

2003 SESSION

INTRODUCED

034843890

HOUSE BILL NO. 2235

Offered January 8, 2003

Prefiled January 8, 2003

A BILL to amend and reenact § 18.2-474.1 of the Code of Virginia, relating to delivery of weapons to prisoners; penalty.

Patron—Pollard

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-474.1 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-474.1. Delivery of drugs, weapons, explosives, etc., to prisoners, penalty.

Notwithstanding the provisions of § 18.2-474, any person who ~~shall~~ willfully in any manner deliver, attempt to deliver, or conspire delivers, attempts to deliver, or conspires with another to deliver to any prisoner confined under authority of the Commonwealth of Virginia, or of any political subdivision thereof, any drug which is a controlled substance regulated by the Drug Control Act in Chapter 34 of Title 54.1 or marijuana, ~~shall be~~ is guilty of a Class 5 felony. Any person who ~~shall~~ willfully in any manner ~~so deliver or attempt~~ delivers or attempts to deliver or ~~conspire~~ conspires to deliver to any such prisoner, (i) firearms, (ii) ammunitions, or explosives of any nature ~~shall be~~, (iii) weapons of any nature capable of causing death or injury including knives, instruments, tools, or other things not authorized by the sheriff, superintendent or prison official is guilty of a Class 3 felony.

Nothing herein contained shall be construed to repeal or amend § 18.2-473.

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 cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

INTRODUCED

HB2235