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HOUSE BILL NO. 718

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice
on February 13, 2000)

(Patrons Prior to Substitute— Delegates Darner and Moran [HB 1107])

A BILL to amend and reenact § 18.2-361 of the Code of Virginia, relating to crimes against nature; penalty.

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-361 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-361. Crimes against nature.

A. If any person carnally knows ~~in any manner any brute animal, or carnally knows~~ any male or female person by the anus or by or with the mouth, or voluntarily submits to such carnal knowledge, he or she shall be guilty of a Class 6 ~~felony~~ 4 misdemeanor, except as provided in subsection B. *If any person carnally knows any male or female person under eighteen years of age by the anus or by the mouth, or if any person voluntarily submits to such carnal knowledge with a person under eighteen years of age, he shall be guilty of a Class 6 felony, except as provided in subsection B.*

B. ~~Any~~ Notwithstanding the provisions of subsection A, any person who carnally knows by the anus or by or with the mouth his daughter or granddaughter, son or grandson, brother or sister, or father or mother shall be guilty of a Class 5 felony. However, if a parent or grandparent commits any such act with his child or grandchild and such child or grandchild is at least thirteen but less than eighteen years of age at the time of the offense, such parent or grandparent shall be guilty of a Class 3 felony.

C. *If any person carnally knows in any manner any brute animal he shall be guilty of a Class 6 felony.*

**HOUSE
SUBSTITUTE**

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