

2005 SESSION

SENATE SUBSTITUTE

053865820

HOUSE BILL NO. 2288

FLOOR AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by Senator Stolle
on February 23, 2005)

(Patron Prior to Substitute—Delegates Lingamfelter and Shannon [HB 2565])

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

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; penalties.

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~~ *is* a felony, be guilty of a Class 2 misdemeanor; and if such offense ~~be~~ *is* not a felony, unless it ~~be~~ *is* punishable merely by forfeiture to him, he shall be guilty of a Class 4 misdemeanor.

B. *Any person, other than the victim of the crime or someone who would be exempt from prosecution under § 18.2-19, who with actual knowledge of the commission by another of any felony offense under Chapter 4 (§ 18.2-30 et seq.) of this title, 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. 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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HB2288S1