

2004 SESSION

INTRODUCED

040132104

HOUSE BILL NO. 569

Offered January 14, 2004

Prefiled January 13, 2004

A BILL to amend and reenact § 18.2-46.3 of the Code of Virginia, relating to recruitment of juveniles for criminal street gang; penalty.

Patrons—Albo and Baskerville

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-46.3 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-46.3. Recruitment of juveniles for criminal street gang; penalty.

A. Any person ~~age eighteen years or older~~ who solicits, invites, recruits, encourages or otherwise causes or attempts to cause a ~~juvenile~~ *another* to actively participate in or become a member of a criminal street gang ~~shall be~~ *is* guilty of a Class 6 ~~felony~~ *1 misdemeanor*. *An offense under this subsection committed by a person 18 years of age or older against a juvenile is a Class 6 felony.*

B. Any person who uses or threatens force against any person due to that person's or any other person's refusal to actively participate in or become a member of a criminal street gang, withdrawal as a participant in or member of a criminal street gang, or refusal to submit to a demand made by a criminal street gang, is guilty of a Class 6 felony. *An offense under this subsection committed by a person 18 years of age or older against a juvenile is a Class 5 felony.*

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.

INTRODUCED

HB569