim that such prescription of a controlled substance was involved in an
732 overdose. Such model policy shall include that a notification to a prescriber of a controlled substance shall
733 not be required if such notification would jeopardize an active law-enforcement investigation;

734 71. Establish a training curriculum for law-enforcement agencies, law-enforcement officers, and special
735 conservators of the peace on the discretion such officers can exercise regarding arrests as provided in Chapter
736 7 (§ 19.2-71 et seq.) of Title 19.2. Such training shall include (i) instruction on the scope and nature of
737 law-enforcement officer discretion in arrest decisions, with particular emphasis on encounters with
738 individuals experiencing a mental health crisis, including individuals currently subject to an emergency
739 custody order pursuant to § 37.2-808, a temporary detention order pursuant to § 37.2-809, or an involuntary

740 admission order pursuant to § 37.2-817, and (ii) instruction on the immediate and long-term effects of arrests
741 on individuals in need of mental health services due to a mental health crisis, including impacts on treatment
742 outcomes as identified in substantially accepted peer-reviewed research literature;

743 72. Establish a model policy for the provision of security at nonprofit institutions that serve individuals
744 and communities at risk of hate crimes as defined in § 52-8.5 within the Commonwealth, incorporating
745 relevant information about various traditions, services, or activities that any law-enforcement officer,
746 unarmed security officer, or armed security officer providing such security may encounter; ~~and~~

747 73. *Establish compulsory minimum and in-service training standards for law-enforcement officers on the*
748 *enforcement of the Cannabis Control Act (§ 4.1-600 et seq.) and provisions of law related to hemp pursuant*
749 *to Chapter 41.1 (§ 3.2-4112 et seq.) of Title 3.2 and §§ 18.2-371.2 and 18.2-371.2:1. Such standards shall*
750 *include (i) education on applicable marijuana and hemp laws in the Commonwealth; (ii) methods for*
751 *identifying illicit marijuana and hemp products; (iii) education regarding enforcement mechanisms and*
752 *applicable penalties for violation of the Commonwealth's marijuana and hemp laws; and (iv) education*
753 *regarding opportunities for collaboration with the Virginia Cannabis Control Authority, Virginia Alcoholic*
754 *Beverage Control Authority, and Virginia Department of Agriculture and Consumer Services. Such training*
755 *standards shall be established in consultation with at least one representative of the Virginia Cannabis*
756 *Control Authority, Virginia Alcoholic Beverage Control Authority, and Virginia Department of Agriculture*
757 *and Consumer Services; and*

758 74. Perform such other acts as may be necessary or convenient for the effective performance of its duties.

759 **§ 58.1-3700. License requirement; requiring evidence of payment of business license, business**
760 **personal property, meals and admissions taxes; license revocation.**

761 A. Whenever a license is required by ordinance adopted pursuant to this chapter and whenever the local
762 governing body shall impose a license fee or levy a license tax on any business, employment or profession, it
763 shall be unlawful to engage in such business, employment or profession without first obtaining the required
764 license. The governing body of any county, city, or town may require that no business license under this
765 chapter shall be issued until the applicant has produced satisfactory evidence that all delinquent business
766 license, real estate, personal property, meals, transient occupancy, severance and admissions taxes owed by
767 the business to the county, city or town have been paid which have been properly assessed against the
768 applicant by the county, city or town.

769 B. Any person who engages in a business without obtaining a required local license, or after being refused
770 a license, shall not be relieved of the tax imposed by the ordinance.

771 C. *The governing body of any locality shall revoke a business license issued under this chapter if a*
772 *licensee has repeatedly violated any provisions of the Cannabis Control Act (§ 4.1-600 et seq.) by, without*
773 *displaying a decal as required pursuant to § 4.1-1304, engaging in the illegal sale of marijuana or marijuana*
774 *products on the licensed premises of an establishment or marketing or labeling products as marijuana or*
775 *marijuana products.*

776 **2. That the Department of Criminal Justice Services shall establish the compulsory minimum and in-**
777 **service training standards as required by subdivision 73 of § 9.1-102 of the Code of Virginia, as**
778 **amended by this act, by January 1, 2027.**

779 **3. That any person employed as a law-enforcement officer prior to July 1, 2026, shall complete the**
780 **compulsory in-service training as required by subdivision 73 of § 9.1-102 of the Code of Virginia, as**
781 **amended by this act, by July 1, 2028.**

782 **4. That the Secretary of Public Safety and Homeland Security and the Secretary of Health and Human**
783 **Resources shall convene a work group to analyze the current efforts in the Commonwealth to combat**
784 **the sale of illicit cannabis products and develop recommendations to enhance such enforcement efforts**
785 **with a focus on protecting consumers and children from harmful, untested, and unregulated cannabis**
786 **products. The work group shall include among its members the Director of the Virginia Cannabis**
787 **Control Authority or his designee, a representative from the Office of the Attorney General, the**
788 **Commissioner of Agriculture and Consumer Services or his designee, a representative from the**
789 **Virginia State Police, a representative from a local law-enforcement agency, an attorney for the**
790 **Commonwealth, the Executive Director of Virginia NORML or his designee, a representative from a**
791 **cannabis pharmaceutical processor licensed in the Commonwealth, a representative from the Virginia**
792 **State Crime Commission, a member of the House of Delegates, a member of the Senate of Virginia, and**
793 **a forensic scientist with knowledge of or experience with testing cannabis products. The work group**
794 **shall complete its work and submit a report regarding its findings and recommendations to the Chairs**
795 **of the House Committees on Appropriations, on General Laws, and for Courts of Justice and the**
796 **Senate Committees on Finance and Appropriations, on General Laws and Technology, on**
797 **Rehabilitation and Social Services, and for Courts of Justice by October 1, 2026.**

798 **5. That the Board of Directors of the Cannabis Control Authority (the Board) shall, in promulgating**
799 **regulations for the creation of the decal pursuant to § 4.1-604, as amended by this act, include a quick**
800 **response (QR) Code in such decal that links to a webpage from the Cannabis Control Authority to**
801 **confirm the validity of a retail marijuana store's license from the Board. Such decal shall also**

802 prominently display the words "LICENSED BY THE VIRGINIA CANNABIS CONTROL
803 AUTHORITY".