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**HOUSE JOINT RESOLUTION NO. 687**  
**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
(Proposed by the House Committee on Rules  
on February 4, 2001)

(Patron Prior to Substitute—Delegate McDonnell)

*Establishing a joint subcommittee to study the organization of and inconsistencies in Title 18.2 of the Code of Virginia, including the level, extent, and rationale of the penalties set forth therein.*

WHEREAS, Title 18.2 sets out the criminal laws of the Commonwealth and was last examined through a recodification 25 years ago; and

WHEREAS, many changes have been enacted during the intervening years, such as the creation of computer and other electronic crimes, crimes involving newly identified chemical substances and biological substances, and changes in penalties in recognition of changing public priorities; and

WHEREAS, a recent review of criminal penalties in the Code of Virginia shows some inconsistencies in the weight of those penalties when viewed as an overall scheme; and

WHEREAS, an examination of Title 18.2, including criminal penalties contained in other titles of the Code, is needed to reconcile these inconsistencies; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be established to study the organization of and inconsistencies in Title 18.2 of the Code of Virginia, including the level, extent, and rationale of the penalties set forth therein. The joint subcommittee shall consist of 21 members, which shall include 13 legislative members, six nonlegislative citizens, and two ex officio members as follows: the co-chairmen of the House Committee for Courts of Justice; six members of the House of Delegates, of whom one shall be a member of the Virginia Code Commission, to be appointed by the Speaker of the House in accordance with the principles of proportional representation contained in the Rules of the House; the chairman of Senate Committees for Courts of Justice; four members of the Senate, of whom one shall be a member of the Virginia Code Commission, to be appointed by the Senate Committee on Privileges and Elections; four citizen members, of whom one shall be a circuit court judge, one attorney for the Commonwealth, and one public defender, to be appointed by the Speaker; two citizen members, of whom one shall be a member of the Virginia Criminal Sentencing Commission, and one law professor, to be appointed by the Senate Committee on Privileges and Elections; and the Attorney General, or his designee and the Director of Legislative Services, who shall serve ex officio without voting privileges.

In conducting its study, the joint subcommittee shall (i) review the proportionality of the criminal penalties throughout the Code of Virginia; (ii) make recommendations for necessary amendments; and (iii) recommend whether or not Title 18.2 should also be revised at this time.

The direct costs of this study shall not exceed \$30,800, representing the costs for two years.

The Division of Legislative Services shall provide staff support for the study.

Technical assistance shall be provided by the Virginia Criminal Sentencing Commission. All agencies of the Commonwealth shall provide assistance to the joint subcommittee, upon request.

The joint subcommittee shall complete its work in time to submit its written findings and recommendations by November 30, 2002, to the Virginia Code Commission and to the Governor and the 2003 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the study.

HOUSE SUBSTITUTE

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