

2001 SESSION

HOUSE SUBSTITUTE

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HOUSE BILL NO. 1710

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Courts of Justice
on February 1, 2001)

(Patron Prior to Substitute—Delegate Deeds)

A BILL to amend the Code of Virginia by adding a section numbered 8.01-42.3, relating to a civil action for stalking.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 8.01-42.3 as follows:

§ 8.01-42.3. Civil action for stalking.

A. A victim has a civil cause of action against an individual who engaged in conduct that is prohibited under § 18.2-60.3, whether or not the individual has been charged or convicted for the alleged violation, for the compensatory damages incurred by the victim as a result of that conduct, in addition to the costs for bringing the action. If compensatory damages are awarded, a victim may also be awarded punitive damages.

B. As used in this section,

"Compensatory damages" includes damages for all of the defendant's acts prohibited by § 18.2-60.3.

"Victim" means a person who, because of the conduct of the defendant that is prohibited under § 18.2-60.3, was placed in reasonable fear of death, criminal sexual assault, or bodily injury to himself or to a minor child of whom the person is a parent or legal guardian.

C. No action shall be commenced under this section more than two years after the most recent conduct prohibited under § 18.2-60.3.

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