



Impact Analysis on Proposed Legislation

Virginia Criminal Sentencing Commission

House Bill No. 126

(Patron – Albo)

Date Submitted: 1/5/04

LD #: 04-7667204

Topic: Inducing another to give false testimony

Proposed Change:

The proposal adds subsection (B) to § 18.2-436 stating that it is a crime to procure or induce another to commit perjury or give false testimony under oath either within or without the Commonwealth. Inducing another to commit perjury would remain a Class 5 felony as specified in § 18.2-434. In addition, the proposal specifies that the venue for trial of an accused person shall be in the city in which the perjury took place or in the city in which the person was advised to give false testimony.

Current Practice:

Currently, § 18.2-436 already makes it a crime to procure or induce another to commit perjury or give false testimony under oath. The crime is classified as a Class 5 felony. However, venue for trial is not specified in the current wording of § 18.2-436.

Impact of Proposed Legislation:

Because the proposed legislation does not make any adjustments to the current penalty structure for perjury, it is predicted that the proposal will have no impact on the bed space needs of the Commonwealth.

No adjustment to the guidelines would be necessary under the proposal.

Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is \$0 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.

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