

2001 SESSION

SENATE SUBSTITUTE

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HOUSE JOINT RESOLUTION NO. 687
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Rules
on February 19, 2001)
(Patron Prior to Substitute—Delegate McDonnell)

Directing the Virginia State Crime Commission to study the organization of and inconsistencies in Title 18.2 of the Code of Virginia, including the level and extent of penalties set forth therein and the reasoning thereof.

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 the Virginia State Crime Commission be directed to study the organization of and inconsistencies in Title 18.2 of the Code of Virginia, including the level and extent of penalties set forth therein and the reasoning thereof.

In conducting its study, the Commission shall review the proportionality of the criminal penalties throughout the Code of Virginia and make recommendations for necessary amendments thereto, and shall recommend whether or not Title 18.2 should be rewritten at this time.

Technical assistance shall be provided by the Division of Legislative Services, the Virginia Code Commission, and any other agency of the Commonwealth, upon request.

The Virginia State Crime Commission shall complete its work in time to submit its findings and recommendations by October 20, 2002, 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.

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