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HOUSE BILL NO. 208

Offered January 14, 2026

Prefiled January 7, 2026

A *BILL* to amend the Code of Virginia by adding in Title 19.2 a chapter numbered 9.3, consisting of sections numbered 19.2-152.18 through 19.2-152.22, relating to anti-harassment orders.

Patron—Williams

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 19.2 a chapter numbered 9.3, consisting of sections numbered 19.2-152.18 through 19.2-152.22, as follows:

CHAPTER 9.3.

ANTI-HARASSMENT ORDERS.

§ 19.2-152.18. Definitions.

As used in this chapter, "harassment" means any act or pattern of action that is ongoing and purposeful either in gesture or communication that causes alarm or reasonable emotional distress and serves no legitimate or lawful purpose.

§ 19.2-152.19. Temporary anti-harassment order.

A. As used in this section:

"Copy" includes a facsimile copy.

"Law-enforcement officer" means (i) a person who is a full-time or part-time employee of a police department or sheriff's office that is a part of or administered by the Commonwealth or any of its political subdivisions and who is responsible for the prevention and detection of crime and the enforcement of the penal, traffic, or highway laws of the Commonwealth and (ii) a member of any auxiliary police force established pursuant to § 15.2-1731. Part-time employees are compensated officers who are not full-time employees as defined by the employing police department or sheriff's office.

"Physical presence" includes (i) intentionally maintaining direct visual contact with the petitioner or (ii) unreasonably being within 100 feet of the petitioner's residence or place of employment.

B. Any judge of a circuit court, general district court, or juvenile and domestic relations district court or magistrate may issue a written or oral ex-parte temporary anti-harassment order pursuant to this section in order to protect an individual from harassment.

C. When a law-enforcement officer or an alleged victim asserts under oath to a judge or magistrate that the alleged victim is being or has been subject to an act of harassment, and on that assertion or other evidence the judge or magistrate finds that there is probable likelihood of a further such act being committed by the respondent against the alleged victim, the judge or magistrate shall issue an ex-parte temporary anti-harassment order imposing one or more of the following conditions on the respondent:

1. Prohibiting acts of communication, intimidation, or physical presence resulting in harassment to the alleged victim;

2. Prohibiting such contacts by the respondent with the alleged victim or the alleged victim's family or household members, including prohibiting the respondent from being in the physical presence of the alleged victim or the alleged victim's family or household members, as the judge or magistrate deems necessary to protect the safety of such persons;

3. Such other conditions as the judge or magistrate deems necessary to prevent (i) acts of harassment that may result in injury to person or property or (ii) communication or other contact of any kind by the respondent; and

4. Granting the petitioner the possession of any companion animal as defined in § 3.2-6500 if such petitioner meets the definition of owner in § 3.2-6500.

D. A temporary anti-harassment order issued pursuant to this section shall expire at a hearing pursuant to § 19.2-152.20. Upon issuance of a temporary anti-harassment order, the court shall schedule a hearing pursuant to § 19.2-152.20. The respondent may, at any time, file a motion with the court requesting a hearing to dissolve or modify the order. The hearing on the motion shall be given precedence on the docket of the court.

E. A law-enforcement officer may request a temporary anti-harassment order pursuant to this section and, if the person in need of protection is physically or mentally incapable of filing a petition pursuant to § 19.2-152.20, may request an extension of a temporary anti-harassment order for an additional period of time not to exceed three days after expiration of the original order. The request for a temporary anti-harassment order or extension of an order may be made orally, in person, or by electronic means, and the

59 judge of a circuit court, general district court, or juvenile and domestic relations district court or a
60 magistrate may issue an oral temporary anti-harassment order. An oral temporary anti-harassment order
61 issued pursuant to this section shall be reduced to writing, by the law-enforcement officer requesting the
62 order or the magistrate, on a preprinted form approved and provided by the Supreme Court of Virginia. The
63 completed form shall include a statement of the ground for the order asserted by the officer or the alleged
64 victim of harassment.

65 F. The court or magistrate shall forthwith, but in all cases no later than the end of the business day on
66 which the order was issued, enter and transfer electronically to the Virginia Criminal Information Network
67 the respondent's identifying information and the name, date of birth, sex, and race of each protected person
68 provided to the court or magistrate. A copy of a temporary anti-harassment order issued pursuant to this
69 section containing any such identifying information shall be forwarded forthwith to the primary law-
70 enforcement agency responsible for service and entry of anti-harassment orders. Upon receipt of the order by
71 the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as
72 necessary to the identifying information and other appropriate information required by the Department of
73 State Police into the Virginia Criminal Information Network established and maintained by the Department
74 pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith upon the
75 respondent and due return made to the court. However, if the order is issued by the circuit court, the clerk of
76 the circuit court shall forthwith forward an attested copy of the order containing the respondent's identifying
77 information and the name, date of birth, sex, and race of each protected person provided to the court to the
78 primary law-enforcement agency providing service and entry of anti-harassment orders and, upon receipt of
79 the order, the primary law-enforcement agency shall enter the name of the person subject to the order and
80 other appropriate information required by the Department of State Police into the Virginia Criminal
81 Information Network pursuant to Chapter 2 (§ 52-12 et seq.) and the order shall be served forthwith upon the
82 respondent. Upon service, the agency making service shall enter the date and time of service and other
83 appropriate information required into the Virginia Criminal Information Network and make due return to the
84 court. One copy of the order shall be given to the alleged victim of such crime. The judge or magistrate who
85 issues an oral order pursuant to an electronic request by a law-enforcement officer shall verify the written
86 order to determine whether the officer who reduced it to writing accurately transcribed the contents of the
87 oral order. The original copy shall be filed with the clerk of the appropriate district court within five business
88 days of the issuance of the order. If the order is later dissolved or modified, a copy of the dissolution or
89 modification order shall also be attested and forwarded forthwith to the primary law-enforcement agency
90 responsible for service and entry of anti-harassment orders. Upon receipt of the order by the primary law-
91 enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the
92 identifying information and other appropriate information required by the Department of State Police into
93 the Virginia Criminal Information Network as described above and the order shall be served forthwith and
94 due return made to the court. Upon request, the clerk shall provide the alleged victim of such crime with
95 information regarding the date and time of service.

96 G. The issuance of a temporary anti-harassment order shall not be considered evidence of any
97 wrongdoing by the respondent or restraining order for the purposes of § 18.2-308.09.

98 H. Neither a law-enforcement agency, the attorney for the Commonwealth, a court, nor the clerk's office,
99 nor any employee of them, may disclose, except among themselves, the residential address, telephone
100 number, or place of employment of the person protected by the order or that of the family of such person,
101 except to the extent that disclosure is (i) required by law or the Rules of the Supreme Court of Virginia, (ii)
102 necessary for law-enforcement purposes, or (iii) permitted by the court for good cause.

103 I. No fees shall be charged for filing or serving any petition pursuant to this section.

104 J. No temporary anti-harassment order shall be issued pursuant to this section against a law-enforcement
105 officer for any action arising out of the lawful performance of his duties.

106 K. Upon issuance of a temporary anti-harassment order, the clerk of the court shall make available to the
107 petitioner information that is published by the Department of Criminal Justice Services for victims of
108 domestic violence or for petitioners in anti-harassment order cases.

109 **§ 19.2-152.20. Anti-harassment order.**

110 A. As used in this section:

111 "Anti-harassment order" includes an initial, modified, or extended anti-harassment order.

112 "Copy" includes a facsimile copy.

113 B. The court may issue an anti-harassment order pursuant to this chapter to protect the petitioner and
114 family or household members of a petitioner from harassment at a hearing held pursuant to § 19.2-152.19.
115 An anti-harassment order issued under this section may include any one or more of the following conditions
116 to be imposed on the respondent:

117 1. Prohibiting acts that may result in harassment or injury to person or property;

118 2. Prohibiting such contacts by the respondent with the petitioner or family or household members of the
119 petitioner as the court deems necessary for the prevention of harassment;

120 3. Any other relief necessary to prevent (i) acts of harassment or (ii) communication or other contact of

121 any kind by the respondent; and

122 4. Granting the petitioner the possession of any companion animal as defined in § 3.2-6500 if such
123 petitioner meets the definition of owner in § 3.2-6500.

124 C. The anti-harassment order may be issued for a specified time period up to a maximum of two years.
125 The anti-harassment order shall expire at 11:59 p.m. on the last day specified or at 11:59 p.m. on the last day
126 of the two-year period if no date is specified. Prior to the expiration of the anti-harassment order, a
127 petitioner may file a written motion requesting a hearing to extend the order. Proceedings to extend an anti-
128 harassment order shall be given precedence on the docket of the court. The court may extend the anti-
129 harassment order for a period not longer than two years to protect the health and safety of the petitioner or
130 persons who are family or household members of the petitioner at the time the request for an extension is
131 made. The extension of the anti-harassment order shall expire at 11:59 p.m. on the last day specified or at
132 11:59 p.m. on the last day of the two-year period if no date is specified. Nothing herein shall limit the number
133 of extensions that may be requested or issued.

134 D. A copy of the anti-harassment order shall be served on the respondent and provided to the petitioner
135 as soon as possible. The court, including a circuit court if the circuit court issued the order, shall forthwith,
136 but in all cases no later than the end of the business day on which the order was issued, enter and transfer
137 electronically to the Virginia Criminal Information Network the respondent's identifying information and the
138 name, date of birth, sex, and race of each protected person provided to the court and shall forthwith forward
139 the attested copy of the anti-harassment order containing any such identifying information to the primary
140 law-enforcement agency responsible for service and entry of anti-harassment orders. Upon receipt of the
141 order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification
142 as necessary to the identifying information and other appropriate information required by the Department of
143 State Police into the Virginia Criminal Information Network established and maintained by the Department
144 pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith upon the
145 respondent and due return made to the court. Upon service, the agency making service shall enter the date
146 and time of service and other appropriate information required into the Virginia Criminal Information
147 Network and make due return to the court. If the order is later dissolved or modified, a copy of the
148 dissolution or modification order shall also be attested and forwarded forthwith to the primary law-
149 enforcement agency responsible for service and entry of anti-harassment orders, and upon receipt of the
150 order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification
151 as necessary to the identifying information and other appropriate information required by the Department of
152 State Police into the Virginia Criminal Information Network as described above and the order shall be
153 served forthwith and due return made to the court.

154 E. Except as otherwise provided, a violation of an anti-harassment order issued under this section shall
155 constitute contempt of court.

156 F. The court may assess costs and attorney fees against either party regardless of whether an anti-
157 harassment order has been issued as a result of a full hearing.

158 G. Any judgment, order, or decree, whether permanent or temporary, issued by a court of appropriate
159 jurisdiction in another state, the United States or any of its territories, possessions, or Commonwealths, or
160 the District of Columbia, or by any tribal court of appropriate jurisdiction for the purpose of preventing
161 violent or threatening acts or harassment against or contact or communication with or physical proximity to
162 another person, including any of the conditions specified in subsection B, shall be accorded full faith and
163 credit and enforced in the Commonwealth as if it were an order of the Commonwealth, provided that
164 reasonable notice and opportunity to be heard were given by the issuing jurisdiction to the person against
165 whom the order is sought to be enforced sufficient to protect such person's due process rights and consistent
166 with federal law. A person entitled to an anti-harassment order under such a foreign order may file the order
167 in any appropriate district court by filing with the court an attested or exemplified copy of the order. Upon
168 such a filing, the clerk shall forthwith forward an attested copy of the order to the primary law-enforcement
169 agency responsible for service and entry of an anti-harassment order, which shall, upon receipt, enter the
170 name of the person subject to the order and other appropriate information required by the Department of
171 State Police into the Virginia Criminal Information Network established and maintained by the Department
172 pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52. Where practical, the court may transfer information
173 electronically to the Virginia Criminal Information Network.

174 Upon inquiry by any law-enforcement agency of the Commonwealth, the clerk shall make a copy
175 available of any foreign order filed with that court. A law-enforcement officer may, in the performance of his
176 duties, rely upon a copy of a foreign anti-harassment order or other suitable evidence that has been provided
177 to him by any source and may also rely upon the statement of any person protected by the order that the
178 order remains in effect.

179 H. Either party may, at any time, file a written motion with the court requesting a hearing to dissolve or
180 modify an anti-harassment order. Proceedings to modify or dissolve an anti-harassment order shall be given
181 precedence on the docket of the court.

182 I. Neither a law-enforcement agency, the attorney for the Commonwealth, a court, nor the clerk's office,

183 *nor any employee of them, may disclose, except among themselves, the residential address, telephone*
184 *number, or place of employment of the person protected by the order or that of the family of such person,*
185 *except to the extent that disclosure is (i) required by law or the Rules of the Supreme Court of Virginia, (ii)*
186 *necessary for law-enforcement purposes, or (iii) permitted by the court for good cause.*

187 *J. No fees shall be charged for filing or serving any petition pursuant to this section.*

188 *K. Upon issuance of an anti-harassment order, the clerk of the court shall make available to the petitioner*
189 *information that is published by the Department of Criminal Justice Services for victims of domestic violence*
190 *or for petitioners in anti-harassment order cases.*

191 *L. The provisions of this section shall serve to prevent the contact and communication with, and*
192 *harassment of, the petitioner and will not constitute a restraining order for the purposes of § 18.2-308.09.*

193 **§ 19.2-152.21. Venue for anti-harassment orders.**

194 *Proceedings in which an anti-harassment order is sought pursuant to this chapter shall be commenced*
195 *where (i) either party has his principal residence; (ii) the act of harassment by the respondent against the*
196 *petitioner occurred; or (iii) an anti-harassment order was issued if, at the time the proceeding is commenced,*
197 *the order is in effect to protect the petitioner or a family or household member of the petitioner.*

198 **§ 19.2-152.22. Compensation for required representation of respondents.**

199 *Notwithstanding any other provision of law, when, in a proceeding pursuant to this chapter,*
200 *representation of a respondent by counsel is required under the federal Servicemembers Civil Relief Act (50*
201 *U.S.C. § 3901 et seq.) or a guardian ad litem is required by law and there is no other provision for the*
202 *compensation of counsel or a guardian ad litem, the court may order such counsel or guardian ad litem to be*
203 *compensated for services pursuant to § 19.2-163.*