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HOUSE BILL NO. 1492

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Public Safety
on February 6, 2026)

(Patron Prior to Substitute—Delegate Shin)

A BILL to amend and reenact § 18.2-174 of the Code of Virginia, relating to impersonating federal law-enforcement officer; penalties.

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-174 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-174. Impersonating law-enforcement officer; penalties.

A. Any person who falsely assumes or exercises the functions, powers, duties, and privileges incident to the office of sheriff, police officer, marshal, or other peace officer, or any local, city, county, or state, or federal law-enforcement officer, or who falsely assumes or pretends to be any such officer, is guilty of a Class 1 misdemeanor. A second or subsequent offense is punishable as a Class 6 felony.

B. Any person who falsely assumes or exercises the functions, powers, duties, and privileges incident to a federal law-enforcement officer, or who falsely assumes or pretends to be a federal law-enforcement officer is guilty of a Class 6 felony. A second or subsequent offense is punishable as a Class 5 felony.

C. Any person who impersonates a federal law-enforcement officer in violation of the provisions of subsection B while such person is wearing a facial covering is guilty of a Class 5 felony. A second or subsequent offense is a Class 4 felony.

For the purposes of this subsection, "facial covering" means any opaque mask, garment, headgear, or other item or device whereby a substantial portion of the face is hidden or covered to conceal the identity of the wearer, including a balaclava, tactical mask, gator, ski mask, or other similar face-shielding item or device.

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