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**HOUSE BILL NO. 184****AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee for Courts of Justice)

(Patrons Prior to Substitute—Delegates Oder and Griffith [HB1244])

House Amendments in [ ] - February 4, 2004

*A BILL to amend and reenact § 18.2-52 of the Code of Virginia, relating to malicious bodily injury.***Be it enacted by the General Assembly of Virginia:****1. That § 18.2-52 of the Code of Virginia is amended and reenacted as follows:**

§ 18.2-52. Malicious bodily injury by use of any acid, caustic substance, infectious biological substance, radiological agent, explosive or fire; penalty.

If any person maliciously causes any other person bodily injury by ~~means~~ use of any acid, lye or other caustic substance or agent, *use of an infectious biological substance or radiological agent*, or use of any explosive or fire, he ~~shall be~~ is guilty of a felony and shall be punished by confinement in a state correctional facility for a period of not less than five years nor more than ~~thirty~~ 30 years. If such act is done unlawfully but not maliciously, the offender ~~shall be~~ is guilty of a Class 6 felony. *The definitions in [ § 18.2-51 § 18.2-52.1 ] shall apply to this section.*

**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

HB184EH1