

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 18.2-370.2 of the Code of Virginia, relating to sex offenses prohibiting*  
 3 *proximity to children; Park Authorities Act; penalty.*

4 [H 250]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 18.2-370.2 of the Code of Virginia is amended and reenacted as follows:**8 **§ 18.2-370.2. Sex offenses prohibiting proximity to children; penalty.**

9 A. "Offense prohibiting proximity to children" means a violation or an attempt to commit a violation of (i)  
 10 subsection A of § 18.2-47, clause (ii) or (iii) of § 18.2-48, subsection B of § 18.2-361, or subsection B of  
 11 § 18.2-366, where the victim of one of the foregoing offenses was a minor, or (ii) clause (iii) of subsection A  
 12 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,  
 13 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,  
 14 18.2-374.1:1 or 18.2-379. As of July 1, 2006, "offense prohibiting proximity to children" includes a violation  
 15 of § 18.2-472.1 when the offense requiring registration was one of the foregoing offenses.

16 B. Every adult who is convicted of an offense prohibiting proximity to children when the offense occurred  
 17 on or after July 1, 2000, shall as part of his sentence be forever prohibited from loitering within 100 feet of  
 18 the premises of any place he knows or has reason to know is a primary, secondary or high school. In addition,  
 19 every adult who is convicted of an offense prohibiting proximity to children when the offense occurred on or  
 20 after July 1, 2006, shall as part of his sentence be forever prohibited from loitering within 100 feet of the  
 21 premises of any place he knows or has reason to know is a child day program as defined in § 22.1-289.02.

22 C. Every adult who is convicted of an offense prohibiting proximity to children, when the offense  
 23 occurred on or after July 1, 2008, shall as part of his sentence be forever prohibited from going, for the  
 24 purpose of having any contact whatsoever with children who are not in his custody, within 100 feet of the  
 25 premises of any place owned or operated by a locality that he knows or should know is a playground, athletic  
 26 field or facility, or gymnasium.

27 D. *Every adult who is convicted of an offense prohibiting proximity to children, when the offense occurred*  
 28 *on or after July 1, 2026, shall as part of his sentence be forever prohibited from going, for the purpose of*  
 29 *having any contact whatsoever with children who are not in his custody, within 100 feet of the premises of*  
 30 *any place owned or operated by an authority created pursuant to the Park Authorities Act (§ 15.2-5700 et*  
 31 *seq.) that he knows or should know is a playground, athletic field or facility, or gymnasium.*

32 E. Any person convicted of an offense under the laws of any foreign country or any political subdivision  
 33 thereof, or the United States or any political subdivision thereof, similar to any offense set forth in subsection  
 34 A shall be forever prohibited from loitering within 100 feet of the premises of any place he knows or has  
 35 reason to know is a primary, secondary, or high school or any place he knows or has reason to know is a child  
 36 day program as defined in § 22.1-289.02. In addition, he shall be forever prohibited from going, for the  
 37 purpose of having any contact whatsoever with children who are not in his custody, within 100 feet of the  
 38 premises of any place owned or operated by *either (i) a locality or (ii) an authority created pursuant to the*  
 39 *Park Authorities Act (§ 15.2-5700 et seq.), that he knows or has reason to know is a playground, athletic field*  
 40 *or facility, or gymnasium.*

41 E- F. A violation of this section is punishable as a Class 6 felony.

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