

## 1 SENATE BILL NO. 55

## 2 AMENDMENT IN THE NATURE OF A SUBSTITUTE

3 (Proposed by the Senate Committee for Courts of Justice

4 on January 19, 2026)

5 (Patron Prior to Substitute—Senator Diggs)

6 *A BILL to amend and reenact § 18.2-370.2 of the Code of Virginia, relating to sex offenses prohibiting*  
7 *proximity to children; state parks; penalty.*8 **Be it enacted by the General Assembly of Virginia:**9 **1. That § 18.2-370.2 of the Code of Virginia is amended and reenacted as follows:**10 **§ 18.2-370.2. Sex offenses prohibiting proximity to children; penalty.**11 A. "Offense prohibiting proximity to children" means a violation or an attempt to commit a violation of (i)  
12 subsection A of § 18.2-47, clause (ii) or (iii) of § 18.2-48, subsection B of § 18.2-361, or subsection B of  
13 § 18.2-366, where the victim of one of the foregoing offenses was a minor, or (ii) clause (iii) of subsection A  
14 of § 18.2-61, § 18.2-63 or 18.2-64.1, subdivision A 1 of § 18.2-67.1, subdivision A 1 of § 18.2-67.2,  
15 subdivision A 1 or A 4 (a) of § 18.2-67.3, § 18.2-370 or 18.2-370.1, clause (ii) of § 18.2-371, or § 18.2-374.1,  
16 18.2-374.1:1 or 18.2-379. As of July 1, 2006, "offense prohibiting proximity to children" includes a violation  
17 of § 18.2-472.1 when the offense requiring registration was one of the foregoing offenses.18 B. Every adult who is convicted of an offense prohibiting proximity to children when the offense occurred  
19 on or after July 1, 2000, shall as part of his sentence be forever prohibited from loitering within 100 feet of  
20 the premises of any place he knows or has reason to know is a primary, secondary or high school. In addition,  
21 every adult who is convicted of an offense prohibiting proximity to children when the offense occurred on or  
22 after July 1, 2006, shall as part of his sentence be forever prohibited from loitering within 100 feet of the  
23 premises of any place he knows or has reason to know is a child day program as defined in § 22.1-289.02.24 C. Every adult who is convicted of an offense prohibiting proximity to children, when the offense  
25 occurred on or after July 1, 2008, shall as part of his sentence be forever prohibited from going, for the  
26 purpose of having any contact whatsoever with children who are not in his custody, within 100 feet of the  
27 premises of any place owned or operated by a locality *or, for any offense that occurred on or after July 1,*  
28 *2026, a state park* that he knows or should know is a playground, athletic field or facility, or gymnasium.29 D. Any person convicted of an offense under the laws of any foreign country or any political subdivision  
30 thereof, or the United States or any political subdivision thereof, similar to any offense set forth in subsection  
31 A shall be forever prohibited from loitering within 100 feet of the premises of any place he knows or has  
32 reason to know is a primary, secondary, or high school or any place he knows or has reason to know is a child

33 day program as defined in § 22.1-289.02. In addition, he shall be forever prohibited from going, for the  
34 purpose of having any contact whatsoever with children who are not in his custody, within 100 feet of the  
35 premises of any place owned or operated by a locality that he knows or has reason to know is a playground,  
36 athletic field or facility, or gymnasium. *He shall also be forever prohibited from going, for the purpose of*  
37 *having any contact whatsoever with children who are not in his custody, within 100 feet of a playground,*  
38 *athletic field or facility, or gymnasium he knows or has reason to know is located on the premises of a state*  
39 *park.*

40 E. A violation of this section is punishable as a Class 6 felony.

41 **2. That the provisions of this act may result in a net increase in periods of imprisonment or**  
42 **commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary**  
43 **appropriation cannot be determined for periods of imprisonment in state adult correctional facilities;**  
44 **therefore, Chapter 725 of the Acts of Assembly of 2025 requires the Virginia Criminal Sentencing**  
45 **Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4 of the Code of**  
46 **Virginia, the estimated amount of the necessary appropriation is \$0 for periods of commitment to the**  
47 **custody of the Department of Juvenile Justice.**