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**HOUSE BILL NO. 1049**

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the Senate Committee for Courts of Justice  
on March 6, 2006)

(Patron Prior to Substitute—Delegate Reid)

*A BILL to amend and reenact § 18.2-204.1 of the Code of Virginia, relating to fraudulent use of birth certificate, etc., penalties.*

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

**1. That § 18.2-204.1 of the Code of Virginia is amended and reenacted as follows:**

§ 18.2-204.1. Fraudulent use of birth certificates, etc.; penalty.

A. It shall be unlawful for any person to obtain, possess, sell, or transfer the birth certificate of another for the purpose of establishing a false identity for himself or for another person.

B. It shall be unlawful for any person to obtain, possess, sell, or transfer any document for the purpose of establishing a false status, occupation, membership, license or identity for himself or any other person.

C. Any person who violates the provisions of this section is guilty of a Class 1 misdemeanor, except when the birth certificate or document is obtained, possessed, sold, or transferred with the intent to use such certificate or document to purchase a firearm, in which case a violation of this section shall be punishable as a Class 6 felony.

D. The provisions of this section shall not apply to members of state, federal, county, city or town law-enforcement agencies in the performance of their duties.

*E. The provisions of this section shall not preclude prosecution under any other statute.*

**SENATE SUBSTITUTE**

HB1049S1