

VIRGINIA ACTS OF ASSEMBLY -- 2005 SESSION

CHAPTER 691

An Act to amend and reenact § 54.1-2342 of the Code of Virginia, relating to cemetery operators, perpetual care trust funds and preneed burial contracts; penalties.

[S 1166]

Approved March 23, 2005

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-2342 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-2342. Penalties.

~~It shall be unlawful for~~ Any person ~~to violate~~ who violates any of the provisions of this chapter shall be subject to the sanctions provided in Chapter 1 (§ 54.1-100 et seq.) and Chapter 2 (§ 54.1-200 et seq.) and in §§ 54.1-2314, 54.1-2317, and 54.1-2326. Any such violation shall be deemed person who is convicted of willfully violating any of the provisions of this chapter is guilty of a Class 1 misdemeanor; ~~and any.~~ Any person convicted of such violation shall be punished in accordance with the provisions of § 18.2-11. ~~However, any violation of or failure to comply with violating, or failing to comply with, any of the provisions of §§ 54.1-2317, 54.1-2319, 54.1-2321, 54.1-2322, 54.1-2325 or § 54.1-2326 shall be deemed with the intent to defraud is guilty of a Class 6 felony; and any person convicted of such violation shall be punished in accordance with the provisions of § 18.2-10.~~

For the purposes of this section, "person" includes any individual, corporation, partnership, association, cooperative, limited liability company, trust, joint venture, government, political subdivision, or any other legal or commercial entity and any successor, representative, agent, agency, instrumentality, officer or employee thereof.