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**HOUSE BILL NO. 2458**

House Amendments in [ ] — January 27, 2003

A *BILL to amend the Code of Virginia by adding in Chapter 8 of Title 17.1 a section numbered 17.1-807, relating to modification of sentencing guidelines for cocaine distribution.*

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Patron Prior to Engrossment—Delegate McDougle

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Referred to Committee for Courts of Justice

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

**1. That the Code of Virginia is amended by adding in Chapter 8 of Title 17.1 a section numbered 17.1-807 as follows:**

*§ 17.1-807. Modification of sentencing guidelines for cocaine.*

*For any conviction under subsection C of § 18.2-248 or subsection A of § 18.2-255 involving cocaine, when a determination of sentence under sentencing guidelines is made, [ ~~no consideration shall be given to the fact that the offender has no prior felony convictions or felony adjudications when his offense involved a quantity of 1 gram of cocaine or less.~~ that determination shall not be limited to a recommendation of detention center incarceration, but shall include other incarceration alternatives. ]*

**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.**

ENGROSSED

HB2458E