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HOUSE BILL NO. 174

Offered January 12, 2000

A BILL to amend and reenact §§ 18.2-60 and 18.2-83 of the Code of Virginia, relating to threats; penalty.

Patron—Phillips

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That §§ 18.2-60 and 18.2-83 of the Code of Virginia are amended and reenacted as follows:

§ 18.2-60. Threats of death or bodily injury to a person or member of his family; certain oral threats communicated to school personnel; penalty.

A. If any person write or compose and also send, *post* or procure the sending *or posting* of any letter, inscribed communication or electronically transmitted *or posted* communication producing a visual or electronic message, so written or composed, whether such letter or communication be signed or anonymous, to any person *or posts such communication in a public place or on an electronic site*, containing a threat to kill or do bodily injury to the person ~~to whom~~ *who is the subject of* such letter or communication is sent, or a threat to kill or do bodily injury to any member of his or her family, the person so writing or composing and sending, *posting or electronically transmitting*, or procuring the sending, *posting or electronic transmission* of such letter or communication shall be guilty of a Class 6 felony. ~~and Such prosecution may be prosecuted either in the county, city or town in which the letter or inscribed communication is composed, written, sent, posted, or electronically transmitted, or procured to be sent, posted, or electronically transmitted, or in the county, city or town in which the letter or inscribed communication is received.~~

B. If any person orally makes a threat to any employee *or student* of any elementary, middle or secondary school, while on a school bus, on school property or at a school-sponsored activity, to kill or to do bodily injury to such person, he shall be guilty of a Class 4 ~~misdemeanor~~ *6 felony*.

§ 18.2-83. Threats to bomb or damage buildings or means of transportation; false information as to danger to such buildings, etc.; punishment; venue.

A. Any person (a) who makes and communicates to another by any means *or posts in a public place or on an electronic site* any threat to bomb, burn, destroy or in any manner damage any place of assembly, building or other structure, or any means of transportation, or (b) who communicates to another, by any means, *or posts in a public place or on an electronic site* information, knowing the same to be false, as to the existence of any peril of bombing, burning, destruction or damage to any such place of assembly, building or other structure, or any means of transportation, shall be guilty of a Class 5 felony; ~~provided, however, that~~ *However*, if such person ~~be~~ *is* under fifteen years of age, he shall be guilty of a Class 1 misdemeanor.

B. A violation of this section may be prosecuted either in the jurisdiction from which the communication *or posting* was made or in the jurisdiction where the communication was received.

2. That the provisions of this act may result in a net increase in periods of imprisonment in state correctional facilities. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is \$152,759 in FY 2001.

INTRODUCED

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