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## SENATE BILL NO. 543

## AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Finance and Appropriations  
on February 12, 2026)

(Patron Prior to Substitute—Senator Aird)

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 a section numbered 4.1-624.1, by adding in Chapter 12 of Title 4.1 a section numbered 4.1-1201, and by adding in Chapter 13 of Title 4.1 sections numbered 4.1-1304 and 4.1-1305, relating to marijuana and hemp products; enforcement.

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 a section numbered 4.1-624.1, by adding in Chapter 12 of Title 4.1 a section numbered 4.1-1201, and by 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 or sells at retail a substance intended for human consumption, orally or by inhalation, that (a) contains a total tetrahydrocannabinol concentration that is greater than 0.3 percent or (b) contains more than two milligrams

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

71 **§ 4.1-226. Grounds for which Board shall suspend or revoke licenses.**

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

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

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

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

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

94 **§ 4.1-227. Suspension or revocation of licenses; notice and hearings; imposition of penalties.**

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

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

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

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

120 B. In suspending any license the Board may impose, as a condition precedent to the removal of such  
 121 suspension or any portion thereof, a requirement that the licensee pay the cost incurred by the Board in

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

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

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

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

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

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

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

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

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

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

172 **§ 4.1-604. Powers and duties of the Board.**

173 The Board shall have the following powers and duties:

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

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

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

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

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

182 6. Establish standards and implement an online course for employees of retail marijuana stores that trains  
 183 employees on how to educate consumers on the potential risks of marijuana use;

- 184 7. Establish a plan to develop and disseminate to retail marijuana store licensees a pamphlet or similar  
185 document regarding the potential risks of marijuana use to be prominently displayed and made available to  
186 consumers;
- 187 8. Establish a position for a Cannabis Social Equity Liaison who shall lead the Cannabis Business Equity  
188 and Diversity Support Team and liaise with the Director of Diversity, Equity, and Inclusion on matters  
189 related to diversity, equity, and inclusion standards in the marijuana industry;
- 190 9. Establish a Cannabis Business Equity and Diversity Support Team, which shall (i) develop  
191 requirements for the creation and submission of diversity, equity, and inclusion plans by persons who wish to  
192 possess a license in more than one license category pursuant to subsection C of § 4.1-805, which may include  
193 a requirement that the licensee participate in social equity apprenticeship plan, and an approval process and  
194 requirements for implementation of such plans; (ii) be responsible for conducting an analysis of potential  
195 barriers to entry for small, women-owned, and minority-owned businesses and veteran-owned businesses  
196 interested in participating in the marijuana industry and recommending strategies to effectively mitigate such  
197 potential barriers; (iii) provide assistance with business planning for potential marijuana establishment  
198 licensees; (iv) spread awareness of business opportunities related to the marijuana marketplace in areas  
199 disproportionately impacted by marijuana prohibition and enforcement; (v) provide technical assistance in  
200 navigating the administrative process to potential marijuana establishment licensees; and (vi) conduct other  
201 outreach initiatives in areas disproportionately impacted by marijuana prohibition and enforcement as  
202 necessary;
- 203 10. Establish a position for an individual with professional experience in a health related field who shall  
204 staff the Cannabis Public Health Advisory Council, established pursuant to § 4.1-603, liaise with the Office  
205 of the Secretary of Health and Human Resources and relevant health and human services agencies and  
206 organizations, and perform other duties as needed;
- 207 11. Establish and implement a plan, in coordination with the Cannabis Social Equity Liaison and the  
208 Director of Diversity, Equity, and Inclusion to promote and encourage participation in the marijuana industry  
209 by people from communities that have been disproportionately impacted by marijuana prohibition and  
210 enforcement and to positively impact those communities;
- 211 12. Sue and be sued, implead and be impleaded, and complain and defend in all courts;
- 212 13. Adopt, use, and alter at will a common seal;
- 213 14. Fix, alter, charge, and collect rates, rentals, fees, and other charges for the use of property of, the sale  
214 of products of, or services rendered by the Authority at rates to be determined by the Authority for the  
215 purpose of providing for the payment of the expenses of the Authority;
- 216 15. Make and enter into all contracts and agreements necessary or incidental to the performance of its  
217 duties, the furtherance of its purposes, and the execution of its powers under this subtitle, including  
218 agreements with any person or federal agency;
- 219 16. Employ, at its discretion, consultants, researchers, architects, engineers, accountants, financial experts,  
220 investment bankers, superintendents, managers, and such other employees and special agents as may be  
221 necessary and fix their compensation to be payable from funds made available to the Authority. Legal  
222 services for the Authority shall be provided by the Attorney General in accordance with Chapter 5 (§ 2.2-500  
223 et seq.) of Title 2.2;
- 224 17. Receive and accept from any federal or private agency, foundation, corporation, association, or person  
225 grants or other aid to be expended in accomplishing the objectives of the Authority, and receive and accept  
226 from the Commonwealth or any state and any municipality, county, or other political subdivision thereof or  
227 from any other source aid or contributions of either money, property, or other things of value, to be held,  
228 used, and applied only for the purposes for which such grants and contributions may be made. All federal  
229 moneys accepted under this section shall be accepted and expended by the Authority upon such terms and  
230 conditions as are prescribed by the United States and as are consistent with state law, and all state moneys  
231 accepted under this section shall be expended by the Authority upon such terms and conditions as are  
232 prescribed by the Commonwealth;
- 233 18. Adopt, alter, and repeal bylaws, rules, and regulations governing the manner in which its business  
234 shall be transacted and the manner in which the powers of the Authority shall be exercised and its duties  
235 performed. The Board may delegate or assign any duty or task to be performed by the Authority to any  
236 officer or employee of the Authority. The Board shall remain responsible for the performance of any such  
237 duties or tasks. Any delegation pursuant to this subdivision shall, where appropriate, be accompanied by  
238 written guidelines for the exercise of the duties or tasks delegated. Where appropriate, the guidelines shall  
239 require that the Board receive summaries of actions taken. Such delegation or assignment shall not relieve the  
240 Board of the responsibility to ensure faithful performance of the duties and tasks;
- 241 19. Conduct or engage in any lawful business, activity, effort, or project consistent with the Authority's  
242 purposes or necessary or convenient to exercise its powers;
- 243 20. Develop policies and procedures generally applicable to the procurement of goods, services, and  
244 construction, based upon competitive principles;
- 245 21. Develop policies and procedures consistent with Article 4 (§ 2.2-4347 et seq.) of Chapter 43 of Title

246 2.2;

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

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

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

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

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

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

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

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

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

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

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

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

301 34. Do all acts necessary or advisable to carry out the purposes of this subtitle.

302 **§ 4.1-624.1. Enforcement of laws by Chief Executive Officer or investigators; authority of investigators**  
303 **appointed by Chief Executive Officer.**

304 *A. The Chief Executive Officer or investigators appointed by him shall be sworn to enforce the provisions*  
305 *of this subtitle and Board regulations. The Chief Executive Officer or investigators appointed by him shall*  
306 *have the authority to investigate violations of the statutes and regulations that the Authority is required to*  
307 *enforce. The Chief Executive Officer or investigators appointed by him shall also have the authority to issue*

308 *summonses for violations of the statutes and regulations governing the unlicensed cultivation, processing,*  
 309 *distribution, or selling of marijuana or marijuana products. In the event a person issued such a summons*  
 310 *fails or refuses to discontinue the unlawful acts or refuses to give a written promise to appear at the time and*  
 311 *place specified in the summons, the investigator may appear before a magistrate or other issuing authority*  
 312 *having jurisdiction to obtain a criminal warrant pursuant to § 19.2-72.*

313 *B. All investigators appointed by the Chief Executive Officer are vested with the authority to administer*  
 314 *oaths or affirmations for the purpose of receiving complaints and conducting investigations of violations of*  
 315 *this subtitle, or any regulation promulgated pursuant to the authority given by this subtitle. Such*  
 316 *investigators are vested with the authority to obtain, serve, and execute any warrant, paper, or process issued*  
 317 *by any court or magistrate or any regulatory board under the authority of the Chief Executive Officer and*  
 318 *request and receive criminal history information under the provisions of § 19.2-389.*

319 **§ 4.1-1201. Posted decal required; civil penalty.**

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

325 **§ 4.1-1304. Selling, etc. without decal; false decal; civil penalty.**

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

330 *B. It is unlawful for any person to create or display a falsified decal that purports such person to be*  
 331 *licensed by the Board to engage in the sale of marijuana or marijuana products or market or label products*  
 332 *as marijuana or marijuana products. Any person who violates this subsection is subject to a civil penalty of*  
 333 *\$10,000.*

334 **§ 4.1-1305. Issuance of notice of violation and order to cease by Board; civil penalties.**

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

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

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

356 **§ 8.01-216.3. False claims; civil penalty.**

357 *A. Any person who:*

- 358 1. Knowingly presents, or causes to be presented, a false or fraudulent claim for payment or approval;
- 359 2. Knowingly makes, uses, or causes to be made or used, a false record or statement material to a false or
- 360 fraudulent claim;
- 361 3. Conspires to commit a violation of subdivision 1, 2, 4, 5, 6, 7, 8, ~~9~~, or 10;
- 362 4. Has possession, custody, or control of property or money used, or to be used, by the Commonwealth
- 363 and knowingly delivers, or causes to be delivered, less than all such money or property;
- 364 5. Has possession, custody, or control of an illegal gambling device, as defined in § 18.2-325, knowing
- 365 such device is illegal, and knowingly conceals, avoids, or decreases an obligation to pay or transmit money to
- 366 the Commonwealth that is derived from the operation of such device;
- 367 6. Manufactures for sale, sells, or distributes an illegal gaming device knowing that such device is or is
- 368 intended to be operated in the Commonwealth in violation of Article 1 (§ 18.2-325 et seq.) or Article 1.1:1
- 369 (§ 18.2-340.15 et seq.) of Chapter 8 of Title 18.2;

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

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

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

379 10. *Except as otherwise permitted by the Cannabis Control Act (§ 4.1-600 et seq.), offers for sale or sells*  
 380 *at retail a substance intended for human consumption, orally or by inhalation, that (i) contains a total*  
 381 *tetrahydrocannabinol concentration that is greater than 0.3 percent or (ii) contains more than two*  
 382 *milligrams of total tetrahydrocannabinol per package and does not contain an amount of cannabidiol that is*  
 383 *at least 25 times greater than the amount of total tetrahydrocannabinol per package in violation of*  
 384 *§ 3.2-4126 or Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2;*

385 shall be liable to the Commonwealth for a civil penalty of not less than \$10,957 and not more than  
 386 \$21,916, except that these lower and upper limits on liability shall automatically be adjusted to equal the  
 387 amounts allowed under the Federal False Claims Act, 31 U.S.C. § 3729 et seq., as amended, as such penalties  
 388 in the Federal False Claims Act are adjusted for inflation by the Federal Civil Penalties Inflation Adjustment  
 389 Act of 1990, as amended (28 U.S.C. § 2461 Note, P.L. 101-410), plus three times the amount of damages  
 390 sustained by the Commonwealth.

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

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

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

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

411 **§ 9.1-102. Powers and duties of the Board and the Department.**

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

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

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

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

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

430 5. Establish (i) compulsory minimum training standards for law-enforcement officers who utilize radar or  
 431 an electrical or microcomputer device to measure the speed of motor vehicles as provided in § 46.2-882 and

432 establish the time required for completion of the training and (ii) compulsory minimum qualifications for  
433 certification and recertification of instructors who provide such training;

434 6. [Repealed];

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

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

441 9. Establish compulsory minimum entry-level, in-service, and advanced training standards, as well as the  
442 time required for completion of such training, for persons employed as deputy sheriffs and jail officers by  
443 local criminal justice agencies and correctional officers employed by the Department of Corrections under the  
444 provisions of Title 53.1. For deputy sheriffs and jail officers who are employees of local or regional  
445 correctional facilities and correctional officers employed by the Department of Corrections, such standards  
446 shall include training on the general care of pregnant women, the impact of restraints on pregnant inmates  
447 and fetuses, the impact of being placed in restrictive housing or solitary confinement on pregnant inmates,  
448 and the impact of body cavity searches on pregnant inmates;

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

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

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

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

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

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

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

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

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

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

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

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

492 22. Advise criminal justice agencies and initiate educational programs for such agencies with respect to  
493 matters of privacy, confidentiality, and security as they pertain to criminal history record information and

494 correctional status information;

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

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

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

504 26. Develop a comprehensive, statewide, long-range plan for strengthening and improving law  
505 enforcement and the administration of criminal justice throughout the Commonwealth, and periodically  
506 update that plan;

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

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

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

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

523 31. Do all things necessary on behalf of the Commonwealth and its units of general local government, to  
524 determine and secure benefits available under the Omnibus Crime Control and Safe Streets Act of 1968 (P.L.  
525 90-351, 82 Stat. 197), as amended, and under any other federal acts and programs for strengthening and  
526 improving law enforcement, the administration of criminal justice, and delinquency prevention and control;

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

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

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

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

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

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

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

554 b. The identification of, communication with, and facilitation of the safe return of individuals diagnosed  
555 with Alzheimer's disease and dementia, which shall include (i) techniques for respectful and effective

556 communication with individuals with Alzheimer's disease and dementia and their caregivers; (ii) techniques  
557 for addressing the behavioral symptoms of Alzheimer's disease and dementia, including alternatives to  
558 physical restraint; (iii) protocols for identifying and reporting incidents of abuse, neglect, and exploitation of  
559 individuals with Alzheimer's disease and dementia to adult protective services; (iv) protocols for contacting  
560 caregivers when an individual with Alzheimer's disease or dementia is found wandering or during an  
561 emergency or crisis situation; (v) a reference list of local resources available for individuals with Alzheimer's  
562 disease and dementia; and (vi) a reference list of local and national organizations that assist law-enforcement  
563 personnel with locating missing and wandering individuals with Alzheimer's disease and dementia and  
564 returning them to their caregivers;

565 c. Sensitivity to and awareness of systemic and individual racism, cultural diversity, and the potential for  
566 racially biased policing and bias-based profiling as defined in § 52-30.1, which shall include recognizing  
567 implicit biases in interacting with persons who have a mental illness, substance use disorder, or  
568 developmental or cognitive disability;

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

570 e. Communication of death notifications;

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

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

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

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

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

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

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

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

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

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

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

607 41. Promote community policing philosophy and practice throughout the Commonwealth by providing  
608 community policing training and technical assistance statewide to all law-enforcement agencies, community  
609 groups, public and private organizations and citizens; developing and distributing innovative policing  
610 curricula and training tools on general community policing philosophy and practice and contemporary critical  
611 issues facing Virginia communities; serving as a consultant to Virginia organizations with specific  
612 community policing needs; facilitating continued development and implementation of community policing  
613 programs statewide through discussion forums for community policing leaders, development of law-  
614 enforcement instructors; promoting a statewide community policing initiative; and serving as a statewide  
615 information source on the subject of community policing including, but not limited to periodic newsletters, a  
616 website and an accessible lending library;

617 42. Establish, in consultation with the Department of Education and the Virginia State Crime

618 Commission, compulsory minimum standards for employment and job-entry and in-service training curricula  
 619 and certification requirements for school security officers, including school security officers described in  
 620 clause (b) of § 22.1-280.2:1, which training and certification shall be administered by the Virginia Center for  
 621 School and Campus Safety (VCSCS) pursuant to § 9.1-184. Such training standards shall be specific to the  
 622 role and responsibility of school security officers and shall include (i) relevant state and federal laws; (ii)  
 623 school and personal liability issues; (iii) security awareness in the school environment; (iv) mediation and  
 624 conflict resolution, including de-escalation techniques such as a physical alternative to restraint; (v) disaster  
 625 and emergency response; (vi) awareness of systemic and individual racism, cultural diversity, and implicit  
 626 bias; (vii) working with students with disabilities, mental health needs, substance use disorders, and past  
 627 traumatic experiences; and (viii) student behavioral dynamics, including child and adolescent development  
 628 and brain research. The Department shall establish an advisory committee consisting of local school board  
 629 representatives, principals, superintendents, and school security personnel to assist in the development of the  
 630 standards and certification requirements in this subdivision. The Department shall require any school security  
 631 officer who carries a firearm in the performance of his duties to provide proof that he has completed a  
 632 training course provided by a federal, state, or local law-enforcement agency that includes training in active  
 633 shooter emergency response, emergency evacuation procedure, and threat assessment;

634 43. License and regulate property bail bondsmen and surety bail bondsmen in accordance with Article 11  
 635 (§ 9.1-185 et seq.);

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

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

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

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

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

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

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

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

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

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

674 54. Establish compulsory minimum training standards for certification and recertification of law-  
 675 enforcement officers serving as school resource officers. Such training shall be specific to the role and  
 676 responsibility of a law-enforcement officer working with students in a school environment and shall include  
 677 (i) relevant state and federal laws; (ii) school and personal liability issues; (iii) security awareness in the  
 678 school environment; (iv) mediation and conflict resolution, including de-escalation techniques; (v) disaster  
 679 and emergency response; (vi) awareness of systemic and individual racism, cultural diversity, and implicit

680 bias; (vii) working with students with disabilities, mental health needs, substance use disorders, or past  
681 traumatic experiences; and (viii) student behavioral dynamics, including current child and adolescent  
682 development and brain research;

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

685 56. Establish compulsory minimum training standards for detector canine handlers employed by the  
686 Department of Corrections, standards for the training and retention of detector canines used by the  
687 Department of Corrections, and a central database on the performance and effectiveness of such detector  
688 canines that requires the Department of Corrections to submit comprehensive information on each canine  
689 handler and detector canine, including the number and types of calls and searches, substances searched for  
690 and whether or not detected, and the number of false positives, false negatives, true positives, and true  
691 negatives;

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

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

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

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

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

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

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

714 64. Advise and assist the Department of Behavioral Health and Developmental Services, and support local  
715 law-enforcement cooperation, with the development and implementation of the Marcus alert system, as  
716 defined in § 37.2-311.1, including the establishment of local protocols for law-enforcement participation in  
717 the Marcus alert system pursuant to § 9.1-193 and for reporting requirements pursuant to §§ 9.1-193 and  
718 37.2-311.1;

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

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

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

726 68. Establish compulsory minimum and in-service training standards for law-enforcement officers on  
727 communicating with individuals with an intellectual disability or a developmental disability as defined in  
728 § 37.2-100, such as autism spectrum disorder as defined in the most recent edition of the Diagnostic and  
729 Statistical Manual of Mental Disorders of the American Psychiatric Association, which shall include (i) an  
730 overview and behavioral recognition of autism spectrum disorder, (ii) best practices for crisis prevention and  
731 de-escalation techniques, (iii) an objective review of any relevant tools and technology available to assist in  
732 communication, and (iv) education on law-enforcement agency and community resources for the autism  
733 community on future crisis prevention. Such training standards shall be established in consultation with at  
734 least one individual with autism spectrum disorder, one family member of an individual with autism spectrum  
735 disorder, one specialist who works with individuals with autism spectrum disorder, one representative from  
736 the Department of Behavioral Health and Developmental Services, and one representative from a state or  
737 local law-enforcement agency;

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

741 70. Establish a model policy for best practices for law-enforcement officers responding to or investigating

742 an overdose, when prescriber information has been obtained during the course of such response or  
743 investigation, to notify the prescriber of any controlled substance found to be in the possession of or believed  
744 to have been ingested by the victim that such prescription of a controlled substance was involved in an  
745 overdose. Such model policy shall include that a notification to a prescriber of a controlled substance shall  
746 not be required if such notification would jeopardize an active law-enforcement investigation;

747 71. Establish a training curriculum for law-enforcement agencies, law-enforcement officers, and special  
748 conservators of the peace on the discretion such officers can exercise regarding arrests as provided in Chapter  
749 7 (§ 19.2-71 et seq.) of Title 19.2. Such training shall include (i) instruction on the scope and nature of  
750 law-enforcement officer discretion in arrest decisions, with particular emphasis on encounters with  
751 individuals experiencing a mental health crisis, including individuals currently subject to an emergency  
752 custody order pursuant to § 37.2-808, a temporary detention order pursuant to § 37.2-809, or an involuntary  
753 admission order pursuant to § 37.2-817, and (ii) instruction on the immediate and long-term effects of arrests  
754 on individuals in need of mental health services due to a mental health crisis, including impacts on treatment  
755 outcomes as identified in substantially accepted peer-reviewed research literature;

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

760 73. *Establish compulsory minimum and in-service training standards for law-enforcement officers on the*  
761 *enforcement of the Cannabis Control Act (§ 4.1-600 et seq.) and provisions of law related to hemp pursuant*  
762 *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*  
763 *include (i) education on applicable marijuana and hemp laws in the Commonwealth; (ii) methods for*  
764 *identifying illicit marijuana and hemp products; (iii) education regarding enforcement mechanisms and*  
765 *applicable penalties for violation of the Commonwealth's marijuana and hemp laws; and (iv) education*  
766 *regarding opportunities for collaboration with the Virginia Cannabis Control Authority, Virginia Alcoholic*  
767 *Beverage Control Authority, and Virginia Department of Agriculture and Consumer Services. Such training*  
768 *standards shall be established in consultation with at least one representative of the Virginia Cannabis*  
769 *Control Authority, Virginia Alcoholic Beverage Control Authority, and Virginia Department of Agriculture*  
770 *and Consumer Services; and*

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

772 **§ 58.1-3700. License requirement; requiring evidence of payment of business license, business**  
773 **personal property, meals and admissions taxes; license revocation.**

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

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

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

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

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

795 **4. That the Secretary of Public Safety and Homeland Security and the Secretary of Health and Human**  
796 **Resources shall convene a work group to analyze the current efforts in the Commonwealth to combat**  
797 **the sale of illicit cannabis products and develop recommendations to enhance such enforcement efforts**  
798 **with a focus on protecting consumers and children from harmful, untested, and unregulated cannabis**  
799 **products. The work group shall include among its members the Chief Executive Officer of the Virginia**  
800 **Cannabis Control Authority or his designee, a representative from the Office of the Attorney General,**  
801 **the Commissioner of Agriculture and Consumer Services or his designee, a representative from the**  
802 **Virginia State Police, a representative from a local law-enforcement agency, an attorney for the**  
803 **Commonwealth, the Executive Director of Virginia NORML or his designee, a representative from a**

804 cannabis pharmaceutical processor licensed in the Commonwealth, a representative from the Virginia  
805 State Crime Commission, a member of the House of Delegates, a member of the Senate of Virginia, and  
806 a forensic scientist with knowledge of or experience with testing cannabis products. The work group  
807 shall complete its work and submit a report regarding its findings and recommendations to the Chairs  
808 of the House Committees on Appropriations, on General Laws, and for Courts of Justice and the  
809 Senate Committees on Finance and Appropriations, on General Laws and Technology, on  
810 Rehabilitation and Social Services, and for Courts of Justice by October 1, 2026.  
811 5. That the Board of Directors of the Cannabis Control Authority (the Board) shall, in promulgating  
812 regulations for the creation of the decal pursuant to § 4.1-604, as amended by this act, include a quick  
813 response (QR) Code in such decal that links to a webpage from the Cannabis Control Authority to  
814 confirm the validity of a retail marijuana store's license from the Board. Such decal shall also  
815 prominently display the words "LICENSED BY THE VIRGINIA CANNABIS CONTROL  
816 AUTHORITY".