

2005 SESSION

HOUSE SUBSTITUTE

058019380

HOUSE BILL NO. 2288

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Appropriations
on February 3, 2005)

(Patrons Prior to Substitute—Delegates Lingamfelter and Shannon [HB2565])

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

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 other than the victim of the crime, with actual knowledge of the commission by another of any felony offense under any Article of Chapter 4 of this title other than murder, who willfully conceals, alters, dismembers, or destroys any item of physical evidence with the intent to delay, impede, obstruct, prevent, or 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 murder, who willfully conceals, alters, dismembers, or destroys any item of physical evidence with the intent to delay, impede, obstruct, prevent, or hinder the investigation, apprehension, prosecution, conviction, or punishment of any person regarding such offense is guilty of a Class 4 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.

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HB2288H1