

# VIRGINIA ACTS OF ASSEMBLY -- 2002 SESSION

## CHAPTER 576

*An Act to amend and reenact § 18.2-49.1 of the Code of Virginia, relating to violation of a court order regarding custody and visitation.*

[H 416]

Approved April 6, 2002

**Be it enacted by the General Assembly of Virginia:**

**1. That § 18.2-49.1 of the Code of Virginia is amended and reenacted as follows:**

§ 18.2-49.1. Violation of court order regarding custody and visitation; penalty.

A. Any person who knowingly, wrongfully and intentionally withholds a child from the child's custodial parent in a clear and significant violation of a court order respecting the custody or visitation of such child, provided such child is withheld outside of the Commonwealth, ~~shall be~~ *is* guilty of a Class 6 felony.

B. Any person who knowingly, wrongfully and intentionally engages in conduct ~~which~~ *that* constitutes a clear and significant violation of a court order respecting the custody or visitation of a child ~~shall be~~ *is* guilty of a Class 4 3 misdemeanor upon conviction of a first offense. *Any person who commits a second conviction for a violation of this section within twelve months of a first conviction shall be is guilty of a Class 3 2 misdemeanor, and a third conviction any person who commits a third violation occurring within twenty-four months of the first conviction shall be is guilty of a Class 2 1 misdemeanor.*