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## HOUSE BILL NO. 349

House Amendments in [ ] — February 8, 2000

A BILL to amend and reenact § 18.2-35 of the Code of Virginia [ ~~and to amend the Code of Virginia by adding in Article 4 of Chapter 4 of Title 18.2 a section numbered 18.2-57.4~~ ], relating to injury to or death of an infant under the age of five; penalty.

Patron—Marshall

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-35 of the Code of Virginia is amended and reenacted [ ~~; and that the Code of Virginia is amended by adding in Article 4 of Chapter 4 of Title 18.2 a section numbered 18.2-57.4~~ ] as follows:

§ 18.2-35. How voluntary manslaughter punished.

Voluntary manslaughter is punishable as a Class 5 felony. *However, if the victim is under the age of five, it shall be punishable as a Class 4 felony.*

[ ~~§ 18.2-57.4. Assault and battery against an infant under the age of five.~~

*Any person over the age of fourteen who commits an assault and battery against a person under the age of five which results in severe bodily injury or permanent and significant physical impairment is guilty of a Class 5 felony.* ]

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.

ENGROSSED

HB349E