

2005 SESSION

INTRODUCED

055444380

HOUSE BILL NO. 2288

Offered January 12, 2005

Prefiled January 11, 2005

A BILL to amend and reenact § 18.2-462 of the Code of Virginia, relating to impeding a criminal investigation.

Patrons—Lingamfelter and Shannon

Referred to Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:**

**1. That § 18.2-462 of the Code of Virginia is amended and reenacted as follows:**

§ 18.2-462. Concealing or compounding offenses.

A. ~~If~~ Except as provided in subsection B, if any person knowing of the commission of an offense ~~take~~ takes any money or reward, or an engagement therefor, upon an agreement or understanding, expressed or implied, to compound or conceal such offense, or not to prosecute therefor, or not to give evidence thereof, he shall, if such offense be a felony, be guilty of a Class 2 misdemeanor; and if such offense be not a felony, unless it be punishable merely by forfeiture to him, he shall be guilty of a Class 4 misdemeanor.

B. 1. Any person, with actual knowledge of the commission by another of any felony offense under any Article of Chapter 4 of this title other than Article 1 (§ 18.2-30 et seq.), who willfully conceals, alters, dismembers, or destroys any item of evidence with the intent to delay, impede, obstruct, prevent, or otherwise hinder the investigation, apprehension, prosecution, conviction, or punishment of any person regarding such offense is guilty of a Class 6 felony.

2. Any person, with actual knowledge of the commission by another of any offense under Article 1 (§ 18.2-30 et seq.) of Chapter 4 of this title, who willfully conceals, alters, dismembers, or destroys any item of evidence with the intent to delay, impede, obstruct, prevent, or otherwise hinder the investigation, apprehension, prosecution, conviction, or punishment of any person regarding such offense is guilty of a Class 4 felony. However, if such item of evidence is the body or physical remains of any victim of such offense, then such person is guilty of a Class 3 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

HB2288