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## SENATE BILL NO. 797

Senate Amendments in [ ] — January 30, 2003

A *BILL* to amend the Code of Virginia by adding a section numbered 18.2-112.1, relating to embezzlement by public official; penalty.

Patron Prior to Engrossment—Senator Reynolds

Referred to Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:****1. That the Code of Virginia is amended by adding a section numbered [ 18.2-112.1 ] as follows:****§ 18.2-112.1. Embezzlement by public officials of public funds; penalty.**

*If any officer, agent or employee of the Commonwealth or of any county, city or town or any other political subdivision or any authority, knowingly misuses or misappropriates or unlawfully disposes of any public funds that he has access to or knows of because of his position as an officer, agent or employee, he is guilty of a Class 4 felony. The sentence shall include a mandatory, minimum term of 1 year of incarceration in a state correctional facility with no suspension of sentence in whole or in part for each \$50,000 misused, misappropriated or unlawfully disposed of.*

**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

SB797E