

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 18.2-162 of the Code of Virginia, relating to damage or trespass to public*
 3 *services or utilities or critical infrastructure; penalties.*

4 [S 743]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That § 18.2-162 of the Code of Virginia is amended and reenacted as follows:**

8 **§ 18.2-162. Damage or trespass to public services or utilities or critical infrastructure; penalties.**

9 Any person who ~~shall intentionally destroy~~ *destroys* or ~~damage~~ *damages* any facility ~~which, fixture,~~
 10 *equipment, or information technology system that is used to provide, process, transmit, furnish, or maintain*
 11 *oil, telegraph, telephone, electric, gas, sewer, wastewater, cable television, broadband, or water service to the*
 12 *public or other critical infrastructure, as defined in § 44-146.28:2, shall be is* guilty of a Class 4 felony,
 13 provided that in the event that the destruction or damage may be remedied or repaired for less than \$1,000
 14 such act shall constitute a Class 3 misdemeanor. On electric generating property marked with no trespassing
 15 signs, the security personnel of a utility may detain a trespasser for a period not to exceed one hour pending
 16 arrival of a law-enforcement officer.

17 Notwithstanding any other provisions of this title, any person who ~~shall intentionally destroy~~ *destroys* or
 18 ~~damage~~ *damages*, or ~~attempt~~ *attempts* to destroy or damage, any such facility, *fixture, equipment, information*
 19 *technology system, or material connected therewith, the destruction or damage of which might, in any*
 20 manner, threaten the release of radioactive materials or ionizing radiation beyond the areas in which they are
 21 normally used or contained, ~~shall be is~~ guilty of a Class 4 felony, provided that in the event the destruction or
 22 damage results in the death of another due to exposure to radioactive materials or ionizing radiation, such
 23 person ~~shall be is~~ guilty of a Class 2 felony; provided further, that in the event the destruction or damage
 24 results in injury to another, such person ~~shall be is~~ guilty of a Class 3 felony.

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

ENROLLED

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