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SENATE BILL NO. 695

Senate Amendments in [] - February 8, 2005

A BILL to amend and reenact § 19.2-305.4 of the Code of Virginia, relating to when interest is paid on an award of restitution.

Patron Prior to Engrossment—Senator Reynolds

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-305.4 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-305.4. When interest to be paid on award of restitution.

The court, when ordering When restitution is ordered by the court pursuant to § 19.2-305 or § 19.2-305.1, may provide in the order shall provide for interest on the amount so ordered from the date of the loss or damagesentencing order at the rate specified in § 6.1-330.54, unless the court shall order otherwise. If the order requires interest and does not specifyThe court shall have the discretion to order that theno interest shall accrue on restitution or that interest shall accrue from the date of the loss or damage; the interest shall automatically accrue from the date of the sentencing order. If interest is to be accrued from the date of the loss or damage, that date shall be specifically stated in the order. [The clerk shall credit payments received first to costs until paid in full, second to fines until paid in full, third to restitution until paid in full, and fourth, to interest accrued on restitution until paid in full.]

ENGROSSED

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