

VIRGINIA ACTS OF ASSEMBLY -- 2003 SESSION

CHAPTER 736

An Act to amend and reenact § 19.2-294 of the Code of Virginia, relating to offense against two or more statutes or ordinances.

[H 1683]

Approved March 19, 2003

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-294 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-294. Offense against two or more statutes or ordinances.

If the same act be a violation of two or more statutes, or of two or more ordinances, or of one or more statutes and also one or more ordinances, conviction under one of such statutes or ordinances shall be a bar to a prosecution or proceeding under the other or others. Furthermore, if the same act be a violation of both a state and a federal statute, a prosecution under the federal statute shall be a bar to a prosecution under the state statute. The provisions of this section shall not apply to any offense involving an act of terrorism as defined in § 18.2-46.4.

For purposes of this section, a prosecution under a federal statute shall be deemed to be commenced with the return of an indictment by a grand jury or the filing of an information by a United States attorney once jeopardy has attached.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities and is \$0 for periods of commitment to the custody of the Department of Juvenile Justice.